

PREFACE

BY MIRIAM F. ELMAN

In December 2019, a number of violent student demonstrations at Birzeit University near the West Bank city of Ramallah resulted in repeated campus closures, effectively blocking some 14,000 students from attending their classes and completing final exams. The violent rioting was reportedly in response to a new rule set by campus administrators that reasonably aimed to prevent student groups from hosting campus events of a “military nature,” including those featuring students wearing masks, carrying weapons, or brandishing “models of missiles.” By the time university officials closed the campus to ensure student safety, the protesters had already destroyed the entrance to the campus.¹

That a major Palestinian university would have to shutter its doors in response to violent student protests might come as a shock to those accustomed to blaming Israel for Palestinian misfortunes. But the reality is that most of the trouble in Palestinian universities has little to do with Israel. Violence perpetrated by campus thugs against Palestinian faculty members has a long and troubling history. University students affiliated with terror groups, with some even serving in student government leadership positions, have for years organized activities on their campuses. Furthermore, this advocacy on behalf of terrorist groups is routinely tolerated by Palestinian campus officials (Caschetta). The result is a learning environment where faculty and students are “afraid to speak their mind . . . Fatah, Hamas, and Islamic Jihad all have

1. For an extended discussion of these incidents in Birzeit University see pp. 55.

students available to harass and intimidate faculty who are so named” (Nelson *Israel Denial* 367).

In his masterful 2019 book *Israel Denial: Anti-Zionism, Anti-Semitism, & The Faculty Campaign Against the Jewish State*, Cary Nelson devotes a chapter to documenting these fundamental threats to academic freedom in Palestinian campuses. Nelson assesses how schools in the West Bank and Gaza serve as “incitement and recruitment centers” and the ways in which Palestinian governing authorities routinely fail to “distinguish between valid political expression protected by academic freedom and political expression or political activity that facilitates terrorist recruitment or incitement to violence.”

Nelson’s book chapter further highlights how, with few exceptions, campus leaders do a disservice to their faculty by refusing to forcefully and unequivocally denounce politically-motivated violence on the campus grounds and by failing to support their faculty. Nelson highlights one example after another of professors being harassed, and sometimes even physically attacked, for voicing unpopular political views. Palestinian factions “police political opinion violently” in their universities, but there is also little evidence that campus administrators do a good job of handling these “deadly threats” to freedom of speech. As Nelson shows, compared to their counterparts on Israeli campuses, Palestinian administrators have an exceptionally poor record of honoring academic freedom.

In this research paper, Nelson expands on the research that he undertook for *Israel Denial*. Drawing on a wide variety of sources, including numerous studies of Palestinian higher education; original interviews with faculty, administrators, and students; and extensive media coverage of events and incidents in Palestinian universities over the past four decades, Nelson aims to correct the “widespread ignorance” about the nature of academic freedom in Palestinian campuses.

This research is important not least because anti-Israel and pro-BDS (Boycott, Divestment, and Sanctions) activists have long focused almost exclusively on the negative impact that Israeli government policies and practices have had in Palestinian universities, “blindly confident” that violent threats to open inquiry and educational rights “come only from Israelis” (Nelson *Israel Denial* 359). In the pages that follow Nelson does

not exonerate Israel from all culpability. For example, he recognizes that Israel's counter-terror operations in Palestinian campuses are often more disruptive than they need to be (see pp. 99–100). But Nelson ultimately aims to consider the more serious assaults on academic freedom carried out by Palestinian governing authorities and societal groups. As Nelson notes, by failing to address who and what is actually responsible for the major threats to open inquiry and expression in the West Bank and Gaza, “BDS advocates and other anti-Zionists end up being unable to fully assess the character of academic freedom” on Palestinian campuses.

