

# A SHAME OF TWO UNIVERSITIES

“SHAME ON THE HEBREW UNIVERSITY!” – *MAARIV*

“VILE WORDS OF HATE THAT SHAME COLUMBIA UNIVERSITY” – *NY DAILY NEWS*

SIMILAR SHAME; YET SO DIFFERENT

Do not fear;  
neither the Pharisees, nor the non-Pharisees.  
Do fear the hypocrites, who disguise like Pharisees.  
They do evil like Zimrie,  
but demand a reward like Pin’khas.  
*Babylonian Talmud, Sotah, 22B*

אל תתייראי מן הפרושין  
ולא ממי שאינן פרושין,  
אלא מן הצבועין שדומין לפרושין;  
שמעשיהן כמעשה זמרי,  
ומבקשין שכר כפנחס.  
בבלי, סוטה; כ”ב, ע”ב

To: Mr Harvey M. Krueger  
Vice President, Lehman Brothers  
and Honorary Chairman of the  
Hebrew University Board of Governors  
Work: (212) 526-2261; Email: HKrueger@Lehman.com

Hebrew University President Menachem Magidor  
(972) 2-588-2905 <hupres@cc.huji.ac.il>  
Hebrew University Rector Haim D. Rabinowitch  
(972) 2-588-2919 <rector@savion.huji.ac.il>

CC: Six hundred and seven editors and reporters of 206 Jewish newspapers around the world  
(*listed at the end of this open letter*)  
Leaders of 47 Jewish organizations (*listed at the end*)  
Presidents and provosts of 27 of the best American universities (*listed at the end*)  
Hebrew University Governors (*those whose addresses I know*)  
Hebrew University Community (*3500 email addresses*)  
Israeli University Heads  
Knesset members and government officials  
Members of the Israel Higher Education Committee

From: Yaacov Bergman  
of the Hebrew University faculty (Yaacov.Bergman@huji.ac.il; 972-2-648-0269)

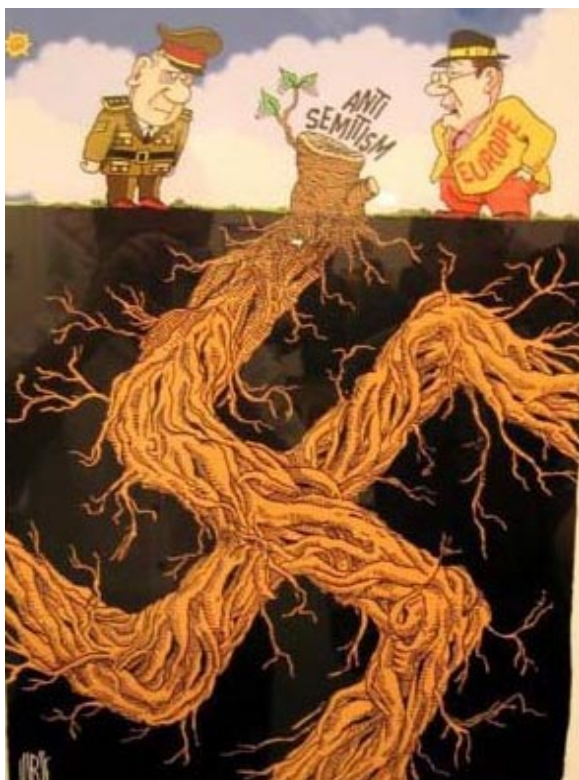
December 22, 2004

## A SHAME OF TWO UNIVERSITIES

**“SHAME ON THE HEBREW UNIVERSITY!”** reproached the July 12, 2004 op-ed title in *Maariv*, the second largest Israeli newspaper. Its subtitle elaborated:

Invoking academic freedom, the heads of Israeli academe defend venomous rhetoric against Israel. But the Rector of the Hebrew University has mustered his authority to silence criticism of the venom spreaders.

Honorary Chairman of the Hebrew University Board of Governors, Mr Harvey Krueger, you would right wrongs if you call the Head of the Berlin Jewish Community, Dr



**"Dont worry...it's only a tiny shrub."**

*By Raanan Lurie*

new anti-Semitism<sup>2</sup> in Germany, your Hebrew University Rector Rabinowitch sneaked in and stabbed me in the back. The hypocrites take our money, but when we turn to go back home, they stab us in the back."

