



**Middle
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13 December 2023

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Dear Dean Carlarne and colleagues:

We write on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom to express our concern about the situation of Assistant Professor Nina Farnia of Albany Law School. We have received information indicating that Albany Law School (ALS) infringed Professor Farnia's academic freedom and has failed to counter the creation of a hostile work environment for her, thereby undermining her ability to speak and teach freely. As one of a handful of untenured women of color on the ALS faculty, Professor Farnia was already in a vulnerable position; unfortunately, ALS seems to have exacerbated that circumstance in ways that threaten her continued presence at the school.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the prestigious *International Journal of Middle East Studies* and has nearly 2,800 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression both within the region and in connection with the study of the region in North America and outside of North America.

On 7 October 2023 Professor Farnia tweeted: "Long live the Palestinian resistance and the people of Gaza, tearing down the walls

of colonialism and apartheid. As the Biden admin builds more walls at US borders, the people of the world are rising up and tearing walls down. The Palestinians are a beacon for us all.” She deleted the tweet a few days later, but on 11 October 2023 StopAntisemitism denounced Professor Farnia on social media for “justifying the rape, torture, and butchering of Israelis.” This organization is known for accusing educators and others who speak out in support of Palestinian rights of antisemitism and demanding that their employers sanction or even terminate them for voicing their opinions. As often happens to those subjected to StopAntisemitism’s attacks, Professor Farnia began to receive death and rape threats via email and phone.

Whatever one thinks of Professor Farnia’s 7 October 2023 tweet, it is protected by the principles of free speech and academic freedom. We note that Albany Law School’s Faculty Handbook states that “[m]embers of the faculty of Albany Law School are committed to the free search for truth and its free expression” and “[i]nasmuch as the entire academic community of Albany Law School benefits from academic freedom, each professor should respect and defend academic freedom of his or her colleagues.”

Albany Law School’s commitment to academic freedom was, however, put into question when, on 20 October 2023, Cinnamon Carlarne, the president and dean of ALS, asked Professor Farnia to remove from the syllabus two readings related to Israel-Palestine that she had assigned the day before to students in her “Introduction to Critical Race Theory” course. The readings, a law review article by a prominent U.S. legal scholar and a legal briefing issued by a respected U.S. civil rights organization, were well within the course’s scope and were assigned in response to students’ interest in events in the Middle East. As an untenured faculty member, Professor Farnia felt pressured to comply with Dean Carlarne’s request and agreed to remove the readings. That she was asked to do so infringed on Professor Farnia’s academic freedom and violated the ALS Faculty Handbook, which states that “[t]he freedom of the law professor in the teaching of his or her subjects is fundamental to the protection of the rights of both professor and student.”

Professor Farnia’s ability to do her work at ALS has been further undermined by the personal attacks to which she has been subjected, including by some of ALS’s students, faculty and alumni. In one instance the most senior member of the law school faculty is reported to have sent a faculty-wide email accusing Professor Farnia of supporting the “slaughter of innocent Israelis, including the beheading of infants, rape and then murder of young and elderly



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women” and of “glorifying antisemitism,” on the basis of her 7 October 2023 tweet. As far as we know, this faculty member has not been reprimanded for attacking a fellow faculty member. We have also been informed that on 19 November 2023 Professor Farnia was told that the ALS harassment committee had decided to investigate a complaint against her, filed by a student who was not in any of her classes and based exclusively on her 7 October 2023 tweet and the two reading assignments Dean Carlane asked her to drop.

While ALS has taken some protective measures on Professor Farnia’s behalf, it has not effectively addressed the attacks to which she has been subjected; nor has the law school administration made any public statements in defense of Professor Farnia. This has contributed to the creation of a hostile work environment for Professor Farnia, which is likely to have a chilling effect on her ability and willingness to speak and teach freely about matters relating to important public events.

In these fraught times university leaders have a heightened responsibility to protect the freedom of speech, academic freedom, and physical safety of all members of the campus community. This country’s institutions of higher education should be places in which a broad range of perspectives can be expressed, debated and criticized. Your administration’s actions in this matter are an abdication of these professional, academic and civic responsibilities.

We therefore call on Albany Law School to publicly confirm its commitment to respect and protect Professor Farnia’s right to speak and teach, in keeping with the principles of free speech and academic freedom. We further call on the law school to take effective measures to counter the instances of harassment that Professor Farnia has experienced since 7 October 2023. We also ask the administration to provide appropriate accommodations to ensure that Professor Farnia is able to continue working as a scholar and teacher at Albany Law School without fear of reprisal for expressing her opinions. Finally, we urge the administration to vigorously and publicly reiterate its commitment to protect the safety and well-being of all members of the law school community and to defend their constitutionally protected right to free speech as well as their academic freedom.

We look forward to your response.

Sincerely,



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A handwritten signature in black ink, appearing to read 'Asli Ü. Bâli'.

Aslı Ü. Bâli

MESA President

Professor, Yale Law School

A handwritten signature in black ink, appearing to read 'Laurie Brand'.

Laurie Brand

Chair, Committee on Academic Freedom

Professor Emerita, University of Southern California