Not in Kansas Anymore: Academic Freedom in Palestinian Universities offers a sobering assessment of Palestinian campus life. To be sure, as Nelson repeatedly acknowledges, many programs maintain academic rigor and excellence and train their students well.² But the universities are also heavily politicized and neither campus free speech nor academic freedom are protected. Hamas, the Popular Front for the Liberation of Palestine (PFLP), and other terrorist organizations attach great importance to student activity and to organizing efforts on campuses. Due to this heavy “incitement environment” campus politics on Palestinian universities bear little resemblance to what Americans routinely experience on their own campuses:

“One way or another, the campus environment at An-Najah and at other institutions for decades has helped prepare some current students for extreme violent activity. Others leave school to join terror cells and some, in effect, make terrorism their career choice, albeit often for careers cut short by imprisonment or death. It is not just deeply troubling but also definitional that many Palestinian universities have substantial histories of student involvement in terrorism” (p. 86)

What is crystal clear from the evidence Nelson brings to bear is that impressionable Palestinian students can easily escalate from conventional

2. This is especially true for STEM programs, where enormous strides have been made in the quality and scope of instruction and important research continues to be done. Recently, for example, contributing to the global scientific community's efforts to combat the coronavirus pandemic, Al-Quds University in east Jerusalem announced that a team of its university engineers and physicians had produced a computerized model of a respirator which could be inexpensively produced (Toameh “Palestinian university”).

political advocacy and protest to violent activities that can threaten the campus and the general public. As a result, Nelson argues that despite the quality of many of their academic offerings, West Bank and east Jerusalem schools like An-Najah, Birzeit, and Al-Quds are not really the same kinds of institutions as, say, the University of Kansas: “Allying with a Hamas cell is not the same as joining the College Republicans in Lawrence, Kansas...in the West Bank, we are not in Kansas anymore” (Nelson, 374 and p. 98).³

In this research paper and in his earlier work, Nelson documents how Palestinians themselves bear responsibility for the most serious and fundamental threats to academic freedom in Palestinian universities. It’s a reality that is largely ignored by the BDS movement which tends to characterize Palestinian campuses as “innocent academic enclaves” repeatedly assaulted by Israeli armed forces.⁴ Nelson’s research shows this to be an utterly flawed understanding, but it’s one that has become increasingly prevalent in anti-Israel discourse. A widely circulated and frequently cited 2018 article in the leftist *Jacobin* magazine is indicative of the now often repeated charge that Israel is perpetrating “scholasticide” and a “siege on higher education in Palestine”:

“The brutality of Israeli occupation isn’t limited to wars. It also includes constant assault on Palestinians’ access to basic necessities like higher education...it deserves to be documented and organized

3. The situation at Gaza’s Islamic University is even more comprised. While Hamas doesn’t run the campus, the overlap between the terrorist organization and the school is almost seamless. As a result, it’s simply ludicrous to claim that any meaningful academic freedom exists there.

4. For example, in recent years, the *Middle East Studies Association* (MESA), via its *Committee on Academic Freedom* (CAF), has written numerous “advocacy letters” addressed to Israeli government officials demanding an end to alleged arbitrary arrests and IDF incursions into Palestinian universities. In these many missives, there is little indication that MESA/CAF is aware of the long history of terrorist recruiting or pro-terrorist activity in Palestinian campuses. See, for example, MESA/CAF’s March 13, 2018 and January 22, 2019 letters to PM Netanyahu and other Israeli government officials condemning the IDF’s arrest of Omar al-Kiswani and Yehya Rabie, both Presidents of Birzeit University’s Student Council. Nelson flags al-Kiswani’s arrest and questions MESA/CAF’s approach on pp. 96–98.

against for what it is: a slow, sadistic crushing of learning, and a stifling of the life opportunities it provides.” (Riemer)

Today, any pro-BDS petition or resolution fielded on an American campus or at a US professional association is likely to include wild allegations about Israel denying academic freedom to Palestinian faculty and students—and to foreigners who are supposedly being denied access to teach and study in Israel and on Palestinian campuses. Accusations that Israel wantonly and deliberately discriminates against Palestinian and foreign national academics and students now also feature prominently in pro-BDS messaging used to justify the boycott of Israeli academic institutions.

