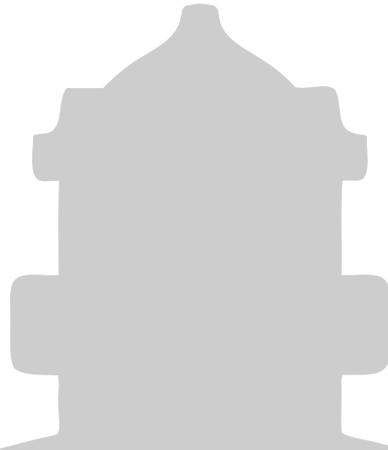


Academic Freedom Bulletin



**Academic Freedom Bulletin (non-periodical)
Issue No. 6 December 2016**

afte

مؤسسة حرية الفكر والتعبير
Association for Freedom of Thought and Expression

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The bulletin was prepared by Mohamed Abdel Salam, a researcher at Association for Freedom of Thought and Expression, and this issue covers the period from June 2016 to December 2016.

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مؤسسة حرية الفكر والتعبير
Association for Freedom of Thought and Expression

Editorial

Why the university lacks initiatives to support academic freedom?

A noticeable change occurred in the overall forms of the violations taking place within the universities. In the past six months concern with political and society issues in the universities has dropped. It seemed as if regular news about demonstrations and protests has almost disappeared from the scene. It is no secret to observers of university issues that interest in politics has declined to a large extent. It seemed as if the university has been separated from the frame in which it has orbited during years of defending public freedoms and freedom of expression. Interestingly, this decline was not met by a decline in violations, or a more reasonable approach in handling university issues from the side of security apparatus and universities administrations.

Universities administrations, followed by security apparatus, have transferred their battle from restricting activities and protests within the university to blatant interference in academic affairs, which establishes systematic violations of the professors and students right to the freedom of research, teaching and learning. This attack reached the extent of holding the academic community members accountable for their ideas and inspecting their beliefs. Perhaps this issue of academic freedom

bulletin can contribute in illustrating these practices through a set of documented facts.

The academic community did not face this attack on academic freedom seriously enough, possibly due to the desire of some to adapt to new trends restricting academic work, or may be due to the continues weakness in lobbying to advocate the freedom of academic work and research. Movements and university groups are mainly interested in the issue of university autonomy and public freedoms, and of course we can not ignore the constant harassment suffered by activist groups of professors and students when organizing themselves and interacting with university issues.

To deal with this gap between the ferocity of the attack on academic freedom and the weak reaction of the academic community, there must be a quick response from active groups in the universities to deal with recurring issues, as subjecting professors to penalties or the issuance of decisions restricting academic work. This rapid response can use different tools ranging from solidarity statements; explaining the reality of what is happening in universities to the public opinion and civil society, all the way to direct dialogue with universities administrations and the use of litigation to challenge the decisions that are not consistent with the law.

At the beginning of 2016, concern with the academic freedom issues increased. The 9th of March movement discussed good proposals to approach academic freedom issues in an annual meeting in Cairo University. On the other hand, a group of students and professors from the American University has organized a meeting discussing academic freedom. There was real awareness of the seriousness of what the research and academic work encounter, but the results were below the high expectations that accompanied these endeavors. This appeared clearly when the violations to professors, researchers and students recurred without solidarity activities, as if the academic community was no longer interested in the basic guarantees to continue its work.

We should never stop highlighting the main task of creating a coordination mechanism in order to provide support to those who are subjected to violations of their rights to freedom of research, education and teaching. This way we ensure the continuity of different activities increasing the knowledge of members of the academic community of these rights, and shedding light on the violations that occur. Finally failing to do so make it easier to waste the rights of members of the academic community and poses a major threat to the research and scientific product in the Egyptian universities.

This is a call for actors and activists within the academic community and observers of academic affairs to provide support for initiatives contributing to academic freedom, thus sparing us the risks of silence on the various violations.

