



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

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15 December 2025

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Dear Chancellor Lyons, Provost Hermalin 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 your decision to suspend without pay Peyrin Kao, a Lecturer in the Department of Electrical Engineering and Computer Sciences at the University of California, Berkeley, for a six-month term, effective 1 January 2026. Provost Benjamin Hermalin's letter recommending that Mr. Kao be suspended asserts that he violated the university's Regents Policy 2301 "by distorting the instructional process in a manner which deviates from the responsibilities inherent in academic freedom...." However, a careful examination of the policy and the allegations made against Mr. Kao casts doubt on Provost Hermalin's findings, pointing instead to a desire to punish Mr. Kao for his ethical commitments, and perhaps deter others, by claiming that he improperly used the classroom to engage in political advocacy. As such, your university's actions in this matter violate the principles of academic freedom and Mr. Kao's right to freedom of expression.

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.

The allegations against Mr. Kao center on two incidents, in spring 2024 and fall 2025. On 26 April 2024, Mr. Kao announced that the last class of the course he was teaching that semester was officially over and the students were free to leave. He then offered some remarks, explaining that he was being careful not to use class time due to an earlier incident in fall 2023, when he had been censured by the university for allegedly using “lecture time to advocate for your political opinions on the Hamas-Israel war.” In a reflective tone, Mr. Kao discussed the ethical implications of work in computer science, including the complicity of technology companies with the Israeli government and the university’s investments in the weapons industry. He concluded by expressing solidarity with Gaza students whose universities have been destroyed, to the applause of the students who had elected to stay. In the other incident, in fall 2025, Mr. Kao began one lecture with a prefatory remark, lasting seconds, indicating that he might be a little fatigued because “I’m doing a starvation diet for a cause that I believe in,” without identifying the cause.

On 20 October 2025, Provost Hermalin issued a letter recommending that Kao be suspended. Mr. Kao was given an opportunity to rebut the allegations orally and in writing before Dean Meyer on 12 November 2025. Dean Meyer determined that the suspension was appropriate, and the chair of the Department of Electrical Engineering and Computer Sciences issued the suspension notice on 4 December 2025.

Provost Hermalin’s letter unconvincingly asserts that the fact that Mr. Kao made his remarks in April 2024 after class had ended is “irrelevant to whether the remarks themselves represent a violation of Regents Policy 2301.” Stretching credulity further, the letter implausibly insists that the fall 2025 remarks “are no different from those of an instructor who repeatedly wore a t-shirt when teaching that had on it a very visible political symbol or a picture of a political candidate.” The letter also appears to make contradictory statements: it cites an interview with Mr. Kao about his hunger strike on the current affairs website The New Arab as evidence that he “intended to influence his students’ thinking on political matters,” while at the same time affirming that the First

Amendment protects Mr. Kao's advocacy outside the classroom. Provost Hermalin concludes by recommending that Mr. Kao's current teaching be monitored and that he would have no objection to a permanent termination of Mr. Kao's employment as a lecturer.

A careful reading of Regents [Policy 2301](#) does not support Provost Hermalin's claims. The policy defines "misuse of the classroom" in two ways: "allowing it be to be used for political indoctrination" and "to interrupt progress of an academic course or to modify grading procedures" with an intent to discuss public issues. Whether one agrees with Mr. Kao's views or not, it is not at all evident that he violated either component of the policy: there is no reasonable evidence that he interrupted the progress of his courses or sought to indoctrinate his students. As an [AAUP report](#) on "Freedom in the Classroom" makes clear, "Indoctrination occurs whenever an instructor insists that students accept as truth propositions that are in fact professionally contestable." At no point in Mr. Kao's remarks in 2024 or 2025 did he try to compel students to accept his statements as dogma. We note that Regents Policy 2301 encourages "free discourse on matters of concern to [students] as citizens" – a good description of what Mr. Kao was trying to do.

The gap between Mr. Kao's actions and the administration's allegations against him points to a disturbing pattern at Berkeley. In August 2024, the university adopted a new set of [protest policies](#) that included bans on student sit-ins, which the university celebrates on its [website](#) as part of its storied history. In September 2025, we [wrote to you](#) expressing concern at your precipitate decision to hand over to the federal government the names of 160 individuals associated with allegations of antisemitism, Mr. Kao's among them. In October 2025, a [report](#) by Berkeley law students detected a pattern of treating Palestinian students and their allies worse than their peers, especially when it comes to addressing the discrimination and harassment these students face from some professors and fellow students.

The University of California, Berkeley, touts its standing as the birthplace of the Free Speech movement. "It is both part of our legacy as the home of the Free Speech movement as well as central to our academic mission," the university's website [advertises](#). We urge you to close the gap between your rhetoric and your actions, and to live up to your professed values in real time, not only in retrospect. We therefore call on you to immediately rescind Mr. Kao's suspension order, allowing him to resume his effective and evidently [popular](#) teaching. Finally, we call on you to cease unjustly sanctioning members of the university community who choose to advocate for Palestinian rights, in



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word or in deed, as befits a university that celebrates “just community” as one of its core principles.

We look forward to your response.

Sincerely,

A handwritten signature in black ink that reads 'Jeff Reger'.

Jeffrey D. Reger
MESA Executive Director

A handwritten signature in black ink that reads 'Judith E. Tucker'.

Judith E. Tucker
Chair, Committee on Academic Freedom
Professor Emerita, Georgetown University

Cc

Farida Shaheed
United Nations Special Rapporteur on the Right to Education