

## EXECUTIVE SUMMARY

# **Apartheid in Israeli Academia: Palestinian Students After 7 October 2023**

This report examines the profound shift that has taken place in the treatment of Palestinian students, predominantly citizens of Israel, by higher education institutions in Israel through an analysis of the disciplinary proceedings initiated in response to students' social media posts since 7 October 2023. The report is primarily based on over 130 inquiries that Adalah received from Palestinian students enrolled at around 40 universities and colleges, as well as a detailed analysis of 100 disciplinary cases in which Adalah provided legal representation. The findings demonstrate a broad institutional pattern that emerged within days of the start of the war, continued through 2024 and 2025, and transformed the boundaries of the authority of Israeli academic institutions, the rules governing disciplinary procedures, and the restrictive scope of Palestinian students' freedom of expression.

The report documents how, in the very first days after 7 October, Israeli universities and colleges began suspending Palestinian students, initiating disciplinary proceedings against them, and categorizing social media posts as "support for terror" or "identification with" the Hamas-led attack. These measures took place against a backdrop of intense political and public pressure. On 12 October 2023, the Minister of Education demanded that academic institutions take immediate action, including suspending students, reporting them to the Council for Higher Education and the police, and conducting expedited disciplinary proceedings. The Council for Higher Education issued a parallel directive days later. Simultaneously, Jewish-Israeli student unions, campus political groups, and external groups actively monitored Palestinian students' social media posts and reported them to university administrations. Although university presidents

warned against creating an “atmosphere of McCarthyism and mutual reporting,” their objection did not translate to a systemic refusal to carry out these harsh, selective measures.

The quantitative findings in the report illustrate both the scope and severity of the phenomenon. Of all students who turned to Adalah, 76.5% were women. In 61.3% of all 132 inquiries received by Adalah, institutions imposed interim suspensions, barring students from their studies before any determination of culpability had been made. Law enforcement authorities were involved in 20 cases, some entailing arrests, with institutions at times directly reporting their own students to the police. Out of 30 cases in which an initial inquiry was conducted prior to opening a disciplinary proceeding, 22 were closed without further measures being pursued; by contrast, in 70 cases, no distinct stage of initial inquiry was documented at all. This stark finding highlights both the importance of a preliminary inquiry and the great extent to which institutions took formal disciplinary measures against the students even before hearing their accounts.

The disciplinary proceedings concerned a wide spectrum of expressions. Approximately 24% of the posts reviewed contained criticism of Israeli government policy, its military, or the war in Gaza; 23% contained content related to the events of 7 October; 22% addressed events in Gaza and the suffering of the civilian population; 21% were religious expressions, including prayers and verses from the Qur’an; and 16% contained visual symbols of Palestinian identity. In several cases, a simple “like,” the display of a Palestinian flag or the word “Palestine” on a profile, the sharing of a news report, or the posting of a prayer for the residents of Gaza was enough to trigger a complaint or disciplinary proceeding. Of the 78 disciplinary cases, 52 resulted in convictions, 14 in acquittals, with the remainder concluded in different outcomes.

Sanctions imposed by the academic institutions included suspensions ranging from one semester to five years, alongside 11 permanent expulsions. In total, 20 students received penalties of permanent expulsion or lengthy suspensions of between one and five years. Defense appeals by Adalah successfully overturned convictions or secured significant penalty reductions in several cases.

The report identifies recurring structural flaws throughout these proceedings. In

some cases, the institutions summoned the students without even showing them the specific post that had prompted the complaint. In other cases, institutions failed to verify who had published the content or when it had been published, and in a few instances the institutions initiated disciplinary proceedings based on posts predating 7 October. Institutions relied on automatic translations of Arabic texts, including Qur'anic verses and prayers with multifaceted religious and cultural meanings. Students were even required in some cases to defend themselves against content they had not published or against interpretations that did not appear in the post itself. In some proceedings, institutions failed to specify the disciplinary offense being pursued, rejected or failed to meaningfully consider expert opinions submitted in defense of students or to provide legal reasoning for their decisions, and/or neglected to maintain full records of the proceedings. Consequently, the report concludes that the institutions effectively reversed the burden of proof: instead of requiring the institution to prove an offense was committed, students were required to prove that their post did not constitute an expression of support for terror.

