

# Re: Senate Inquiry into Academic Freedom

## Joint Submission by ECAJ and AUJS

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### Background

The Executive Council of Australian Jewry (ECAJ) and the Australasian Union of Jewish Students (AUJS) welcome the opportunity to make a submission to the Senate Inquiry into Academic Freedom.

The ECAJ is the representative body of the Australian Jewish community and has been recognised as such for legal purposes by the Federal Court of Australia: *Executive Council of Australian Jewry v Scully* (1998) 79 FCR 537 at 550 *per* Wilcox, J. AUJS is the representative body of Jewish students on Australian university campuses and is an affiliate of the ECAJ.

As a minority student group, Jewish students regularly encounter issues related to their Jewish identity on campus including antisemitism, Jewish religion, culture and affinity with Israel. Despite Australia being generally regarded as a diverse and pluralistic nation, Jewish university students regularly encounter antisemitism, most frequently in the form of academic bias and prejudice against Israel.

### Antisemitism

Antisemitism is an ancient phenomenon that is the subject of a large body of literature. For the purposes of this submission, the definition of antisemitism used by the Report of the UK All-Party Parliamentary Inquiry into Antisemitism is adopted. This report is accessible at: <http://thepeca.org/Report.pdf>.

The Report uses the working definition of antisemitism produced by the European Union Monitoring Centre on Racism and Xenophobia (EUMC), which monitors racism and antisemitism in EU Member States, and contains a section on Antisemitic Discourse that the Committee may find useful:

#### ***“EUMC WORKING DEFINITION OF ANTISEMITISM***

*Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*

*In addition, such manifestations could also target the state of Israel, conceived as a Jewish collectivity. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.*

*Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:*

- *Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.*
- *Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective – such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.*
- *Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.*
- *Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).*
- *Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.*
- *Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.”*

Criticism of Israel similar to that levelled against any other country cannot of itself be regarded as antisemitic. But where such criticisms lapse into traditional racist stereotypes about Jews or are predicated on the assumption that Jews have (or should have) a smaller measure of human rights than others, such criticisms cross the line into antisemitism. As the EUMC working definition goes on to observe:

*“Examples of the ways in which antisemitism manifests itself with regard to the state of Israel taking into account the overall context could include:*

- *Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.*
- *Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.*
- *Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.*
- *Drawing comparisons of contemporary Israeli policy to that of the Nazis.*
- *Holding Jews collectively responsible for actions of the state of Israel.”*

## **Studying the Arab-Israeli conflict – the academic challenge**

At the heart of the conflict lies a contest between two competing historical narratives. Israelis and Palestinians (and their supporters) have perpetuated mutually exclusive accounts of the history of the Holy Land and of the conflict between the two peoples, its causes, course and consequences. The two narratives have been so at odds that dialogue has been almost impossible. To outsiders, the protagonists appear to inhabit different universes. After 100 years of conflict, each side is still largely deaf to the other's case and often unwilling to accept the other's right to determine its own destiny in its own part of the Holy Land. In this context, the history and historiography of the conflict have become an inseparable part of the conflict itself.

This makes it all the more important for rigorous academic standards to be adhered to in all aspects of the study of the conflict. At a minimum, the personal biases of the authors of prescribed texts and of teachers of the subject ought to be disclosed to students at the outset of any course of study. In the historiography of the Arab-Israeli conflict, writers fall into the following general groups reflecting the essential line of argument that they personally support:

1. Traditional Israeli historians who support the conventional Israeli narrative as recounted by official Israeli sources.
2. Traditional Palestinian and Arab historians who support the conventional Arab/Palestinian narrative as recounted by official Arab sources (to the limited extent that these are publicly available).
3. Israeli 'revisionists' or 'new historians' whose focus is on a refutation of some of the basic tenets of the traditional Israeli narrative and, to a much lesser extent, on a refutation of some of the basic tenets of the traditional Palestinian and Arab narrative.
4. Israeli post-revisionists, a group that has emerged relatively recently, whose most prominent exponent is Benny Morris (who was previously a prominent member of group 3), and whose focus is on a more circumscribed refutation of the basic tenets of the traditional Israeli narrative refutation and a more extensive refutation of some of the more contentious propositions of group 3.
5. Arab revisionists such as Yezid Sayigh and Fouad Ajami and Rashid Khalidi, whose focus is on a refutation of some of the basic tenets of the traditional Arab/Palestinian narrative and whose views overlap to a considerable extent with those of group 4.

## **Lack of intellectual diversity – ideological, political and cultural prejudice**

In order to maintain a minimum standard of intellectual diversity and avoid political bias it is essential for any course of study that touches on the Arab-Israel conflict, whether in the field of history or the field of political science, to present fairly authoritative authors drawn from each of these schools and to explain without distortion each side of the argument on the points of contention between them.

