

Executive Summary

Although situated at vastly different levels of development, institutions of higher education in Palestine and Israel have been unable to achieve genuine academic freedom for essentially the same reason: the Israeli occupation. In the internationally recognized state of Palestine (inclusive of East Jerusalem, the West Bank, and Gaza Strip), the lingering effects of military occupation have rendered the fulfillment of academic freedom and the development of democratic, independent, and civic-oriented universities virtually impossible. Lacking control over its external borders or internal movement, Palestinian students and faculty typically face prohibitive circumstances in accessing educational opportunities beyond the confines of their natal environment. Nor are Palestinian colleges and universities able to recruit qualified regional and/or international personnel necessary to enhance their academic capacity or exposure to foreign ideas and methodological advancements. Additionally, the forced separation between the three constitutive parts of Palestine have precluded the dissemination of ideas and political engagement through student and faculty exchanges and have thus helped exacerbate the degree of polarization in Palestinian society. This political divide has inflicted an immeasurable degree of damage on Palestinian colleges and universities in the West Bank and Gaza Strip, as reports of police intervention on campuses, the silencing of political criticism and dissent, and use of student collaborators to monitor professors have abounded since 2006. While Palestinian institutions of higher education have unquestionably contributed significantly to the socioeconomic, scientific, political, and cultural development of their nation, external circumstances have all but negated their ability to achieve the many of the central tenets of academic freedom.

Conversely, although freedom of expression and right to pursue research in an open environment and without undue state intervention are generally ingrained in all Israeli institutions of higher education, Israel can nonetheless not be considered to have successfully achieved genuine academic freedom. Infringements toward the right of Palestinian-Israeli students to organize cultural events or displays of solidarity with the Palestinian cause have witnessed an alarming spike in recent years. Of greater significance has been the increasing politicization of the Israeli Council for Higher Education. Aside from reports of increased monitoring of faculty political inclinations and their teaching material, the council has also encroached into national political matters through its vote to bestow full university accreditation to Ariel University, located in the illegal Israeli settlement of Ariel, in 2012. More fundamentally, however, is the neutral stance of Israeli academia toward their state's gross violations of Palestinian academic freedom and rights. Notwithstanding the principled stance taken by numerous Israeli professors and intellectuals against their government's illegal occupation of Palestine, Israeli universities as a whole have, since the state's inception, been directly involved in certain occupation practices. Illegally appropriating Palestinian private land, providing forums to for professors to contribute to government and military strategies, justifying blatantly illegal and immoral tactics such as targeted killings and mass arrests, and failing to condemn prolonged closures and raids on Palestinian universities are among a sample of the direct and indirect means in which Israeli universities have failed to live up to their inherent responsibility to promote justice, freedom, and other universal humanistic values.

Based on both the experiences of several countries around the globe that have faced similar situations of armed conflict and extensive political polarization as well as the realities of asymmetry between Israel and Palestine, we believe that great potential lies in improving the current state of academic freedom in both societies through advancing the twin concepts of “Guiding Principles of Academic Freedom” and “the social responsibility of academics.” Derived from the supposition that, as the ultimate goal of every academic discipline, whether in the social sciences, natural sciences, or humanities is to advance our knowledge of either the physical world or the human spirit, the “social responsibility of academics” dictates that leading intellectuals possess an innate responsibility to employ their craft toward the promotion of universal values and the cessation of all forms of social injustice. In accordance with this view, part and parcel of the mandate of academics must be to a) ensure that their knowledge is not utilized for the purpose of furthering state agendas that run counter to the principles of human rights, democracy, and liberty, and b) provide a model for the rest of society to emulate in their attempts to bridge ideological and sectarian divides, resolve entrenched conflicts and end institutionalized injustices. Nevertheless, bearing in mind that the Israeli-Palestinian context is characterized by an asymmetrical relationship of “occupier” vs. “occupied,” it is understood that working in unison can create a problematic scenario from the perspective of the politically weaker side. Therefore, using a set of guiding principles explicitly addresses this asymmetry and obligates that stronger side to acknowledge and “act-knowledge,” or act upon the knowledge that the governmental actions of one side have forestalled the democratic consolidation and ability to achieve academic freedom of the other. Such a framework can enable collaboration among Israeli and Palestinian academics in a manner that establishes reciprocity and adherence to certain well-defined guidelines, thereby transcending the “occupier-occupied” dichotomy that has provided the fuel for academic boycotts and stances of refusal to cooperate with colleagues across the Green Line.

Below are a set of recommendations that are pivotal in fostering genuine academic freedom in Israeli and Palestinian societies as well as implementing the concept of social responsibility among leading academics and intellectuals in both societies. While these policy-oriented recommendations should not be considered exhaustive, they do nonetheless constitute an important starting point that no future framework of academic freedom or constructive Israeli-Palestinian academic dialogue can afford to neglect.

Recommendations

Palestine

- Notwithstanding the existence of sharp political differences between the different Palestinian streams, it is imperative that this competition not spillover into colleges and universities in adverse manner. Differences of opinion regarding internal Palestinian affairs or relations with Israel should not be cause for undue pressure or the dismissal of faculty. Similarly, universities must remain autonomous from negative social forces outside the universities, including clan politics, to ensure that students and professors can conduct their research and affairs in a healthy and conducive environment. Likewise, political factions, represented on campuses in the form of student blocs, from Fatah, Hamas, and other movements would be well-advised to formally declare their

commitment to working in pluralistic environment where collaboration and dialogue take precedence over more narrow political agendas.

