

**THE ISRAELI INTER-SENATE COMMITTEE (ISC) OF THE
UNIVERSITIES FOR THE PROTECTION OF ACADEMIC
INDEPENDENCE**

Consisting of representatives of the seven Israeli universities

Prof. Yair Censor, Mathematics, University of Haifa (UH)
Prof. Yaron Ezrahi, Political Sciences, Hebrew University of Jerusalem (HUJI)
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Prof. Michael Heyd, History, Hebrew University of Jerusalem (HUJI)
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Prof. Mario Mikulincer, Psychology, Bar-Ilan University (BIU)
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Prof. Nava Pliskin, Industrial Engineering, Ben-Gurion University in the Negev (BGU)
Prof. Arie Reichel, Business administration, Ben-Gurion University in the Negev (BGU)
Prof. Zeev Safrai, Eretz Israel Studies, Bar-Ilan University (BIU)
Prof. Zeev Schuss, Mathematics, Tel-Aviv University (TAU)
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Higher Education Review Secretariat
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**Re: A submission from the Israeli Inter-Senate Committee (ISC) of the
Universities for the Protection of Academic Independence**

1. Who Are We?

The Israeli Inter-Senate Committee (ISC) of the Universities for the Protection of Academic Independence consists of representatives of the seven Israeli universities. It was established on December 13, 2001, and its members were authorized by the Universities' Senates to undertake a public campaign and engage in any necessary activity for the protection of the academic independence of the universities in Israel. This independence is threatened by the adoption by the Government of Israel of an initiative to enforce an academic and administrative restructuring of the universities, according to the recommendations of the Maltz Committee Report (Appendix #1 to this submission, see list of appendices below) as well as by a wave of interventions in academic affairs by political bodies in Israel that ensued.

2. Why Do We Make This Submission?

We read with great interest the Ministerial Discussion Paper: “Higher Education at the Crossroads: An Overview Paper”, Commonwealth of Australia, Canberra, Australia, 2002, and reviewed also some earlier written documents and sources regarding the changes and reforms that took place in the Australian higher education system. The ISC considers these changes and reforms very relevant to our situation, because of the recent developments in the higher education system in Israel. The ISC, therefore, voted in its last regular meeting on Thursday, June 13, 2002, in favor of making this submission. We hope that you find the events taking place in the higher education system in Israel, described in this submission and its appendices, of interest in your deliberations.

3. The Maltz Committee in Israel and its Recommendations

The Maltz Committee was set up by the Government of Israel resolution of August 1, 1997, and submitted its 78-pages [in the original Hebrew document] report on January 18, 2000. The Government Resolution Number 675 of September 2, 2001, adopted the recommendations of the Maltz Committee Report and the manager of the Budgeting and Planning Committee (BPC) submitted to the Council on Higher Education (CHE) on October 14, 2001, a draft proposal for their implementation. That draft proposal contains practical guidelines for the implementation of the recommendations of the Maltz Committee Report. These guidelines assert in essence, among others, that in all universities in Israel: the function of Rector shall be abolished, the size of the Senate in each university shall be reduced to 71 members (in contrast with the current structure where all full professors in each university are automatically senate members), and a non-academic Executive Committee shall be nominated as the supreme authority in the university, able to override senate decisions. This body shall have academic power that so far has been solely in the hands of the senate. The Maltz Committee Report states (Paragraph “F” in the Introduction of the English translation of the Report appended to this submission) that:

“I would like to emphasize that in the Committee’s recommendations detailed in Chapter C it did not intend to write a uniform constitution or general statutes and that these recommendations should be regarded as a general framework guiding the universities in a direction they should strive for. Furthermore, the Committee thinks that uniformity should not be forced and that each institution should be allowed a certain measure of difference in accordance with its special conditions and needs and its academic expertise, but that all organizational structures should be based on the principles which will ensure achieving the goals, aims and programs of the university for excellence in research and teaching.”

In spite of this, the Maltz Committee Report recommendations were perceived erroneously and misrepresented to the BPC and CHE as an expert-opinion that expresses the views of the CHE and the universities. As a result of this misinterpretation the Government of Israel resolved on September 2, 2001, to enforce the recommendations on all institutions of higher education fully and uniformly. The article: “The End of Academic Freedom”, By Baruch Kimmerling, published in the

Israeli daily newspaper Haaretz on Tuesday, November 6, 2001, (Appendix #3 to this submission, see list of appendices below) sheds more light on the situation.

4. The Position of the Israeli Inter-Senate Committee (ISC)

The universities' senates in Israel debated the Government's resolution and the BPC's October 14, 2001, draft proposal for the implementation of the Maltz Committee recommendations and have voted against them. The senate's decision of the Tel-Aviv University (TAU) was published, as a paid advertisement, in the December 7, 2001, issue of the Israeli daily newspaper "Haaretz". The CHE ultimately also rejected this draft proposal (on December 11, 2001) but the Israeli Government's resolution, adopting the Maltz Committee Report recommendations, still stands. The ISC composed and approved on March 20, 2002, its Position Paper (PP) and submitted it to the Research and Information Center of the Knesset [the Israeli Parliament] for the May 8, 2002, debate on the Maltz Committee Report in the Education and Culture Committee of the Knesset, MK [Member Knesset] Zevulun Orlev, Chairman (Appendix #2 to this submission, see list of appendices below). Representatives of the ISC were invited and participated in this debate at the Knesset's Education and Culture Committee.