Academic Freedom

“Security clearance” bans a professor at Ain Shams University from travelling to the United States grant

Ain Shams University administration refused to grant Mohammed Hassan Suleiman a lecturer at the Faculty of Engineering final approval to travel to the United States for a scholarship, in spite of meeting all the requirements, under the pretext of “absence of security clearance”. Suleiman has applied for a training grant in the United States provided by Fulbright Commission in Egypt, and the board of the department of electrical power and machines engineering approved, on 30 March 2016, to grant Suleiman vacation to participate in the training.

On 11 April 2016, Suleiman completed the procedures of obtaining the approval of the faculty of engineering board granting him paid leave. The acting president of the university approved Suleiman’s travel grant providing “travel procedures are not completed except after receiving security clearance” according to the official approval letter that Suleiman received.

The security clearance wasn’t given until the date of travel on July 6, 2016, so Ain Shams University refrained from issuing its final approval to travel, which the Fulbright Commission requires from faculty members before traveling in its training programs. As a result Fulbright had to cancel Suleiman’s grant, although he went a long way in the travel procedures and in obtaining a visa.

In his testimony to the Association for Freedom of Thought and Expression Suleiman says:”that



made me lose a great opportunity to attend the largest conference in the field of electric power in North America (IEEE General meeting) and to visit the largest renewable energy laboratories in the United States (in Denver city), and that is something I cannot arrange on my own”.

The recommendation of the General Conference of UNESCO held in 1997 on the status of higher-education teaching personnel, states in article (13) that”The interplay of ideas and information among higher-education teaching personnel throughout the world is vital to the healthy development of higher education and research and should be actively promoted. To this end higher-education teaching personnel should be enabled throughout their careers to participate in international gatherings on higher education or research, to travel abroad without political restrictions and to use the Internet or video-conferencing for these purposes”.The document stresses that member states in UNESCO should take all necessary measures to implement the decisions and principles stated in the document.

Professor at “Al-Azhar” faces a charge of atheism on the background of his university teaching

Yosury Jafaar, a professor at the faculty of theology, has been suspended from work for three months due a decree from Al Azhar University because he was accused of atheism and the attempt to revive the ideas of Mohammed Abdu and Taha Hussein, attacking the Islamic movement, and calling it obscurantist, according to Al Watan newspaper quoting sources in Al-Azhar

The University has formed an investigation committee that asked Jafaar about the content of his lectures and scientific views and his vision of Al-Azhar, then the committee charged him with several accusations including the call to atheism, and criticism of Sahih al-Bukhari (a collection of hadith compiled by Imam Muhammad al-Bukhari) in his lectures and calling for amending Al-Azhar curriculum. Jafaar denied these charges explaining that he calls for enlightenment. University sources mentioned that the intention is to expel Jafaar permanently, if he spoke to the media, so Al-Azhar won't be accused of imposing inquisition.

Association for Freedom of Thought and Expression verified the validity of the incident from various sources and tried to contact Jafaar to provide legal support, but he expressed his commitment not to discuss the matter of the investigation. He said that he was seeking an amicable solution with the university administration through the intervention of professors and scholars of Al-Azhar, in order to preserve his job.

Al-Azhar University violated Jafaar's right to freedom of teaching and scientific debate with his students, by its interference in the academic content he teaches, though it does not violate the rules of scientific research and debate. Paragraph (27) of the UNESCO recommendation concerning the Status of higher-education teaching personnel “Higher-education teaching personnel are

entitled to the maintaining of academic freedom, that is to say, the right, without constriction by prescribed doctrine, to freedom of teaching and discussion.....”

Al-Azhar University has increased its interference to the point of discussing the convictions of the professor in a formal investigation, which contravenes all legal rules, and clearly contradicts the provisions of the UNESCO recommendation mentioned earlier. Paragraph (26) of the recommendation states that” higher-education teaching personnel, like all other groups and individuals, should enjoy those internationally recognized civil, political, social and cultural rights applicable to all citizens. Therefore, all higher-education teaching personnel should enjoy freedom of thought, conscience, religion, expression, assembly and association as well as the right of liberty and security of the person and liberty of movement. They should not be hindered or impeded in exercising their civil rights as citizens”.

