



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

Headquarters & Secretariat

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26 September 2024

Kathleen Harring
President, Muhlenberg College
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Laura Furge
Provost, Muhlenberg College
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Professor Melissa Dowd
Chair, Faculty, Personnel and Policies Committee
Muhlenberg College
melissadowd@muhlenberg.edu

Dear President Harring, Provost Furge and Professor Dowd:

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 about the announcement by Muhlenberg College that it intends to terminate Dr. Maura Finkelstein, a tenured member of the college's faculty, because of an Instagram post that she had reposted. Even if some people may find the post objectionable, we believe that Professor Finkelstein's reposting is protected by the First Amendment and by the principles of academic freedom. It cannot reasonably be construed as a violation of Muhlenberg College's equal opportunity and nondiscrimination policy or justify her termination.

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.

Dr. Finkelstein is a cultural anthropologist whose research has addressed multiple geographies and theoretical realms. Her first book, *The Archive of Loss: Lively Ruination in Mill Land Mumbai*, charted the experiences of textile mill workers in the city of Mumbai. She is currently at work on a second book about equine-assisted therapy. Her scholarship and pedagogy have also engaged a range of issues relating to Palestine/Israel; her teaching includes a course on Palestine and she has published peer-reviewed work on her experiences teaching this material.



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In the aftermath of the 7 October 2023 assault on Israel, Professor Finkelstein was subjected to intense attacks as a result of the criticism of Israel and of Zionism that she expressed in published work, academic forums and social media posts. Among other things, a number of donors to and alumni of Muhlenberg College circulated a petition demanding her removal from her tenured position. In January 2024 Professor Finkelstein was placed on administrative leave after reposting someone else's Instagram post which was critical of Zionism and Zionists. The Muhlenberg College administration subsequently claimed that Professor Finkelstein's reposting had violated its equal opportunity and nondiscrimination policy.

An outside firm hired by the college to investigate the case determined that Professor Finkelstein's Instagram post had not constituted a violation of college policy. However, an ad hoc committee appointed by Muhlenberg's Title IX office subsequently reversed this determination, without specifying the grounds for its decision. In late May 2024 Professor Finkelstein was informed that the college intended to terminate her for cause, because her Instagram post allegedly "met the standard for online discrimination and harassment involving hateful speech. It was severe and objectively offensive, and it denies or limits the ability to participate in the College's programs." She has appealed and is awaiting the decision of the college's Faculty, Personnel and Policies Committee.

We note that Muhlenberg College has [declared](#) that it "endorses the robust, stimulating and thought-provoking exchange of ideas, which requires in-depth and complex educational experiences as well as the space for divergent perspectives." We further note that neither college policy nor federal law defines those who adhere to or advocate for particular political ideologies (such as Zionism) as members of legally protected classes. As we have pointed out [elsewhere](#), critiques of Israeli policies or of Zionism must not be conflated with antisemitism, nor should expressions of political opinion be sanctioned.

In these fraught times, college and university leaders have a heightened responsibility to protect the freedom of speech and academic freedom of all members of their communities. This country's institutions of higher education should be places in which a broad range of perspectives can be expressed, debated and criticized without fear of defamation, harassment or termination. As MESA's Board of Directors put it in a [statement](#) dated 18 December 2023: "We call on university leaders and administrations to affirmatively assert and protect the rights to academic freedom and freedom of speech on their



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campuses. We reaffirm that there can be no compromise of the right and ability of students, faculty, and staff at universities across North America (and elsewhere) to express their viewpoints free of harassment, intimidation, and threats to their livelihoods and safety.”

We therefore call on you to immediately reverse the decision to terminate Professor Finkelstein and to publicly declare her exonerated of the charges brought against her. We further call on you to vigorously reaffirm your commitment to uphold academic freedom and freedom of speech at Muhlenberg and to actively foster an atmosphere of free academic inquiry and discussion, including the unhindered right of faculty and other members of the campus community to express their political opinions in the public realm.

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