Consider, for example, the pro-BDS resolutions that were up for discussion in the summer of 2019 at the annual meetings of the *American Political Science Association* (APSA) and the *Society for the Study of Social Problems* (SSSP). At APSA, a resolution to boycott Israeli academia was proposed by some members of one of its organized sections, *Foundations of Political Theory* (JNS “Resolution to boycott”). The resolution laudably advocated for the academic rights of Palestinian students and scholars in Palestinian universities yet maintained that Israel’s “colonization of Palestine” is to blame for “consistently and brutally” denying academic freedom to Palestinians. Like the APSA “Academic Boycott Resolution,” the SSSP resolution urged that the association “refrain from participation in any form of academic and cultural cooperation or joint projects” with Israeli academic institutions, and recommended that SSSP members pressure their own universities and colleges to “suspend all ties with Israeli universities, including collaborative projects, study abroad, funding and exchanges.” In this case too, the call for academic boycott was justified on the grounds that Israel is “limiting,” “inhibiting,” and “routinely violating” the academic freedom of Palestinian scholars and students, with such allegations featuring throughout the document.⁵

5. For more on the deliberations over the pro-BDS resolution at APSA see JNS, “Resolution,” and Gerstman, “Pro-Israel Scholars Counter Move.” For more on last year’s effort at the SSSP to pass a resolution calling for the boycott of Israeli academic institutions, see Gerstman, “Opposition Grows to Pro-BDS Resolution,” and Gerstman, “Major US Academic Association Votes Down Resolution.” Although the resolution was voted down at the prior annual

Another example surfaced at the annual *American Historical Association* (AHA) this past winter. While not advocating for a wholesale academic boycott of Israel, two pro-BDS resolutions fielded at the AHA's annual meeting in January 2020 also rested on allegations that Israel targets Palestinian academic freedom and Palestinian institutions of higher learning. Both of the AHA resolutions cast Israel as solely responsible for restrictions on academic freedom in Palestinian universities with this charge featuring prominently in their texts. Several documents aimed at countering the resolutions were prepared by the *Alliance for Academic Freedom*. They maintained that while purported to protect educational access and academic freedom in Israel, the West Bank and Gaza, the pro-BDS resolutions were one-sided against Israel. In particular, the AAF noted that they failed to consider the far worse track records of many other countries, including other democracies like the US and the United Kingdom, on issues related to access to education; unfairly criticized Israel's policies by omitting the overall security context; and condemned Israel without discussing how Hamas, the Palestinian Authority, Egypt, and Jordan limit Palestinian educational opportunities and violate academic freedom.⁶

Recent anti-Israel activism at Columbia University in opposition to an educational partnership and dual degree program forged between the NYC campus and Tel Aviv University (TAU) serves as another case in point (Azad Essa). The program was announced with a Fall 2020 starting date. A petition prepared by the campus *Students for Justice in Palestine* chapter and Columbia/Barnard *Jewish Voice for Peace*, called for the suspension of an announced dual-degree program between Columbia's School of General Studies (GS) and TAU on the grounds that, if Columbia went forward with the program, then it would be at

meeting, and considerable opposition to academic boycotts was voiced, pro-BDS scholars in the SSSP are at the time of this writing once again proposing a virtually identical resolution for consideration at the Society's Annual Business Meeting scheduled for August 7, 2020. This is despite the fact that the COVID-19 pandemic has necessitated a truncated deliberation period for all proposed resolutions as well as an online voting mechanism.

