



March 22, 2019

VIA E-MAIL

Chancellor Kevin M. Guskiewicz
The University of North Carolina at Chapel Hill
103 South Building, Campus Box 9100
Chapel Hill, NC 27599
chancellor@unc.edu

President Vincent E. Price
Duke University
207 Allen Building, Box 90001
Durham, NC 27708
president@duke.edu

RE: Concern Over “Conflict Over Gaza” Conference Sponsored by UNC and Duke

Dear Chancellor Guskiewicz and President Price,

We write to you on behalf of the Louis D. Brandeis Center for Human Rights Under Law, a national non-profit legal advocacy organization that works to combat anti-Semitism in higher education. We are concerned about an upcoming conference that the University of North Carolina at Chapel Hill’s (“UNC”) Center for Middle East and Islamic Studies is co-hosting together with the Duke-UNC Consortium for Middle East Studies entitled, “Conflict Over Gaza: People, Politics and Possibilities.” The conference is scheduled to be held from March 22-24, 2019 at UNC. We fear, based on past statements made by several of the individuals invited to present at the conference, that the event will devolve from academic discourse on concrete issues into an anti-Semitic diatribe that seeks to delegitimize and demonize the State of Israel.

Our apprehension stems from past experience. In February, UNC invited Linda Sarsour, an anti-Israel activist, to give the keynote speech at UNC’s Minority Health Conference. Sarsour used this platform to promote the anti-Semitic and discriminatory Boycott, Divestment, and Sanctions (BDS) Movement against only one country – Israel. Given the anti-Semitic and anti-Semitic-masked-as-anti-Israel rhetoric that some of the panelists and presenters at the upcoming conference have previously utilized, we are concerned that these speakers may similarly take advantage of this platform to promote such views.

For example, Palestinian author and lecturer Laila El-Haddad who is scheduled to give the welcoming remarks has tweeted [remarks](#) that demonize Israel such as, "...Israel is a terrorist state." Ms. El-Haddad has even [charged Israel](#) with "equating [Palestinian] children with human cannon fodder" and with seeking the "extermination" of Palestinians. Another speaker, Harvard University professor [Sara Roy](#), has compared Israeli policy to that of the Nazis, an anti-Semitic trope according to the [International Holocaust Remembrance Alliance Definition of Anti-Semitism](#), the worldwide gold standard definition of anti-Semitism. Tamer Nafar, the conference's scheduled musical performer, has been criticized for using lyrics that legitimize acts of terrorism. In one of his songs, "Who's the Terrorist?," [Nafar says](#): "They call me a terrorist but I live in the country of my ancestors. Democracy? Why? It reminds me of the Nazis. You've raped the Arab soul, and it became pregnant, giving birth to a child called 'terror attack'. And then you call us terrorists."

It is for these reasons that there is a strong possibility that this conference will quickly degenerate into a forum dedicated to expressing anti-Semitic sentiment and anti-Zionist sentiment that will likely cross the line into anti-Semitism. We recognize that the First Amendment protects freedom of expression, allowing academics to fully voice their opinions – even those that are anti-Semitic and anti-Israel. We, therefore, are not suggesting that the event be cancelled, or that the speakers' remarks be censored in any way. However, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs that receive federal funds. The U.S. Department of Education's Office for Civil Rights (OCR) announced that Title VI applies to discrimination on the basis of Jewish ethnicity or ancestry in guidance (*see* Kenneth L. Marcus, Dear Colleague Letter (Sep. 13, 2004)). Title VI requires universities to protect against a hostile environment. Thus, should hateful speech occur at this conference, your universities must publicly condemn such speech, just as you would condemn bigoted speech that targets African American, Hispanic, or LGBTQ students, and evaluate potential follow-up actions to prevent the creation of a hostile environment for Jewish, Israeli and pro-Israel students.


Furthermore, it is important for your universities to recognize that Zionism is a key component of Jewish identity and the expression of the right to Jewish self-determination. Denying this right to self-determination (while promoting Palestinian self-determination) is anti-Semitic. The connection of the Jews to the Land of Israel pre-dates the modern state of Israel and dates back to the Patriarch Abraham who settled in the land. For over 2000 years Jews have "yearned for Zion." No matter where Jews have lived, for centuries they have faced Zion (and Jerusalem) in prayer, and their prayers have included references to the "ingathering of the exiles" and the return of the Jews to Zion. Each year at the Passover Seder and at the end of Yom Kippur (Day of Atonement), Jews around the world proclaim "Next Year in Jerusalem" as part of the service. Suggesting that this expression of faith and history is not legitimate or demonizing support for Jewish self-determination as colonialist, marginalizes and threatens pro-Israel, Zionist students on campus. The university has an obligation to protect its students from discrimination – and that includes the Zionist community whose support for Israel grows out of their ethnic and ancestral heritage and religious faith.

We urge you or senior administrators from your respective universities to attend the conference to ensure that the conference remains a true academic conference rather than a forum for the spewing of anti-Semitic rhetoric. Furthermore, should the event take such a turn, we urge you on behalf of your respective universities to publicly acknowledge and condemn hateful statements that may be harmful and offensive to some of your students.

We are available to share our expertise on these issues, and further discuss our recommendations with you, and can be reached by e-mail or by phone at (202) 559-9296.

Thank you in advance for your serious consideration of this matter.

Sincerely,


Alyza D. Lewin
President
The Louis D. Brandeis Center
for Human Rights Under Law
alewin@brandeiscenter.com


Aviva Vogelstein
Director of Legal Initiatives
The Louis D. Brandeis Center
for Human Rights Under Law
avogelst@brandeiscenter.com