



# BRISMES

British Society for Middle Eastern Studies

British Society for Middle Eastern Studies, 71-75 Shelton Street, Covent Garden, London WC2H 9JQ

Email: [office@brismes.org](mailto:office@brismes.org)

Website: [www.brismes.ac.uk](http://www.brismes.ac.uk)

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Professor Dame Sally Mapstone FRSE  
Principal and Vice-Chancellor, University of St Andrews

Sent by Email: [principal@st-andrews.ac.uk](mailto:principal@st-andrews.ac.uk)

19 August 2024

Dear Prof. Dame Sally Mapstone,

We are writing on behalf of the British Society for Middle Eastern Studies' (BRISMES) Committee on Academic Freedom to express our profound concern over the University's decision to remove its Rector, Ms Stella Maris, from the University Court and her trustee status.

As you will remember, we previously wrote to you in November 2023 and January 2024 regarding the University Senior Management Team's response to the Rector's email about the situation in Palestine and Israel. We are extremely concerned that your response to her initial statement and to the [report](#) by Lady Morag Ross KC, violates Rector Maris' freedom of expression, and will narrow the space for critical and academic discussion on the question of Palestine. This is part of a broader and worrying trend that BRISMES has documented since 7th October 2023, in which time universities have placed significant restrictions on academic freedom and freedom of expression with regard to the issue of Palestine. We are also concerned that a pattern is emerging whereby university investigations into expressions of solidarity with Palestinians disproportionately focus on women of colour - such as Rector Maris.

It is in this wider context that we are alarmed that the University has taken the decision to dismiss Rector Maris from her position as President of the Court and remove her as a trustee based on the claim that she was in breach of her obligations in those roles. Having read the report and followed the case closely, we believe there is no basis for this punitive action and, moreover, no basis to conclude she was in breach of her obligations. The University's decision is particularly surprising given that Lady Ross is categorical throughout her report that "dismissal would be a disproportionate response" and that her report does not conclude that Rector Maris' statement to students on 21st November 2023 put her in breach of her obligations.



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In its [public statement](#) announcing the decision, we believe that the University has also misrepresented its freedom for manoeuvre in this situation. The University's statement claims that "the Court had no option but to discharge" Rector Maris. However, this is plainly not the case. The report by Lady Ross is clear that the Court has discretion as to (a) whether it determines that there has been a breach of obligations; (b) whether a breach warrants a sanction; and (c) whether any such sanction would be a proportionate response (see [4.69-4.74](#)). The report further stresses that "the University should be very slow to conclude that there has been a breach other than in very clear and obvious circumstances" (4.70), given the strong protections afforded to freedom of expression, and that it must not "seek to hold Ms Maris to an excessively high standard, relative to other Rectors" (6.16). The Court's claim, in its aforementioned statement, that Rector Maris' disagreement with the findings of Lady Ross's report leaves her in "serious and persistent breach of her responsibilities" has no basis in the report but is a subjective claim by and from University Court, which further undermines the Court's contention that it had no choice but to discharge her of her responsibilities. It appears, rather, that the University Court has - contrary to Lady Ross's findings and despite the protections it should afford Rector Maris's freedom of expression - chosen to take this particular and damaging course of action, while being under no obligation to do so.

We are also concerned to see that both the University statement and the report criticise Rector Maris for showing "very poor judgement" in releasing her statement on the situation in Gaza. The report finds fault because, it claims, Rector Maris "ignored or discounted" the possibility that her choice of language "might, directly or indirectly encourage the expression of antisemitism by others" (5.19). We are deeply concerned that this analysis severely misrepresents the legal and scholarly landscape regarding the terms "genocide" and "apartheid" with reference to Palestine/Israel, both of which Rector Maris used in her statement. Although these terms are not uncontested, there is a widespread and growing consensus regarding their relevance and applicability to the current situation in Palestine. Leading Israeli, Palestinian and international human rights organisations - including [B'Tselem](#), [Amnesty International](#), [Human Rights Watch](#) and [Al-Haq](#) - have for several years accused Israel of committing the crime of apartheid - an assessment that was also confirmed by the International Court of Justice in its advisory [opinion](#) on 19 July 2024. At the time that the Rector issued her statement, UN Special Rapporteurs were already warning of the risk of genocide in Gaza, and several public and political authorities including the Scottish Parliament had called for a ceasefire. Furthermore, a statement by over [800 genocide and conflict scholars](#), a letter signed by [36 UN Special Rapporteurs](#), and the [International Commission of Jurists](#) have all expressed grave concern that the Israeli government's actions in Gaza may amount to war crimes, crimes against humanity and genocide as they are defined in instruments such as the Rome Statute of the International Criminal Court and the 1948 Genocide Convention. This is in addition to the International Court of Justice's [January 2024 decision](#) that it is plausible that Israel is committing genocide in the Gaza Strip.

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While some may disagree with the use of these terms, it is essential for the furtherance of academic debates on the Middle East for the articulation of such claims to remain possible and for those employing these concepts not to face sanctions or unfounded accusations of encouraging antisemitism. While Rector Maris is not an academic, it will plainly have a chilling effect on academic debate (for which the expression of unpopular and indeed controversial ideas is essential) and for freedom of expression more broadly for the University to so publicly sanction its Rector for employing these terms.

There is, moreover, no basis for the claim that these legal and scholarly concepts might encourage antisemitism. It is clear they were used in this instance to analyse the conduct of a State, rather than to make any express or implied comment about Jews. Indeed, the statement makes plain its total rejection of antisemitism and all forms of racial hatred. To claim that the use of these terms contributes to antisemitism would also be to suggest that the International Court of Justice, several UN experts, and the world's leading human rights observatories are guilty of doing the same. Furthermore, the report presents no evidence that the statement, or its particular use of language, had any such effect.

Finally, Lady Ross's report indicates that a potential funder was "very concerned about...the Statement made by Rector Maris," and references the "very hard work" that was undertaken in order to "rebuild that important relationship" and secure the anticipated funding (2.45). It also states that "the Court already has information" regarding the concerns of this prospective funder. When taken together with the report's statement that the University "Court determines what the interests of the University are and, where there are competing interests, determines which should be prioritised" (4.16), the possibility emerges that - in taking this disciplinary action against Rector Maris - the University Court has prioritised its financial interests and the views of a potential funder over its obligations to protect and defend Rector Maris's freedom of expression. We are deeply concerned by this possibility, and what it signals for the rights of all members of the University to freedom of expression and academic freedom, particularly with regards to positions to which private donors may object.

We therefore call upon the University of St Andrews to:

1. clarify whether the views of a (prospective) funder have influenced the University Court's decision to remove the Rector from University Court and her trustee status;
  2. immediately reinstate the Rector's trustee status and her position in the University Court; and
  3. publicly apologise to Rector Maris for its treatment of her.
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We look forward to your response.

Yours sincerely,

**Professor Nicola Pratt**

BRISMES President

**Dr Lewis Turner**

Chair of BRISMES Committee on Academic Freedom