

**אקדמיה לשוויון**

**أكاديميون من أجل المساواة**

December 11, 2023

To: The Board of Editors, Harvard Law Review

Cc: Dean of Harvard Law School

Executive Director, Council on Academic Freedom

Re: Your Decision regarding Rabea Eghbariah's HLR Online Article -  
Upholding Freedom of Speech Requires Courage

Dear Board of Editors,

Academia for Equality is an organization of over 800 academics holding positions of all ranks in universities and colleges in Israel and around the world. We work together to promote democratization, equality and access to higher education, and struggle against silencing of critical voices and complicity with injustice in academia.

We are writing to express our concern about your decision not to publish an HLR Online essay solicited from Rabea Eghbariah, a human rights attorney and doctoral candidate at Harvard Law School.

Mr. Eghbariah's essay, titled "The Ongoing Nakba: Towards a Legal Framework for Palestine," was solicited for publication on the HLR blog, passed through several rounds of edits, and was then rejected at the last moment by an unprecedented decision of HLR's editorial board. As an HLR online editor explained in a letter to Eghbariah, the article was rejected not due to substantive or technical issues, but because of concerns that some editors "might oppose or be offended by the piece" and that it

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would “provoke a reaction from members of the public” that may harm the editors (as quoted by [The Nation](#)). No meaningful explanation was provided by the board for its decision to reject Eghbariah’s article.

Academia for Equality does not take a position on the opinions expressed in Mr. Eghbariah’s essay. However, as an organization counting legal experts, experts on genocide, and many researchers of Israel/Palestine among its members, we are in agreement that the essay is of the highest academic caliber. Given the circumstances surrounding its rejection, there is no escaping the conclusion that the board’s decision constituted political censorship, a serious breach of academic freedom and a stain on HLR’s sterling reputation.

We are aware that academic institutions in the United States, including Harvard, are facing extreme pressures to suppress speech that is interpreted as anti-Semitic. This makes our intervention even more critical as a group of Israeli academics, struggling towards freedom of expression and thought in Israel and elsewhere during these dark days. We strongly decry the HLR board’s behavior, stressing nothing about the article could be even remotely considered as offensive or antisemitic.

The protection of hard-won freedoms requires courage, and you have acted in an uncourageous and disrespectful manner. We hereby express our solidarity with our colleague and urge you to apologize for your mistaken decision and remedy the harm it caused to Mr. Eghbariah.

Respectfully,

Academia for Equality  
International Solidarity Team