<sup>1</sup> In this letter, *Jewish people* is meant to include the Israeli public.

<sup>2</sup> See the book "Never Again?: The Threat of the New Anti-Semitism" by Anti-Defamation League National Director Abraham H. Foxman; Foreword by Elie Wiesel.

To understand what infuriated the Head of the Berlin Jewish Community, I recommend to you, Honorary HU Chairman Harvey Krueger, that you read the “*SHAME ON THE HEBREW UNIVERSITY!*” *Maariv* article written by Ms Anat Peri, before continuing to read this open letter to you, of which leaders of 47 Jewish organizations and 607 editors and reporters of 206 Jewish newspapers around the world are receiving a copy. The presidents and provosts of 27 of the best American universities get a copy too, since it concerns them as well, as I will explain. (The list of recipients is at the end of this letter.) The “*SHAME!*” article; both the Hebrew original and its translation into English are archived on the *Maariv* newspaper web-site (please click on one of the following URLs to go there, or copy and paste it in your browser):

*English:* <http://www.maarivintl.com/index.cfm?fuseaction=article&articleID=9768>  
or [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Shame\\_Eng.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Shame_Eng.pdf)  
*Hebrew:* <http://www.nrg.co.il/online/1/ART/753/909.html>  
or [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Shame\\_Heb.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Shame_Heb.pdf)

## 1 “Shame on the Hebrew University!” A synopsis

On January 27, 2004, Dr Alexander Brenner, erstwhile Head of the Berlin Jewish Community, gave an interview to the Israeli radio, in which he said, that the fact that Hebrew University professors compare and equate between Israelis and Nazis fuels and inflames anti-Semitism in Germany. Suspecting, for good reason, that Dr Brenner meant him, HU Professor Moshe Zimmermann promptly dispatched a letter to Dr Brenner demanding an apology. Zimmermann’s letter to Brenner can be viewed at [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Zimmermann\\_to\\_Brenner.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Zimmermann_to_Brenner.pdf)

Dr Brenner did not think he ought to apologize to Zimmermann, but then he was utterly surprised and deeply offended to receive a terse letter from Hebrew University Rector (provost) Haim Rabinowitch threatening him, in effect, with legal action, if he does not apologize. The following is a translation of Rector Rabinowitch’s original Hebrew letter which can be viewed at [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Rector\\_to\\_Brenner.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Rector_to_Brenner.pdf)

Professor Haim D. Rabinowitch  
Hebrew University Rector  
March 14, 2004

To: Charlotte Goldfarb, Representative of the Hebrew University R&D Authority in Germany

From: The Rector

In consultation with the legal counsel, we drafted a short sentence that suggests an apology.

In the interview with Ben Meller, words were said in error, without an intent to harm any of the Hebrew University professors.

I hereby apologize before the Rector for any offense, if committed, against any of the professors of the University.

I will be happy to assist.

Sincerely,

— Haim Rabinowitch

Note that HU Rector Rabinowitch did not address his letter to Dr Brenner, and did not send it to him, as would have been expected. Moreover, although Rabinowitch demanded an apology from Dr Brenner in his letter, he did not even mention there Brenner's name. Instead, as if to cover up incriminating traces, Rector Rabinowitch addressed his letter to Ms Charlotte Goldfarb, an HU employee residing in Berlin. Strange!

Even stranger is the fact that Professor Zimmermann must have told Rector Rabinowitch, when influencing the latter to write his offensive letter to the Head of the Berlin Jewish Community, that Tel Aviv District Justice Yehudit Shevakh was then writing her ruling in a libel suit that Zimmermann had filed two years earlier. In that lawsuit, Zimmermann named the Israeli *Haaretz* newspaper and Ms Anat Peri (the author of the *SHAME!* op-ed) as defendants for having published on August 24, 2001 an article that claimed that Zimmermann publicly equates between Israelis and Nazis, and that he receives financial support from various German sources.

Indeed, on March 25, 2004, a *mere eleven days* after Rector Rabinowitch had secretly and obliquely mailed his letter to Dr Brenner, Justice Shevakh handed down her ruling, totally repelling Zimmermann's libel lawsuit.<sup>3</sup> The proximity of the dates leaves one wondering whether the attempt to wring an apology from Dr Brenner had anything to do with the pending court ruling.