One of the main findings of the report concerns the academic institutions' broad expansion of their authority. Article 17 of the Students' Rights Law circumscribes universities' disciplinary powers and limits them to conduct connected to a student's studies at the institution. After 7 October, various institutions adopted a broader interpretation of their own authority, according to which it was sufficient for a private post to have "made its way" to the academic community, to have been viewed by students, or to have "offended their feelings" to establish the required connection to the institution. In other cases, the state of war, "community sentiment," or the need to protect the institution were presented as independent grounds for expanding this authority. At the same time, the report reviews cases in which the same institutions emphasized the limits of their authority when dealing with off campus statements or conduct by Jewish-Israeli. From this distinction, the report concludes that the institutions' expansion of authority was not neutral but was applied selectively and in a discriminatory manner against Palestinian students.

Alongside the expansion of their own jurisdiction, academic institutions also created a new framework for speech offenses. Institutions employed catch-all

provisions such as “unfitting conduct,” “harm to the dignity of the institution,” or harm to public peace, linking these disciplinary offenses to the terminology used in Israel’s 2016 Counter-Terrorism Law. Disciplinary committees developed tests such as the “reasonable person,” “reasonable listener,” or the “reasonable reader”, as well as the test of “public sensibilities” borrowed from defamation law, and through them imparted new disciplinary implications to statements not explicitly prohibited in the regulations. Thus, Israeli academia transformed itself from a body regulating student conduct within the context of studies into a body policing private political expressions and determining which expressions of identity, religion, solidarity, and criticism are legitimate and which are not. In some cases, disciplinary proceedings continued and resulted in convictions even when law enforcement authorities found no basis to pursue criminal charges.

The report concludes that, after 7 October, the institutions established two distinct tracks of disciplinary law de facto: an administrative track and a constitutional track. Toward Palestinian students, an emergency “administrative track” developed, characterized by the expansion of academic institutions’ authority, the curtailment of procedural protections, the use of vague tests, and the examination of statements within a securitized discourse predicated on concepts of loyalty and “enemy”. Alongside this track, the institutions applied a “constitutional track” for Jewish-Israeli students, in which the boundaries of authority and freedom of expression were largely preserved, even in relation to extreme expression. Notably, Israeli academic institutions ignored students’ widespread calls for the annihilation and genocide of the Palestinian people in Gaza and racist posts directed against Palestinian citizens of Israel in general, and their fellow Palestinian students in particular.

The distinction between the two tracks is also evident in the way the required connection between the post or other form of expression and the academic community was defined. The disciplinary committee at Tel Aviv University established that a post by a Palestinian student may constitute a disciplinary offense even when it is not directed at specific students, and that it is sufficient that the post merely came to the knowledge of community members and could be interpreted as offending them. Conversely, in relation to statements made by Jewish-Israeli students, it was held that a general statement on the question of

how Israel ought to act in Gaza and toward its residents is not, in itself, related to the academic community, and that a disciplinary connection may arise only when the statement is directed toward specific Arab students or toward the category of Arab students at the university. Thus, the institutions established a different threshold: a statement by a Palestinian student may come within the disciplinary jurisdiction based on how it could be perceived by the Jewish-Israeli majority, whereas such a statement by a Jewish Israeli student requires a more direct and specific connection to Palestinian students. This distinction demonstrates how the institutions used a “public sensibilities” test (understood solely through Jewish-Israeli perspectives) to draw unequal boundaries around freedom of expression.

**It is on this basis that the report defines the emergent disciplinary system as apartheid within the Israeli higher education academic institutions: a seemingly uniform formal framework, yet one whose operation and the legal protections accorded within it depend on the student’s ethno-national identity.**

The report argues that these disciplinary proceedings have significance far beyond the outcomes of individual cases. The possibility that a prayer, an expression of Palestinian identity, identifying or sympathizing with the residents of Gaza, or political criticism could lead to investigation, suspension, or expulsion creates a chilling effect among the entire body of Palestinian students. It encourages self-censorship, reduces their sense of security and belonging on campus, and renders their participation in the academic space conditional. The report further views this new system as a dangerous institutional precedent that illustrates the fragility of constitutional protections during conditions of war, collective trauma, and political pressure. It concludes that the discriminatory policies documented violate provisions of international law regarding the prohibition on racial discrimination, as well as women’s rights, and minority rights.

The report concludes with a call to Israeli academic institutions to examine the use of disciplinary mechanisms for policing political expressions of Palestinian students, to restore the limits of their authority in accordance with rule of law principles, and to place freedom of expression as a universal foundational principle of academic life for all students, even for expressions that diverge from the state’s official narrative or the prevailing views of the Jewish-Israeli majority.