The German University terminates a contract with a professor because of “moral” objections on graduation projects

Tarek Abu Al-Naja, a professor of architecture, was surprised with the German University’s decision to terminate his contract in August 2016. Media reports attributed this step by the university to its objection and the parents as well on the content of graduation projects that Tarek has supervised. The projects addressed topics linked to the idea of nudity in the history of humanity and female divinity across civilizations. Earlier that year security personnel in the university deliberately removed paintings by two students from a gallery. Freedom of Thought and Expression communicated with Abu Al Naga, and he confirmed that the university administration did not inform him of the reason for terminating his contract.

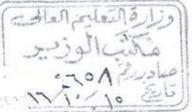
The university administration didn’t only put constraints on the graduation projects, but also terminated its contract with the professor responsible for it, as a punishment for his support for the freedom of his students in research, in spite of Egypt’s commitment to the International Covenant on Economic, Social and Cultural Rights which addresses in article (13) the right of education. The Committee on Economic, Social and Cultural Rights has interpreted this article by general comment No (13), which stated that “Members of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing”.

The Ministry of Higher Education directs “not to insult our sister countries” in research

A letter issued on the 15th of October 2016 by the minister of higher education directed to the secretary of the council of private and non-profit universities stresses that all scientific departments of the faculties of private and non-profit universities and its institutes and research centers should be directed to avoid any direct or implied insults to friendly countries in its scientific content. The reason for such note was a dissertation submitted to a university, which the minister considered it contained what he called “insult to a public figure in a sister state”.



جمهورية مصر العربية
وزارة التعليم العالي
الوزير



وزارة التعليم العالي
مكتب الوزير
صادرة ٢٠١٦
تاريخ ١٥/١٠/٢٠١٦

السيد الأستاذ الدكتور/ عز الدين أبو ستيت
أمين مجلس الجامعات الخاصة والأهلية

تحية طيبة وبعد،،،

في ضوء ما ثبت مؤخراً، من وجود رسالة مقدمة للحصول على درجة علمية من إحدى الجامعات المصرية، ينطوي على إساءة لشخصية عامة مرموقة بإحدى الدول الشقيقة، الأمر الذي يتنافى مع ثوابت وقيم الدولة والمجتمع المصري، ويناقض التزام مصر الأخلاقي ودورها الرائد في محيطها الإقليمي، ويعرض علاقاتها المميزة مع الدول الشقيقة للاهتزاز والتراجع.

فقد رأيت الكتابة إلى سيادتكم، آملاً تفضلكم بالتوجيه لدى كافة الأقسام العلمية بكليات الجامعات الخاصة والأهلية ومعاهدها ومراكزها البحثية، بأن يتم التأكد من أن المحتوى العلمي لمختلف الرسائل والدراسات والبحوث الأكاديمية، سواء المقدمة للحصول على درجات علمية أو في إطار حركة النشر العلمي بالجامعة، يخلو من أية إساءة بالتصريح أو التلميح للمجتمعات أو الدول أو الأفراد في أي من الدول الشقيقة أو الصديقة.

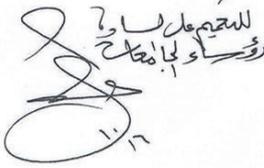
وإذ أمل أن ينال هذا الموضوع أقصى درجات العناية والاهتمام من سيادتكم، بالنظر إلى طبيعته التي تمس مكانة مصر وعلاقتها بالدول الشقيقة والصديقة، فإنني أرجو أن يمتد هذا التوجيه ليشمل كافة مراحل إعداد الرسالة أو الدراسة أو البحث منذ تقديمها وبلورتها مروراً بإعدادها وتجهيزها، وصولاً إلى تقديمها للمناقشة العلنية أو النشر، مع خالص تحياتي وتقديري.

