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2 April 2024

Governor Greg Abbott Office of the Texas Governor Office of the Governor P.O. Box 12428 Austin, Texas 78711-2428

Dear Governor Abbott:

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 Executive Order No. GA-44, issued on 27 March 2024, which defines its purpose as "addressing acts of antisemitism in institutions of higher education." While we share your avowed commitment to combating antisemitism, we are deeply concerned that this executive order may actually undermine that effort while suppressing both the constitutionally protected right of free speech and academic freedom.

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.

We are fully aware of, and deeply troubled by, the rising tide of racism, xenophobia, antisemitism and Islamophobia in Texas as well as across the United States. Combatting antisemitism and all other forms of racism, bigotry and discrimination is an essential duty of our colleges and universities. However, we do not believe that this executive order furthers that goal. It is based on an unacceptable and dangerous conflation of advocacy for Palestinian rights, and criticism of Israel and the war it is currently waging in Gaza, on the one hand, with antisemitism on the other. It specifically targets two student groups - the Palestine Solidarity Committee and Students for Justice in Palestine – without offering any evidence that their criticism of Israel is rooted in antisemitism, and it also asserts – again without evidence – that the slogan "From the river to the sea, Palestine will be free" is inherently and self-evidently antisemitic. (For more complex and historically grounded perspectives on this phrase, see for example here, here and here). Texas is home to 38 public universities, of which the majority are members of one of the state's seven university systems. By demanding that all these colleges and universities discipline students and student groups simply for using specific phrases or expressing opinions that you or others may find objectionable, this order constitutes a grave threat to free speech and academic freedom.

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We therefore call on you to revoke this executive order and refrain from any further use of executive orders to threaten, harass or sanction individuals or groups exercising their First Amendment rights, including the right to criticize any country, government or ideology and to advocate on behalf of any group's rights. This constitutional right is particularly critical for our institutions of higher education, where it should be accompanied by rigorous adherence to the standards and traditions of academic freedom, including freedom from the threat of politically motivated harassment or punishment for speaking out on issues of public concern.

We look forward to your response.

Sincerely,

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MESA President

Professor, Yale Law School

Jami O. Bal

EL Sir.

Laurie Brand

Chair, Committee on Academic Freedom

Professor Emerita, University of Southern California