

November 1, 2018

VIA EMAIL: presoff@umich.edu, umregents@umich.edu

Dr. Mark S. Schlissel, M.D., Ph.D.
President
University of Michigan
2074 Fleming Administration Building
503 Thompson Street
Ann Arbor, Michigan 48109-1340

The Regents of the University of Michigan
500 South State Street
Ann Arbor, Michigan 48109

RE: BDS Affecting Educational Opportunities for Students at the University of Michigan

Dear President Schlissel and Honorable Members of University of Michigan Board of Regents,

We write to you on behalf of StandWithUs, an international, non-profit, Israel education organization, the Louis D. Brandeis Center for Human Rights Under Law, a national non-profit legal advocacy organization that works to combat anti-Semitism on college campuses, and The Lawfare Project, a global network of legal professionals defending the civil and human rights of the Jewish people and the pro-Israel community.

We were heartened by your administration's [repeated rejections](#) of the discriminatory Boycott, Divestment, and Sanctions (BDS) movement, your commitment to strengthening suggested guidelines on letters of recommendation emphasizing [merit as the guiding factor](#), and your [disciplinary action](#) against Associate Professor John Cheney-Lippold for his refusal to write a letter of recommendation for a study abroad program in Israel. Your administration has sent a clear message that discrimination towards students on campus will not be tolerated while also signaling a zero-tolerance policy to faculty that discriminatory actions fueled by personal politics have no place at the university and will be met with serious consequences.

However, we remain concerned that the university has not publicly committed to an investigation into the departments and professors declared by Professor Cheney-Lippold and others to be committed to the implementation of a BDS-inspired boycott of Israeli academia. It seems highly likely that other students have been affected by the political positions espoused—and adopted—by these individuals in a way that would be discriminatory under your now-enumerated policy.

Additionally, we remain concerned that BDS-affiliated faculty may continue to stifle their students' education, in clear violation of university academic guidelines, despite the clarity of the statements you have publicly made.

The [Palestinian Campaign for the Academic and Cultural Boycott of Israel \(PACBI\) Guidelines](#) serve as governing documents for faculty wishing to advance the academic boycott of Israel.

Refusing to write letters of recommendation is merely one component of these suggested guidelines. This means that the potential for continued discrimination against Jewish and pro-Israel students at the University of Michigan is potentially much greater and ongoing.

The PACBI Guidelines provide a comprehensive list of activities which faculty must boycott as part of their adherence to BDS. These include, in their words:

- Academic events such as conferences, symposia, workshops, books, museum exhibits and panels convened in or sponsored by Israel, an Israeli institution or an Israeli lobbying group;
- Research and development opportunities, including joint research projects for faculty or students with Israeli universities, and research projects for foundations, institutions and corporations affiliated with or who have contracts or other agreements with Israeli universities;
- Academic projects funded in part or whole by Israel or any Israeli lobbying group;
- Addresses and talks by Israeli state officials;
- Study abroad programs in Israel for international students;
- Special academic honors or recognition such as honorary degrees and awards granted to Israeli officials or representatives from Israeli academic institutions;
- Projects, publications and debates presenting both perspectives of the Israeli-Palestinian conflict. This includes conditioning support for Palestinian academic institutions based on a partnership with Israeli institutions;
- Publishing or reviewing articles for academic journals based at or in collaboration with Israeli universities. This includes granting permission to reprint material published at or in collaboration with Israeli universities;
- Reviewing for dissertations or making recommendations on hiring, promotion, tenure and grant-making decisions at Israeli universities, and writing letters of recommendations for students planning to study abroad in Israel;
- Students enrolling in or faculty teaching or conducting research for a program at an Israeli institution; and
- Academic visits or fact-finding missions that receive funding from Israel, Israeli institutions and lobbying groups.

We strongly support freedom of speech. However, the PACBI Guidelines appear to demand that faculty members take active measures to prohibit student participation in various academic opportunities. It is critical to recognize that when this happens, students become unwilling victims of their faculty's political biases, in direct violation of university policy and academic guidelines—as well as federal and state anti-discrimination law.

Many of the activities that are prohibited by the PACBI guidelines have consequences that are potentially more far-reaching than being denied a letter of recommendation. We are concerned that faculty may advance the academic boycott at their students' expense without any accountability or oversight. For example, a student may spend countless hours under faculty supervision researching and drafting a scholarly paper with a goal of publication, only to have the faculty member refuse to review the final product because the student chooses to publish the article in a journal based at or in collaboration with an Israeli university.

Just this week, the Center for Middle Eastern and North African Studies (CMENAS) at the University of Michigan hosted a “Teach-In Town Hall” titled, “What is BDS? And Why Does it Matter?” The town hall received funding from several University of Michigan academic departments, as well as the College of Letters, Science and Arts. According to the [Algemeiner](#), the CMENAS Director, Samer Mahdy Ali, sent an email to CMENAS faculty and students saying that the event would feature a 45-minute long “teach in” portion that “is decidedly pro-BDS.” In light of this report, we are deeply concerned that these faculty may take further steps in support of BDS that discriminate against and disadvantage pro-Israel and Jewish students. Without a broad institutional commitment to combatting the effects of BDS activism by professors and academics at the University of Michigan, students will be left with little recourse.

In conclusion, it is imperative that your administration clarify its current policy to reflect zero-tolerance for faculty discrimination and efforts to limit student educational opportunities—whether the conduct is inspired or advanced by BDS or by any other discriminatory movement or government. In particular, it is vital that university policy spell out the potential ramifications for faculty who interfere with a student’s academic privileges and/or opportunities based on that faculty member’s personal political views—and not based on the student’s academic merit.

Thank you for your prompt attention to this matter. We look forward to your response.

Sincerely,



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