

# **Draft Guiding Principles of Academic Freedom in Israel and Palestine**

## **Preamble**

Academics and intellectuals globally and in our respective societies renew our hope that Palestinian and Israeli institutions of higher learning can fulfill our social responsibility and contribute to a just peace, the end of occupation along with the establishment of a Palestinian state along the pre-War 1967 borders, and academic freedom. It is understood that suffering and plights resulting from prolonged occupation have often manifested in obstacles to academic freedom and the ability of academics collaborate with one another as well as assume positions of social responsibility in their respective societies.

We uphold the principle that when premised upon Guiding Principles of Academic Freedom and Academic Cooperation, members of Palestinian and Israeli academia can accomplish more in tandem when the common goal and frame of reference centers upon ending occupation and all forms of violence and injustice against the other, fulfilling the vision of the two-state solution, as well as removing of obstacles to academic freedom on both sides of the divide. Furthermore, we call upon all representatives of Israeli and Palestinian institutions of higher education to act upon a common moral basis, awareness of the prevailing asymmetries created by occupation.

This set of Guiding Principles for Israeli-Palestinian Academic Freedom and Academic Cooperation is founded upon our shared values of human rights, equality, democracy, and peace as a common denominator. While we do recognize that boycott, even when applied to academia, is a legitimate tool of non-violent civic resistance, we nonetheless uphold the principle that selective boycott and selective cooperation with individuals and institutions that abide by ethical principles and are firmly dedicated to combatting occupation and the asymmetry between the two societies that it leads to. This concept of selective boycott and cooperation exists for the purpose of ending occupation and national liberation through peaceful, civic means. We further affirm that cooperation with academic institutions that support the illegal occupation of the state of Palestine either directly or indirectly, or are supported by the occupation (including academic institutions located in illegal settlements) does not advance the cause of academic freedom nor the social responsibility of professional academics under conditions of occupation, injustice, and asymmetry. Therefore, the ultimate goal of academic cooperation between members of the Israeli and Palestinian academic community in the short term is to end the occupation, to develop professional models for cooperation between the states of Palestine and Israel, and to guarantee the complete and unbridled academic freedom and academic rights in the two countries and across the divide.

## **Chapter 1: International Referential Framework**

This joint document is inspired by:

1. Our shared commitment to academic freedom as endorsed by the International Association of Universities. According to the following IAU definition of academic freedom, there are at least two components that pertain to the individual and collective level of academia:

*The right to pursue knowledge for its own sake and follow wherever the search for truth may lead, the tolerance of divergent opinion and freedom from political interference, and the obligation as social institutions to promote, through teaching, the principles of freedom and justice, of human dignity and solidarity, and to develop mutually material and moral aid on an international level.*

*The right of the academic community to practice its educational activities within the academic community and as determined by the academic community, in accordance with professional ethics and world standards, and in the absence of external intervention and/or pressure.*

2. Institutions of higher education shall be autonomous from the state or any other public authority in conducting their affairs and managing their academic, teaching, research, and other related programs.
3. The social responsibility for academics to assume an active role in producing research and devising policies that advance peace and development through the specialty that he/she has acquired in a specific field. This role includes advocacy against all forms of occupation, restrictions on academic freedom in both societies, as well as working for the development of civic-minded citizens.
4. The central role that academic institutions play in the development of humanity as well as free, citizen-based and democratic states and local communities.
5. Our joint understanding that academic collaboration, much as cooperation in political matters and economic endeavors, must be based on ethical guidelines and grounded in the belief that the suffering of the other cannot be tolerated. Ethical behavior and the commitment to fairness, justice, and coexistence must extend from the classroom to society at large.
6. We as academics are cognizant that our unique responsibility emanates from our privileged access to higher education, and we bear a responsibility to utilize our positions for the purpose of developing the spirit of inquiry and independent thought.
7. Our shared endorsement of the right to education, in keeping with the Universal Declaration of Human Rights (Art. 26, 10 December 1948): *Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, and friendship among*

*all nations, racial or religious groups, and shall further the activities of the United Nations for maintenance of peace.*

8. The universal and inalienable right and freedom to think independently, question common assumptions and dogma, demonstrate solidarity, and establish professional networks without fear of punishment of any kind.
9. Our commitment to democratic governance, gender equality, and academic ethics as guiding principles to the administration of academic institutions.
10. Our joint recognition that, in accordance with United Nations General Assembly Resolution 67/19 of November 29, 2012, the state of Palestine is an international entity with the attendant rights and obligations as well as commitment to co-exist side by side with the state of Israel, accepted as a UN member in 1949. All Israeli political and civil society relations with the government and citizens of the state of Palestine (inclusive of the West Bank, East Jerusalem, and Gaza Strip) should be conducted on the basis of reciprocity and a common interest in promoting the national well-being and equality of all states.