- As enshrined in the Palestinian Basic Law, academic freedom and matriculation are essential rights that every Palestinian citizen enjoys regardless of gender, class, religion, or any other criteria. It is therefore incumbent upon the Palestinian National Authority to enact further legislation explicitly and unambiguously affirming that it eschews all forms of state intervention in the classroom, including, but not limited to, informal collaborators to monitor the content of university lectures and the intervention of state security forces on university and college campuses.
- While it is recognized that boycott movements are legitimate tools of civic activism and resistance, it can nonetheless be to the advantage of both Palestinian academia and society overall to consider how joint collaboration can help mobilize and important segments of Israeli society to work against their government's unjust military occupation and state policies. Adopting the 2015 Guiding Principles of Academic Freedom and the Social Responsibility of Israeli and Palestinian Academics at both the governmental (i.e. PNA) and administrative level of individual Palestinian colleges and universities would be an effective way of working with Israeli counterparts in a manner that enjoins them to recognize the power disparities between the two sides and to dedicate their efforts toward ending the occupation.
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Israel

- Academic freedom entails the right to travel domestically and abroad in pursuit of educational or teaching opportunities. The Israeli government must therefore recognize that all Palestinian students and faculty possess their inherent and inalienable right regardless of the status political negotiations. Accordingly, all barriers preventing Palestinian students in the West Bank (including East Jerusalem) and Gaza Strip from access institutions of higher education due to the physical or monetary inability to move freely domestically or abroad should be lifted immediately. A special department dedicated exclusively to approving academic-related affairs should be established in order to enable Palestinian students and professors to exit the Gaza Strip in pursuit of studying or teaching opportunities either abroad or in the West Bank. Students or professors in the West Bank, moreover, should not be restricted from entering Israel in order to exit the region when the costs of utilizing travel facilities in another country are prohibitively expensive, nor should they be faced with the prospect of losing residency rights in their natal areas as a result of prolonged sojourns abroad.
- On Several occasions, Israeli state security forces have entered college and university campuses to cope with protests organized by Palestinian-Israeli students. The presence of state troops on campuses constitutes a form of intimidation detrimental to freedom of speech, organization, and affiliation, and has thus been outlawed across numerous conflict-prone nations around the world. Israeli government should work to emulate such countries by establishing clear guidelines that prohibit the entrance of state security forces onto institutions of higher education with the exception of clear national security threats.

- Although certainly not a phenomenon exclusive to Israel, the deep-seated level of collaboration between private sector security companies and different academic programs is prolific across Israeli universities and campuses. Akin to similar phenomena around the globe, these private sector-university ties turn institutions of higher education into repositories of students and faculty dedicated to advancing nationalist interests above those of either objective research or adherence to universalist human rights norms. The Israeli government bears an inherent responsibility to regulate, and ultimately limit, the ability of the private sector to penetrate institutions of higher education and ensure that academia is not sullied by the corporate interests of actors interested in reaping profits rather than ending the ongoing occupation and conflict.
- Virtually since its inception, the Israeli government has worked in tandem with academic programs and faculty at almost every university in order to advance certain state interests. Countless departments at different Israeli universities have gained notoriety for providing the Israeli government with material to bolster state intelligence, military strategy, and international advocacy efforts. Such a relationship violates the principle of academic social responsibility and runs counter to the mission of academics, particularly those whose state has been an internationally-recognized occupying power for several decades. There is thus an immediate need to adapt the 2015 Guiding Principles of Academic Freedom and the Social Responsibility of Israeli and Palestinian Academics to delineate the proper relationship between Israeli academics, their state, and the ongoing conflict. Emphasizing the obligation of the stronger side to recognize, condemn, and dedicate their efforts to ending the occupation and attendant asymmetry and violations of Palestinian academic freedom that it creates would help direct the energies of Israeli academics and leading intellectuals toward the pursuit of universalist ideals and ultimately, a region devoid of occupation and injustices.

International Community

- The international community, inclusive of the United Nations, European Union, and individual states, plays a pivotal role in enforcing the social responsibility of Israeli and Palestinian academics. In particular, the international community has an important part in shaping the discourse surrounding the Israeli occupation and the manner in which it has deprived Palestinians of their fundamental human and collective rights. The international community should therefore work assiduously to emphasize that obstacles currently in place that prevent the realization of Palestinian academic freedom are no less significant or severe than those that deprive Palestinian citizens of their right to a dignified life. States and institutions in the international arena should publicly condemn and impose sanctions on the Israeli government, especially through limiting exchanges between their academic institutions and those in Israel, as long as Palestinian students and faculty are unable to freely travel between, within, and out of the Gaza Strip and West Bank.
- Part and parcel of Palestinian state-building efforts is the need to safeguard academic freedom and constructive society-academia interactions throughout universities in both the West Bank and Gaza Strip. Donor countries and NGO's that provide financial assistance to the PNA should strive to accentuate the importance of academic freedom as well as include the issue in their mandate. Similar to their recommended stance with regard to Israel, the international community should also condition their assistance to the PNA and Palestinian academic sector on the stipulation that state

security forces (including non-uniformed collaborators in the classroom) are forbidden to enter university and college campuses.