The ISC maintains that the Government's resolution to enforce the above mentioned restructuring of the universities contravenes the Higher Education Law of 1958 in Israel, particularly Paragraph #15 of the Law, which asserts that "An accredited institution [of higher education] is free to conduct its academic and administrative business as it sees fit, within its budgetary limitations."

The ISC further maintains that the Maltz Committee Report recommendations are essentially erroneous and are based on mostly groundless and unsubstantiated claims. These recommendations are the consequence of the choice of witnesses and depositions that reflect a tendency for over-representation of administrative considerations and under-representation of academic considerations. The ISC maintains that the implementation of the Government's resolution will severely damage academic independence and freedom of research, teaching, and expression. Under the Higher Education Law of 1958 the Israeli universities flourished academically and achieved the scientific level of the best universities in the Western World, while contributing decisively to the economy, security, medicine, and to the quality of government and individual life in Israel. The universities in Israel offer education of the highest quality in Western standards, but at a fraction of the cost. Therefore, the ISC:

- (a) Demanded that the Higher Education Law in Israel be maintained and respected. This Law led to the success of the Israeli universities and to their contributions to society, while academic freedom was preserved.
- (b) Called upon the Government of Israel to refrain from imposing a uniform academic and administrative structure on the universities, in contravention of the existing Higher Education Law. It called for the adoption of the Maltz Committee Report recommendation to consider the conclusions "*as a general framework guiding the universities in a direction they should strive for.*"
- (c) Embraced the principle that the universities must examine themselves in view of the changing national circumstances and implement the resulting necessary reforms. It called for the consideration of the recommendations by the Senates

of all universities, and for independent decisions on what parts of the recommendations they want to adopt.

- (d) Rejected the Maltz Committee Report recommendations for a massive transfer of authority from the universities' senates to extra-academic bodies. The ISC warned that these measures would jeopardize the academic independence and the freedom of research in the universities and would lead to lower research quality and lower teaching standards.

Please do not hesitate to approach us for further information on this matter and we shall respond to the best of our ability.

Sincerely yours,
Signed for the Israeli Inter-Senate Committee (ISC),

(Signature)

Yair Censor, D.Sc.
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Chair, ISC.

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The Internet site of the Israeli Inter-Senate Committee (ISC) of the Universities for the Protection of Academic Independence: <http://hyde.eng.tau.ac.il/ISC/>

List of Appendices to this submission:

1. The full text of the report of the Public Committee for Examining the Organizational Structure of the Institutions of Higher Education, Chaired by Supreme Court Justice (Ret.) Yaacov Maltz, Jerusalem, Israel, January 2000 (The Maltz Committee Report).
2. The March 20, 2002, Position Paper (PP) of the Israeli Inter-Senate Committee (ISC) of the Universities for the Protection of Academic Independence, submitted to the Research and Information Center of the Knesset [the Israeli Parliament] for the May 8, 2002, debate on the Maltz Committee Report in the Education and Culture Committee of the Knesset, MK [Member Knesset] Zevulon Orlev, Chairman.
3. The article: "The End of Academic Freedom", By Baruch Kimmerling, published in the Israeli daily newspaper Haaretz on Tuesday, November 6, 2001.

List of Abbreviations/Acronyms and Terms

BIU	Bar-Ilan University, Ramat-Gan, Israel.
BGU	Ben-Gurion University in the Negev, Beer-Sheva, Israel.
BPC	Budgeting and Planning Committee [of the CHE].
CHE	Council on Higher Education [in Israel].
Haaretz	A leading Israeli daily newspaper (Hebrew).
HUJI	The Hebrew University of Jerusalem, Jerusalem, Israel.
IIT	Technion – Israel Institute of Technology, Haifa, Israel.
ISC	The Israeli Inter-Senate Committee (ISC) of the Universities for the Protection of Academic Independence
Knesset	The Israeli Parliament.
Maltz Committee Report	The Public Committee for Examining the Organizational Structure of the Institutions of Higher Education, Chaired by Supreme Court Justice (Ret.) Yaacov Maltz, Jerusalem, Israel, January 2000.
MK	Member [of the] Knesset.
PP	The March 20, 2002, Position Paper (PP) of the ISC submitted to the Research and Information Center of the Knesset for the May 8, 2002, debate on the Maltz Committee Report in the Education and Culture Committee of the Knesset, MK Zevulon Orlev, Chairman.
TAU	Tel-Aviv University, Tel-Aviv, Israel.
UH	The University of Haifa, Haifa, Israel.
WIS	The Weizmann Institute of Science, Rehovot, Israel.