### **The Basis of Our International and Professional Ethics**

11. *Humanistic Values.* We value democracy, equality, and freedom. We value wide participation, social openness, and are willing to cooperate with a diverse range of people with different opinions. We are committed to promoting non-violence within our society and to rejecting occupation and dominance.
12. *Professional academic values.* As academics we are committed to act according to our professional duties, protect freedoms of thought, education opinion, expression, assembly, association, access to information, openly share information with each other, and all other freedoms recognized as integral to the development of open, pluralistic universities. We are committed to conducting accurate, serious, and objective research and engaging in ongoing learning. We will stand in solidarity with other academics on the same piece of land in the protection of their academic freedom.
13. *Relationship values.* We recognize the difficulties in the history of our relationship with each other, and are committed to addressing the problems of asymmetry and reciprocity. We are committed to understanding the needs, concerns, and positions of the other side, and to network with each other rather than conduct parallel, overlapping projects in isolation. Furthermore, we will utilize transparent means for resolving our conflicts.

14. *Financial values.* We are committed to working for our common goals and not any personal or sectarian gains. We will not change our vision based on funding availability and will use all funds appropriately.

## **Chapter 2: Academic Rights and the Social Responsibility of Members of Academia**

15. All members of the academic community have the right to fulfill their functions of teaching, researching, writing, learning, exchanging and disseminating knowledge and information, and providing educational services without fear or interference or repression from the state or any public authority.
16. All members of the academic community shall enjoy freedom of movement within his or her country and freedom to travel outside and re-enter the country without hindrance or harassment. All students shall enjoy the freedom of access to higher education, including the right to choose the field of study from available courses.
17. Access to the academic community shall be equal for all members of society without discrimination. Every resident has the right to join the community as a student, researcher, worker, or administrator, on the basis of ability and qualifications and without prejudice due to ethnic, national, gender, or religious discrimination.
18. All members of the academic community have the right to teach and carry out research on any topic deemed suitable for scientific enquiry. No researcher shall be denied information or permission to carry out their scholarly functions due to security, political, or sociocultural considerations.
19. Contingent upon their commitment to academic ethics, all members of the academic community shall enjoy the freedom to maintain contact with their counterparts who share these ethics in any part of the world as well as the freedom to pursue the development of their educational capacities.
20. Institutions of higher education shall aim to be attentive to the professional and educational needs and aspirations of their student body.
21. The freedom of association, assembly, and expression inside the campuses constitute integral rights that must be upheld on all academic institutions.
22. Each body on the campus (student unions, faculty associations, administration unions, etc.) has the right to freely decide on matters that pertain to their effecting functioning (student

elections, the organization of special events, etc.) without interference or undue oversight from other bodies on campus.

23. Institutions of higher education must be committed to the non-violent solution of all conflicts inside the campus.
24. The commitment of all members of the campus to the principle of objective, non-partisan academic research.
25. In light of the necessity of ensuring channels of positive feedback to their respective societies, institutions of higher education in Israel and Palestine should be committed to conduct outreach activities with outside community in order to ensure that they can play an active and beneficial role in their country's development.
26. All members of the academic community have a responsibility to fulfill their functions and academic roles with competence, integrity, and to the best of their abilities. They should perform their academic functions in accordance with the highest ethical and scientific standards possible.
27. All members of the professional academic community shall exercise their rights with responsibility and without prejudice to the rights of others and the needs of their local, national, regional, and international communities.
28. All members of the academic community the obligation to inculcate the spirit of tolerance toward different views and positions and in a manner that enhances democratic debate and discussion.
29. Understanding that joint cooperation between Palestinian and Israeli academics (including professors and students of all ranks and disciplines) must be premised on the principles of equality, dignity, reciprocity, tolerance, mutual respect, and a common dedication to ending all forms injustice and repression within and across our respective societies. In recognition of the need to bridge the current asymmetry stemming from military occupation, ties between academics are to be based on equality, mutual assistance, and solidary.
30. Palestinian and Israeli academics, scientists, and intellectually should actively work for the creation and perseveration of conditions whereby no institution, researcher or student will be discriminated against and where all members of academia within and across their respective societies have full and free access in the pursuit of academics activities at the national, regional, or international level.

