

# A response to 'Response to The Stellenbosch University Senate ought to remain neutral on the Israel-Palestine war in Gaza'

Concerning the correspondence, 'The Stellenbosch University Senate ought to remain neutral on the Israel-Palestine war in Gaza: A response to Mahomed and Hendricks',<sup>[1]</sup> we thank the author for their comments.

Our response is as follows:

1. The University Senate chose to discuss the matter and vote on it<sup>[2]</sup> thereby accepting that the issue of the Israel-Palestine war falls within its remit. Thus, the question of neutrality is somewhat moot. The fact that all universities in Gaza have been destroyed and the destruction of the education system is described as a scholasticide (United Nations) are specific points of relevance to the university as an academic institution.<sup>[3]</sup> While all organisational structures, meetings and fora usually have some form of terms of reference, these are usually a guide and nothing stops that meeting/ forum from dealing with an issue that it regards as especially important.
2. Several South African university senates have chosen to discuss this issue and passed resolutions on it implying that responding to the genocide currently being carried out in Gaza by Israel is felt to fall within the remit of university senates.<sup>[4-7]</sup>
3. Harvard University, whose position is extensively quoted, has chosen to delay the graduation of 13 students because of their participation in student protests in support of Palestine – hardly a neutral stance.<sup>[8]</sup>
4. Lastly, we put forward some scenarios that raise questions about this position of neutrality:
  - a. Should there be multiple reports of racism at Stellenbosch University, should the university structures such as the senate remain silent and neutral about such an issue? We think not. Silence in this context would likely be seen as a tacit endorsement of racist behaviour, undermining the university's commitment to diversity, anti-discrimination and inclusion.
  - a. Should there be cases of deaths due to malnutrition and cases of fetal alcohol syndrome on farms in and around the Stellenbosch area, should the university remain silent and neutral and not comment on such an issue? We would hope not. It is our view that the university, including its senate leadership, would have a moral obligation to address these issues, leveraging its resources and expertise to advocate for better health outcomes and social justice.
  - a. If this were the 1940s with the holocaust happening in Germany with horrific crimes being conducted against Jews and other groups, should the university remain silent and neutral in a context where there may be Nazi sympathisers as part of the university faculty. Again, we would hope not. Universities including their senate leadership must take a stand against such atrocities to uphold human rights and academic integrity. Inaction in the face of such atrocities would be regarded as an ethical failure.

The point we are making is that neutrality is not a neat concept that can be applied in an effort to protect academic freedom. We do not believe that the university taking a position would restrict academic freedom and prevent any academic from taking a contrary position.

Sadly, the official death toll in Gaza has grown to at least 37 900 Palestinians killed and 87 060 injured as of 01 July 2024, not including those whose bodies are under the rubble.<sup>[10]</sup> The International Court of Justice issued further provisional orders on 24 May 2024<sup>[11]</sup> ordering Israel to stop its Rafah invasion in Gaza, which Israel has ignored. The humanitarian situation in Gaza remains grave<sup>[10]</sup> ('...WFP [World Food Program] reiterated that nearly the entire population is food insecure...').

We believe that neutrality is not always an appropriate or ethical stance. The University Senate's role includes addressing significant global issues that impact human rights. We urge the Senate of Stellenbosch University to reconsider its decision on the resolution, aligning with South Africa's broader academic community's commitment to justice and human rights.

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1. Joseph CA. Response to 'The Stellenbosch University Senate ought to remain neutral on the Israel-Palestine war in Gaza'. *S Afr J Bioethics Law* 2024;17(2):e2298. <https://doi.org/10.7196/SAJBL.2024.v17i2.2298>
2. Prof Wim de Villers. Senate vote on Gaza resolution. Message from the Rector. Stellenbosch University. 3 May 2024 (internal university communication sent via email to all staff and students – available on request)
3. United Nations. UN experts deeply concerned over 'scholasticide' in Gaza. 3 April 2024. <https://www.ohchr.org/en/press-releases/2024/04/un-experts-deeply-concerned-over-scholasticide-gaza> (accessed 3 July 2024).
4. University of Cape Town. UCT Senate holds second continuation meeting on Gaza motions. 24 April 2024. [https://www.news.uct.ac.za/images/userfiles/downloads/media/2024\\_04\\_20\\_SenateContinuation.pdf](https://www.news.uct.ac.za/images/userfiles/downloads/media/2024_04_20_SenateContinuation.pdf) (accessed 3 July 2024).
5. University of the Western Cape. UWC Council calls for immediate ceasefire and aid to Gaza. 2 April 2024. <https://www.uwc.ac.za/news-and-announcements/announcements/uwc-council-calls-for-immediate-ceasefire-and-aid-to-gaza> (accessed 3 July 2024).
6. University of the Western Cape. University of the Western Cape Announce Immediate Academic Disengagement from Israeli Institutions. 28 June 2024. <https://www.uwc.ac.za/news-and-announcements/news/university-of-the-western-cape-announce-immediate-academic-disengagement-from-israeli-institutions> (accessed 3 July 2024).
7. Nelson Mandela University. Statement on Nelson Mandela University Senate Resolution Related to the Israel-Palestine Conflict. 9 May 2024. <https://news.mandela.ac.za/News/Statement-on-Nelson-Mandela-University-Senate-Reso> (accessed 3 July 2024).
8. Al Jazeera. The Harvard graduating students denied their degrees over Palestine protest. 9 June 2024. <https://www.aljazeera.com/news/2024/6/9/the-harvard-graduating-students-denied-their-degrees-over-palestine-protest> (accessed 3 July 2024)

9. OCHA (United Nations Office for the Co-ordination of Humanitarian Affairs) – Occupied Palestinian Territories – News and Updates. Humanitarian Situation Update #185 | Gaza Strip | United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory (ochaopt.org) (accessed 3 July 2024).
10. International Court of Justice. Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) 24 May 2024. <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240524-ord-01-00-en.pdf> (accessed 3 July 2024)