The following are revealing excerpts from Justice Shevakh's ruling:<sup>4</sup>

It has been established that the plaintiff [Hebrew University Professor Zimmermann] indeed makes comparisons — analytic and professional, as he claims — between Israeli and Nazi entities. Inter alia, he compares and equates<sup>5</sup> between the youth of Hebron and the Hitler Youth; between the motivation and service conditions of the Israeli soldiers in the IDF elite units, on the one hand, and those of the Waffen SS, on the other hand; between Israeli soccer fans and racists of the Third Reich; [and] between the Bible and Mein Kampf. [ ]

It has been satisfactorily established in this court that in his publications and discourse, the plaintiff [Hebrew University Professor Zimmermann] has indeed made comparisons between Israeli entities and Nazi entities, both in the sense of comparison for the purpose of finding the similarities and the differences, and in the

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<sup>3</sup> The following might help explain the Zimmermann phenomenon: "While literary figures have long led the effort to create a post-Zionist consciousness in Israel, recent years have seen an even more pronounced effort on the part of academics. The 1967 Six Day War immediately inspired attacks by opponents of nationalism such as Prof. Yeshayahu Leibowitz, who claimed that Israel was undergoing nazification, that Israel's soldiers had become "Judeo-Nazis," and that Israel would soon be setting up concentration camps—a leitmotif soon mimicked and elaborated upon by others [ ] such as [ ] the historian Moshe Zimmermann." —From "The End of Zionism?" by Yoram Hazony, *Azure No. 1 Summer 5756 / 1996*; <http://www.shalem.org.il/azure/1-articles4.html> See also the first chapter of *The Jewish State* by the same author at <http://search.barnesandnoble.com/booksearch/isbninquiry.asp?ean=9780465029020&displayonly=CHP>

<sup>4</sup> The ruling, in Hebrew, can be viewed at [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Psak\\_Din\\_Zimmermann.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Psak_Din_Zimmermann.pdf)

<sup>5</sup> Justice Shevakh uses *compare* in both its senses: 1. To examine in order to note the similarities or differences. 2. To consider or describe as similar, equal, or analogous; liken. (The American Heritage Dictionary)

sense of equating between the two through finding of factors that are parallel and/or identical. [ ]

The defendants' claim that the plaintiff [Hebrew University Prof. Zimmermann] receives financial support for his research and/or publications from German entities was also satisfactorily proven to me. [ ]

The plaintiff [Hebrew University Professor Zimmermann], who, as has been established, expresses anomalous views and sharp criticism—and nobody questions his right to do so—refuses at the same time to accept criticism of his own criticism. [ ]

The plaintiff's [Hebrew University Professor Zimmermann] arrogant attitude towards others and their views, I am sorry to remark, was very noticeable during the deliberations in court, so that it became clear that the plaintiff [Zimmermann] doubts whether ordinary people are capable of fathoming the depth of his views, and of perceiving the academic/analytic/moral value of the lesson that comes out of his mouth. [ ]

— *Tel Aviv District Justice Yehudit Shevakh*  
*Ruling in Zimmermann vs Haaretz and Peri*<sup>6</sup>

Honorary Chairman of the Hebrew University Board of Governors, Mr Harvey Krueger, please keep in mind, that Justice Shevakh has listened to the testimonies of both sides and to cross examinations of their witnesses during intensive court sessions that spanned a period of over two years, before she reached her decision to reject Zimmermann's libel lawsuit altogether.

By contrast, Hebrew University Rector Rabinowitch reached his opposite "verdict" in a matter of hours; that Dr Brenner ought to apologize for his statements that were totally vindicated shortly thereafter by a court ruling. Moreover, Rector Rabinowitch came to his wrong conclusion after having heard only Zimmermann's unwarranted complaint, but without as much as talking also to the Head of the Berlin Jewish Community.

Adding insult to injury, in his July 27, 2004 letter to the editor of *Maariv*, Prof. Zimmermann responded to the "*SHAME ON THE HEBREW UNIVERSITY!*" op-ed.<sup>7</sup> In that response Zimmermann wrote, "I am sorry for the rector of my university, who did not bother to verify with me the details of the matter." In effect, even Prof. Zimmermann himself accuses Rector Rabinowitch of acting recklessly when writing his letter to the Head of the Berlin Jewish Community.