One significant example where regrettably there has been a complete failure to meet these minimal criteria, is the course “Introduction to Middle East Politics” (POL 166) at Macquarie University. **Attached** to this submission is the course outline. Five books are listed on page 3 and are “considered as central” to the course. The authors listed are all widely known. Roger Owen has written widely on Arab states and societies with a general bias in favour of his subjects and against ‘the West’. Fred Halliday is also widely published and regarded as genuinely neutral or near-neutral. Ilan Pappé’s writings have focussed almost exclusively on demonising and delegitimising Israel. Many of his major theses are now widely discredited, having been comprehensively rebutted in the recent works of Benny Morris, among others. Robert Jervis and William Polk are well-respected writers on US foreign policy but cannot be regarded as authorities on Middle East politics.

With the exception of the Jerusalem Report, each of the numerous journals referred to are widely acknowledged to be biased against Israel, a bias that the journals make little effort to deny. Among the other authors listed, Robert Springborg and Norman Finkelstein have been embroiled in major public controversies over the years for the immoderate nature of their anti-Israel and anti-Western views. On any analysis, the writings of both Pappé and Finkelstein would satisfy the working definition of antisemitism referred to earlier. Finkelstein’s works are cited by notorious holocaust deniers like David Irving in the UK and Fredrick Toben in Australia.

The result is that the anti-Israel course material is required reading whilst pro-Israel material is recommended reading only; that is, it is not covered in class. The necessary intellectual diversity and balance is therefore missing. Further, on page 9 of the course outline, one internet source is given with the pejorative comment “See hardline Israeli website...”, a small but telling manifestation of anti-Israel bias. None of the traditional Arab narrative sources cited are characterised in a pejorative fashion.

The selection of the authors listed, to the extent that they write on the Arab-Israel conflict, is skewed heavily towards groups 2 and 3 above. Conspicuous by their absence is any author from group 4. The Palestinian refugee problem is widely regarded as a critical political issue in the Middle East. Benny Morris is easily the most reputable and authoritative author on the subject and has written three acclaimed books on the origins of the refugee problem. None of them is listed.

Also conspicuous by its absence is any reference to any of the UN Arab Development Reports of 2002-2005 which extensively document the human rights, economic and educational deficits of the Arab world and their indigenous causes. The set readings and

subject headings of the “Introduction to Middle East Politics” (POL 166) course at Macquarie University are overwhelmingly biased towards a particular Arab narrative of victimisation by ‘the West’. This narrative is contradicted by much of the data and analysis in the UN Arab Development Reports. For that reason and others, the narrative is rejected by many respected Arab commentators such as Sayigh and Ajami as well as non-Arab commentators.

The skewing of course content and reading materials to give preponderance to one particular point of view or school of thought is a subtle but insidious way of brain-washing young minds. At present universities self-regulate on such matters. In relation to non-humanities faculties self-regulation has worked well. In relation to humanities faculties (and business and law faculties to the extent that they offer humanities courses), self-regulation has from time to time been abused. A complaints or appeals procedure to a high-level, balanced academic panel urgently needs to be established to deal with allegations of abuses.

### **Public Disclosure of foreign government sources of funding**

Any charter of academic freedoms should be characterised as a “Charter of Academic Freedoms and Honesty”. We are particularly concerned that over the last 10 years the Centre of Arab and Islamic Studies at the Australian National University has received millions of dollars of funding from the government of the United Arab Emirates, and is in fact dependent on that funding. Its director Professor Amin Saikal is a consistent purveyor in the Australian media and elsewhere, of anti-Western views and apologies for terrorism. Before the Centre of Arab and Islamic Studies began to receive funds from the government of the United Arab Emirates, the Centre focussed more widely on semitic studies, reflecting the fact that the broader history of the Middle East is not exclusively, or even predominantly, “Arab and Islamic”.

When Professor Saikal was interviewed on the ABC PM programme about the controversial funding of certain programmes at Griffith University, he publicly asserted that other institutions were funded by Israeli sources. The ECAJ wrote to Saikal and challenged him to cite a single example of such a course he was unable to do so. When the ECAJ wrote to the ANU to complain about this lack of accountability, it was fobbed off in an entirely unsatisfactory manner. We will provide the Committee with the relevant correspondence within the next few days.

To us it seems self-evident that the direct or indirect receipt of funding from a government, especially a non-democratic government, by an Australian university ought to be publicly disclosed and capable of being vetoed by the Australian government in the public interest.

### **Victimisation of students**

We are aware of a small but worrying number of cases of students whose work has been marked down by their lecturers or tutors even though the work has been informally assessed

by other academics to be of high quality. Invariably in such cases the student has adopted a contrary set of views to those being promoted overtly or implicitly by the student's teachers. Such students are also on occasions singled out for public ridicule or vilification by their teachers during lectures or tutorials. We are happy to provide details to the Committee on a confidential basis. Students who have been victimised in this fashion are understandably reluctant to come forward publicly and fear further victimisation if the complaint is dismissed.

Universities usually have a procedure to deal with complaints of victimisation or unfair marking but the procedure is not always at arms length from the academic who is the subject of the complaint. This might perhaps be overcome by the introduction of a general code of conduct setting clear standards of procedural fairness to be observed by all universities in dealing with complaints of academic victimisation.

## **Conclusion**

There is an urgent need to redress the areas of abuse illustrated in this submission. The remedies we have suggested are not intended to exclude other effective responses. We would be more than happy to elaborate on any of the foregoing matters if so requested by the Committee.

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