6. For more on the effort to defeat the AHA resolutions denouncing Israel, see Herf, "Historians Defeat Resolutions Denouncing Israel," and Marks, "A Model Response to BDS."

risk for violating its own non-discrimination policy and Title VI of the Higher Education Act because Columbia students would be prevented from attending the GS-TAU program “on the basis of their race and/or national origin.” In particular, the petition referenced the March 2017 amended Entry into Israel Law, which the petitioners claimed “effectively criminalizes mainstream and accepted forms of humanitarian advocacy” and “refuses to recognize the rights of political expression granted to students by the United States Constitution.”

But this recently-launched dual degree program will hardly put the university’s academic integrity at risk by “excluding a substantial portion of prospective students,” as the petitioners claim. In fact, the concern that this new educational collaboration will be inaccessible to Arab or Muslim students enrolled at Columbia, or to pro-BDS student activists studying there, is grossly overblown and relies on a misunderstanding of Israel’s amended entry law. Here, Nelson’s assessment is helpful (see pp. 129–136). While he finds the amendment to the entry law “misguided,” he points out that in the years since it went into effect only 16 foreign nationals have been barred from entry into Israel on BDS-related criteria, and of those only one was an academic (ironically, Katherine Franke, a faculty member at Columbia).⁷

Nelson notes that neither U.S. faculty, much less U.S.-based students, are routinely denied educational opportunities in Israel. This is because the 2017 amended entry law applies only to key foreign-national activists who serve in “senior or significant positions/roles” in organizations that actively and continuously promote anti-Israel delegitimization and boycotts. Furthermore, according to the government’s criteria for barring boycott activists from entering Israel, “the fact that an anti-Israel or pro-Palestinian organization has a critical agenda vis-à-vis a policy by the Israeli government” does not constitute grounds for a denial of entry. Nelson’s thoughtful discussion of foreign faculty and student travel to Israel and the West Bank (pp. 129–136) offers

7. Nelson (pp. 132–133) notes that Franke was barred from Israel in 2018 because of her prominent leadership position in the virulently anti-Israel and pro-BDS organization *Jewish Voice for Peace* (JVP). For more on the role that JVP plays in the BDS movement, see Bennett, “JVP’s Anti-Semitic Obsession with Jewish Power,” and Elman, “Jewish Voice for Peace.”

important context that is typically either ignored or dismissed out of hand by the BDS movement, including legitimate security concerns.⁸

Taken as a whole, this research paper is an important addition to a growing body of work that evaluates Palestinian academia and the *Academic Engagement Network* is proud to feature it as the inaugural paper in our recently launched *AEN Research Paper Series*. Beyond offering a comprehensive and detailed overview of campus life in the West Bank and Gaza, *Not in Kansas Anymore: Academic Freedom in Palestinian Universities* persuasively challenges a now central BDS complaint, namely that Israel is responsible for violating the academic freedom of Palestinians and for the “silencing of Palestinian contributions to knowledge.”

A key flaw of BDS is that it turns a complex and intractable conflict into a caricature which singles out one side for blame and establishes a false binary of oppressor vs. oppressed. Regrettably, as Nelson meticulously documents in this research paper, such biases and distortions carry over into BDS characterizations of Palestinian academia where open inquiry is severely restricted by harassment and even violence perpetrated by activists and groups linked to terrorist organizations, feckless administrators who tolerate this terror-linked activity, and the heavy-handed policies of Palestinian government officials which severely chills free expression. Nelson puts it well: “Palestinian-on-Palestinian coercion, intimidation, and violence are part of the daily routine of university life” (p. 21). It is at once irresponsible and tragic that pro-BDS activists, who profess to care deeply about the welfare and well-being of Palestinians, continue to ignore these substantial threats to academic freedom that originate from Palestinian governing authorities and societal groups themselves.

8. To his credit, Nelson acknowledges the current difficulties that foreign academics face in traveling to the West Bank to teach and study. But Nelson rejects the assertion that foreign nationals seeking to travel to Palestinian universities are “arbitrarily” denied entry. He also rightly points out that when the requirements for obtaining visas are circumvented, international academics should not be surprised to find their subsequent applications denied.