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<sup>6</sup> The court ruling (in Hebrew) is at [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Psak\\_Din\\_Zimmermann.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Psak_Din_Zimmermann.pdf)

<sup>7</sup> Zimmermann's response to Maariv (in Hebrew) can be viewed at [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Zimmermann\\_response.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Zimmermann_response.pdf)

## 2 Rector Rabinowitch's explanation

In order to explain his conduct, Hebrew University Rector Rabinowitch claimed<sup>8</sup> to *Maariv* newspaper that someone has told him that “Dr Alexander Brenner was interested in apologizing to professors of the Hebrew University,” and therefore he volunteered to formulate the apology for Dr Brenner.

Unfortunately, Rector Rabinowitch's explanation lacks credibility. Professor Zimmermann's letter to Dr Brenner, where he detailed the required apology, should have made it amply clear to Rector Rabinowitch that Dr Brenner needed no additional help in formulating his apology, had he intended to do so—which certainly was not the case, as he told me. Therefore, even if *someone* did tell Rector Rabinowitch that Dr Brenner was seeking help in drafting his apology, which is very improbable, then Rector Rabinowitch should have treated that strange information with heightened suspicion. He should have called Dr Brenner and verified that suspicious information before sending off his letter. Rector Rabinowitch should have also taken that opportunity to listen to what Dr Brenner had to say about the whole affair.

He did not! Rector Rabinowitch even refuses as much as naming that person who “told him” that Dr Brenner was looking for his help in drafting an apology.<sup>9</sup>

## 3 The shame of the Hebrew University contrasted with that of Columbia University

On November 21, 2004, the *NY Daily News* published an investigative report concerning Columbia University by its staff writer, Mr Douglas Feiden, under the heading, “*VILE WORDS OF HATE THAT SHAME TOP UNIVERSITY*”; subtitled, “*Daily News Special Report on Anti-Semitism Charges at New York's Most Prestigious Seat of Learning.*”

In his article, Mr Feiden reports, inter alia, that Columbia University Professor of Iranian studies Hamid Dabashi calls supporters of Israel “warmongers” and “Gestapo apparatchiks”; that anthropology and Latino studies Professor De Genova said, “The heritage of the victims of the Holocaust belongs to the Palestinian people. ... Israel has no claim to the heritage of the Holocaust”; and that Arab politics Professor Joseph Massad declared that “Israeli Prime Minister Ariel Sharon can be likened to Nazi Minister of Propaganda Joseph Goebbels.”

Had Zimmermann been a professor at Columbia University, there is little doubt that *Daily News* staff writer Feiden would have included him in his list of professors who express “vile words of hate that shame top university.” But Zimmermann who, like those hateful<sup>10</sup> Columbia professors, compares and equates between Israelis and Nazis, and unlike them, also compares and equates between the Bible and Mein Kampf, as Justice Shevakh ruled, is freakishly a professor at none other than the

<sup>8</sup> English: <http://www.maarivintl.com/index.cfm?fuseaction=article&articleID=9768>

Hebrew: <http://www.nrg.co.il/online/1/ART/753/909.html>

<sup>9</sup> In the letter I sent to Rector Rabinowitch with a copy to President Magidor, I asked the questions that the former's explanation to *Maariv* leaves open. Both refused to respond. [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Rector\\_questions.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Rector_questions.pdf)

<sup>10</sup> hate•ful, adj. Feeling or showing hatred



“University of the Jewish People,” as the Hebrew University often presents itself to Jewish donors.

So, both seats of learning, Columbia University and Hebrew University are venues to similar “vitriolic and malicious comments” against Israel and Israelis, but the reactions of their respective supporters and, therefore, of their administrations are a gulf apart.

On November 26, 2004, five days after the *NY Daily News* published its investigative report, *Haaretz* newspaper reported in Israel under the heading, “*COLUMBIA PRESIDENT VOWS SWIFT ACTION ON ANTI-ISRAEL PROFESSORS*”:<sup>11</sup>

NEW YORK – Columbia University President Lee Bollinger plans "specific steps" soon in response to allegations that professors and lecturers at the Ivy League university made vitriolic and malicious comments against Israel in their classes.

