



**Middle
East
Studies
Association**
of North America, Inc

Headquarters & Secretariat

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Studies

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6 May 2024

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Dear President Whitten 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 grave concern at the decision of the administration of Indiana University (IU) to ban from campus Professor David McDonald, chair of the Department of Folklore and Ethnomusicology, following his arrest while trying to protect his students who were participating in a peaceful demonstration. We find this harsh and arbitrary action against a distinguished member of the IU faculty to be an egregious infringement of the principles of academic freedom and a gross violation of the norms of academic life.

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,



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both within the region and in connection with the study of the region in North America and outside of North America.

On 25 April 2024, at the invitation of your administration, Indiana State Police arrested approximately thirty students for participating, in compliance with longstanding IU policies, in a peaceful protest against Israel's war on Gaza held in a recognized free-speech zone on campus; they also arrested three faculty members (among them Professor McDonald) who were trying to protect their students from police assault. In a [statement](#) issued the following day, the IU-Bloomington chapter of the American Association of University Professors pointed out that university policy specified that "[t]he University should not use physical force to enforce these rules [regarding the use of IU's Assembly Ground at Dunn Meadow]. In cases of non-compliance, the University should use the legal process to enforce its legal rights." Calling in the police, a decision made by a hitherto unknown "Ad Hoc Committee," obviously contravened this policy. The AAUP statement characterized your decision to have the protesters arrested and their encampment demolished as "an arbitrary assertion of authority with no consultative or policy basis, designed to block a particular exercise of free speech in a properly designated location as its organizers had planned it."

Additional students and faculty were arrested on 27 April 2024, for a total on both days of 56. Your administration went on to suspend some of those arrested and ban them from campus, which we regard as excessively harsh punishment meted out to campus community members engaged in peaceful protest in conformity with university rules. The banning from campus for one year of Professor McDonald, a distinguished scholar and academic leader, sets a particularly dangerous precedent: not only is he facing possible criminal charges, but banning him from campus without due process will make it all but impossible for him to pursue his vocation as a teacher, scholar and academic leader. Professor McDonald has been granted temporary access to campus pending appeal of the ban, but it is a clear violation of the norms of academic life, and a betrayal of the mission of IU and of its avowed commitment to free speech and academic freedom, to impose such an arbitrary and severe sanction on a faculty member.

The right to free speech and the principles of academic freedom protect Professor McDonald's right to try to peacefully defend his students, without fear of arrest or the imposition of employment-related punishment by his employer. We remind you of the [statement](#) on "Academic Freedom in Times of War" issued by the AAUP on 24 October 2023, which is directly relevant to your disciplinary action against Professor McDonald:



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It is in tumultuous times that colleges' and universities' stated commitments to protect academic freedom are most put to the test. As the Israel-Hamas war rages and campus protests proliferate, institutional authorities must refrain from sanctioning faculty members for expressing politically controversial views and should instead defend their right, under principles of academic freedom, to do so.

We therefore call on you to immediately rescind your decision to ban Professor McDonald from campus and allow him to return to in-person teaching and administrative work. We also call on you to seek the dismissal of criminal charges against all those arrested for peacefully protesting, and to review all disciplinary measures and procedures taken against them to ensure that they are in conformity with longstanding university policies and the right to due process. We further ask you to refrain from adopting any policy, or taking any measure, which is likely to exert a chilling effect on the right or ability of students, faculty and staff to freely express their opinions on matters of public concern and to advocate for whatever cause they wish. Finally, we urge you to publicly and forcefully reaffirm your commitment to respect and defend the free speech rights and the academic freedom of your faculty, students and staff, and to fully protect the safety and well-being of all members of your campus community.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Asli U. Bali'.

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