31. All members of the Palestinian and Israeli academic community shall consider university education as a means of creating socially conscious citizens with an open mind towards understanding the narrative and ameliorating plight of the other. This principle should translate into a shared vision whereby academics aspire to humanize the other as an equal with the same, national, political, economic, and educational rights.
32. The ultimate goal of academic freedom and the assumption of social responsibility among members of the Palestinian and Israeli academic communities is to move from knowledge to acknowledgement, and finally to “act-knowledge,” where our knowledge and cooperation with the other is translated into a shared vision of peace, justice, equality, and freedom within and across our two societies.
33. Academics share a mutual responsibility to be independent, to rebuke attempts by the state, military, or political parties for the purposes of advancing research dedicated to the design or manufacture of weapons, technology, or products that run counter to the positive development of humanity.
34. Academics have a universal commitment to avoiding the promotion of hatred or to be used to monitor, target, threaten, or blacklist the work of other colleagues.

### **Chapter 3: Social Responsibility of Academic Institutions**

35. The autonomy of the institutions of higher education shall be exercised by the democratic means of self-government, involving active participation of all members of the respective academic communities. All members of the academic community shall have the right and opportunity, without discrimination of any kind, to participate in the conduct of academic and administrative affairs on the campus. All governing bodies of institutions of higher education shall be freely elected, and shall comprise a population representative of the different sector of the academic community.
36. The university administration should not interfere at any level in the affairs of either professors or student organizations. Administrative personnel must work to ensure the autonomy of the classroom from negative external influences (including that of the state) and that academic inquiry is not bound by any restrictions due to political sensitivity or social taboo.
37. The independence of each constituent element of the campus (student organization, faculty associations and unions, administrative bodies) and freedom to decide what policies and rules best suit their specific needs and interests shall be upheld.

38. Israeli and Palestinian institutions of higher education should be critical of conditions of political repression and violations of human rights that take place in the name of their governments.
39. Israeli and Palestinian institutions of higher education shall work toward the just and sustainable resolution of all contemporary problems facing their respective and mutual societies. To this end, curricula and academic programs as well as other activities of the institutions shall respond to the needs of the society at large without prejudice to the needs of scientific inquiry and the production of knowledge.
40. Israeli and Palestinian institute of higher education shall extend support to other such institutions and individual members of their academic communities when they are subject to persecution both inside and outside of the country. Such support shall be both moral and material, and must include official and formal university condemnation of any state practices that adversely affect the academic freedom or well-being of academic institutions on the other side.
41. Israeli and Palestinian universities must act as a model for society in the fields of democratic governance and the peaceful resolution of conflicts. The social responsibility of the campus must extend to the community and nation at large by creating open institutions that welcome independent thought, freedom of association and expression, and the cessation of all forms of occupation and injustice committed against colleagues from the other side.

#### **Chapter 4: Obligations of the State**

42. The state is obligated to assist in the development of laws and procedures that guarantee access to higher education for every citizen irrespective of religion, race, gender, national or social origin, economic status, physical or mental disability, or political or other opinion.
43. The state of Palestine constitutes an internationally recognized independent and sovereign state. In accordance with international law and norms, Israel should end its military occupation of land deemed to be a part of the state of Palestine
44. Both the state of Palestine and the state of Israel are obligated to respect the autonomy of college and university campuses and refrain from ordering state gendarmeries from entering university premises with the exception of situations when a clear, present, and imminent danger to life or property of the institution cannot be averted without the presence of state security forces. The use of state forces for the maintenance of law and order on the campus constitute a threat to academic freedom and the safety and security of students and teachers alike. State forces thus includes the use of non-uniformed intelligence personnel assigned to

monitor the activities of student organizations, administrative offices, university classrooms, or any organized group associated with the university.