وتفضلوا سيادتكم بقبول فائق الاحترام والتقدير،،،

وزير التعليم العالي والبحث العلمي



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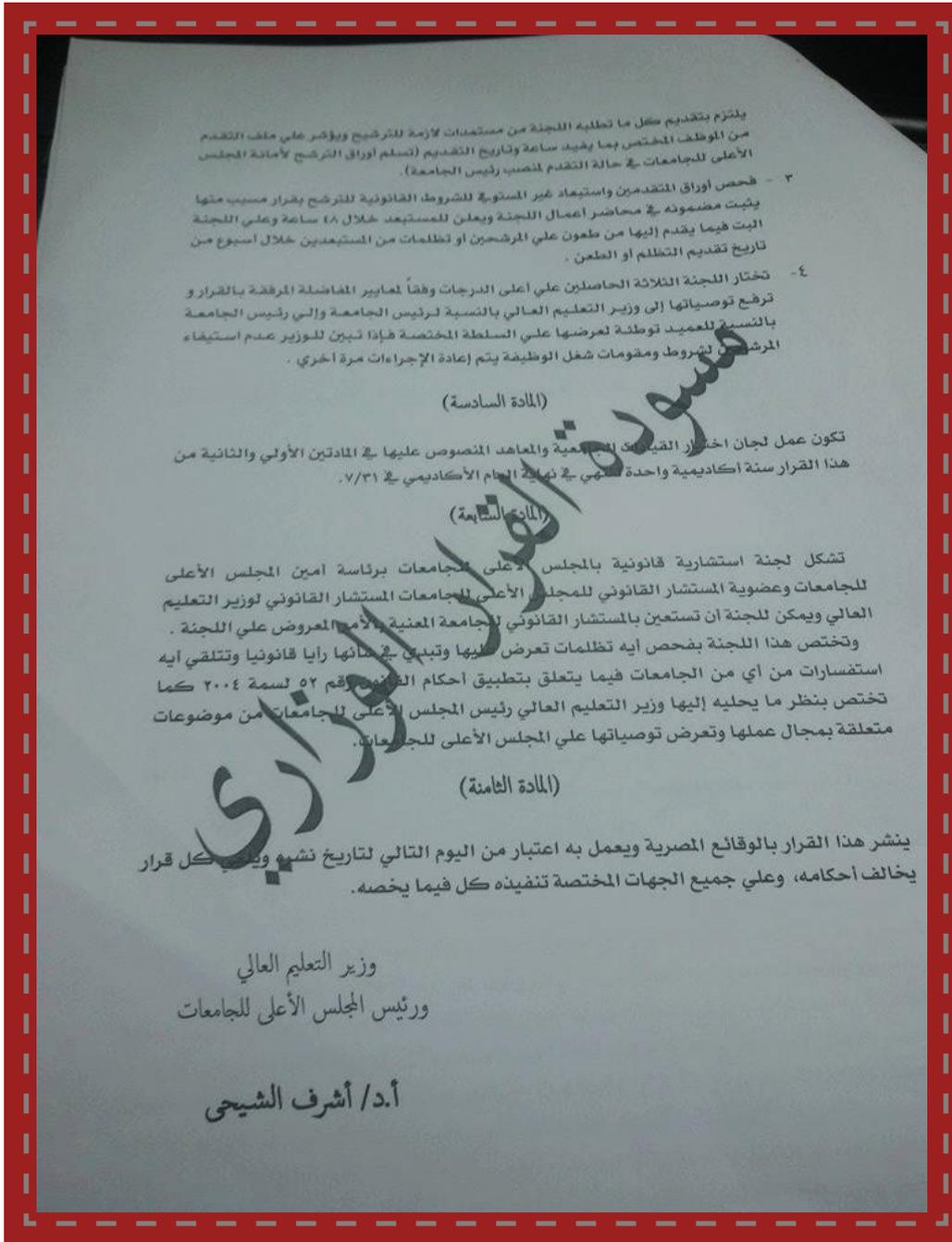
This decision violates the academic freedom of faculty members and researchers, as it imposes restrictions that are not linked to any scientific basis. It is also as a violation of the autonomy of institutions of higher education, with regard to the general comment no.(13) concerning article (13) of the International Covenant on Economic, Social and Cultural Rights, which stipulates that “The enjoyment of academic freedom requires the autonomy of institutions of higher education. Autonomy is that degree of self governance necessary for effective decision making by institutions of higher education in relation to their academic work, standards, management and related activities”.

University Autonomy

New regulations for the selection of university leaders allow the Minister to object to the nominations by the selection committees

Supreme Council of Universities approved the ministerial decree which regulates the formation of university leaders' nomination committees, in its meeting held on 13 October, 2016. The decree regulates the forming and work of committees that nominate university presidents and deans of colleges and institutes, procedures and eligibility conditions and criteria for choosing. This was after amending the law regulating universities in 2014 canceling the election of university leaders, and stating they should be appointed according to the decision of the country's president based on the nominations from committees formed by the minister of higher education.

In the fourth paragraph of article 5 of the ministerial decree there is a text allowing the minister of higher education to increase his influence in the selection of university leaders, since the commission that is supposed to perform a technical work for the nomination of three candidates for leading positions, is now obligated to repeat the procedures, in case the minister objected on these nominations. The fourth paragraph of article 5 states that “the committee chooses the three with the highest grades in accordance with the standards attached to the resolution and then submits its recommendations to the minister for the university president position and to the president of the university for the dean's position, and if the minister found the candidates are lacking the requirements of the job, the procedures are to be repeated again”.



This paragraph added to the regulations governing the work of the selection committees increases the unilateral authority of the minister in taking important decisions at the university level. This could be linked to “security” objections that occurred in previous cases to all the candidates of the selection committee in a particular university. And perhaps granting the minister the right to object to the committees’ choices allows security interventions indirectly. There is no question after the addition of this paragraph, that the executive authority represented by the minister of higher education and the president of the republic now has complete control over the appointment of university leaders, in a way that completely marginalizes the role of the selection committees that have been promoted to be independent.

The Academic Community

Conflicting statements regarding the draft law on higher education

Ambiguity controls the fate of the draft law on higher education, which was prepared three years ago. The most prominent feature during this period was not making the draft law available for discussion. However, by the end of December several newspapers published a draft of the project distributed by Dr. Abbas Mansour, chairman of the committee preparing the law, to the presidents of universities during the supreme council of universities' meeting at its session held on 17 December, 2016.

Minister of higher education, Ashraf Al-Shehhi, reaffirmed that there is no draft law. He said that what appeared in the media was inaccurate and the published image of the draft law did not come from any of the members of the board. Al-Shehhi announced that what were distributed to some university presidents were just preliminary ideas about the law by the committee formed to prepare it that has not been formulated legally. Thus, ambiguity controls the law of higher education, especially in light of the declaration of the minister that the supreme council of universities intends to form a new committee, and discuss the draft law throughout the sessions of the council.

Association for Freedom of Thought and Expression has issued a paper entitled "Under consideration...how to issue a higher education law and guarantees of participatory", in August 2016. The paper analyzed the random policy of the ministry of higher education, and the elimination of the academic community from the discussion of the draft of the law, and the unavailability of information about it. AFTE recommended that serious steps should be taken by the supreme council of universities to activate the dialogue within the academic community and to make the draft law available, along with the discussions around it, to enable the interested entities (faculty, representatives of the employees and student unions) to participate effectively in this process.

Cairo University interrogate a full-time lecturer for criticizing its president in a radio program

Cairo University referred Mukhtar El Kasbani, a full-time lecturer at the faculty of archaeology, to investigation on 23 August 2016, because of his criticism to the way president of Cairo University handled the maintenance of the university's dome. El Kasbani mentioned during a radio program that the dome is subject to the laws protecting antiquities, which the university administration considered an insult and libel against the university president.

Cairo University issued a statement in response to these criticisms, but the university was not

satisfied with just holding a constructive debate on the issue preferring to investigate with the professor who expressed his opinion in a university matter, claiming that he said some sharp words to the president of the university. UNESCO recommendation concerning the Status of higher-education teaching personnel ensures their right to “freedom to express their views on the institutions or systems in which they work.”

Beni Suef University refers professors to investigation with “charges, including “insulting the president

President of Beni Suef University referred two faculty members to investigation, on 19 October, 2016, for what he considered an “insult to the state and its symbols during the lectures”, contrary to the university’s values and traditions. This decision came after the dean of the faculty of physical education and director of the administrative security submitted two memos, claiming that one professor addressed the political and economic situations during his lecture, uttering offensive words against President Abdel Fattah Al-Sisi, while the other was said to comment on electing El- Sisi by saying “endure him now”.

The exaggeration in dealing with casual discussions between professors and students is considered an expression of repressive attitudes toward freedom of opinion and expression.

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