Bollinger made the pledge in a Wednesday phone call to Anti-Defamation League national director Abraham Foxman. Bollinger didn't detail the character of the steps, but emphasized "the matter will be handled immediately."

Jewish sources in New York reported yesterday that major Jewish donors to the university were considering severing ties with the prestigious institution in response to the "corrupt behavior" by academic staff. In particular, the sources mentioned Jewish graduates of the university active in alumni organizations.

Foxman called the Columbia events "particularly grave as the institution is located in New York, which has a large Jewish population."

This is unfathomable, Honorary Chairman Krueger. While it is unthinkable that Columbia University provost would intimidate the *NY Daily News* staff writer Feiden into apologizing for reporting his university professors' vile words of hate to the public, his Hebrew University counterpart, Rector Rabinowitch, did just that to the Head of the Berlin Jewish Community for airing the same complaint about an HU professor.

And while Columbia's President Bollinger *vows swift action on anti-Israel professors* in response to their *vile words of hate*, the Hebrew University President Magidor remained totally indifferent to *Maariv's* “*SHAME ON THE HEBREW UNIVERSITY!*” article, and certainly did not take any actions; neither in response to similar vileness by one of his university professors – Zimmermann, nor in response to his administration official Rector Rabinowitch's unacceptable behavior. The “*Shame!*” did not matter to Hebrew University President Magidor one iota.

Not only has the behavior of the Hebrew University president and recotr been injurious to the Berlin Jewish Community, but it also undermines the hope of Anti-Defamation League national director Abraham Foxman that "if Columbia handles the problem decisively, it will be a strong message to other U.S. campuses where similar phenomena take place," as he told *Haaretz* newspaper. Indeed, the shameful behavior of the

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<sup>11</sup> <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=506415>

Hebrew University officials might well send the opposite message to Columbia University and to other U.S. campuses.

Chairman of the World Jewish Congress, Dr Israel Singer, has recently<sup>12</sup> told *Haaretz*, “It is our duty—which we consider our most important task as a world Jewish congress—to make those Jews in small communities feel as comfortable as Jews do in large communities, so that they don’t feel isolated.” By shameful contrast, the University of the Jewish people has done exactly the opposite.

As a New Yorker and a Jewish leader and philanthropist yourself, Mr Harvey Krueger, I would not be surprised if you were one of those Jewish donors to Columbia University who were considering severing ties with it, as reported by *Haaretz*. You must not absolve the Hebrew University of its greater owed responsibility to the Jewish people, in general, and to the small Berlin Jewish community, in particular.

#### 4 Why the gulf between the two universities?

*Maariv* newspaper published Prof Zimmermann’s response<sup>13</sup> to the *Shame!* article. In it, he accuses Ms Peri and Dr Brenner of nothing less than “oiling the wheels of the true anti-Semites,” and, unintentionally, also provides a clue to understanding the gulf that separates Columbia University from the Hebrew University. Zimmermann writes there:

I am sorry for the rector of my university, who did not bother to learn the details of the matter, and at the end responded by evading *his assigned mission: to protect a faculty member and my freedom of speech.*

While Arab politics Professor Joseph Massad does not expect Columbia University president to “protect” him from the *NY Daily News*, Zimmermann truly believes that the mission of the rector of the University of the Jewish people is to protect him from none other than the Head of the Berlin Jewish Community.

To an outsider, Zimmermann’s expectation sounds perverse. When in conflict, the University of the Jewish people should be held accountable to the Jewish people; not to its academic workforce. An obvious analogy would be a high school administration which is accountable to the parents of its students and the community it serves; not to its salaried teachers.

Strangely, this logic stops at the gates of the Hebrew University. As the Chairman of the Israel Higher Education Planning and Budgeting Committee, the late Nehemia Levtzion, has observed in his most recent report<sup>14</sup> to the public, “We are not familiar with any other higher education system in the whole world that is more *autonomous* than ours.”

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<sup>12</sup> Haaretz Q&A on Thursday, October 28.

<http://www.haaretz.com/hasen/pages/QA.jhtml?qaNo=115>

<sup>13</sup> *Maariv*, July 25, 2004

[http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Shame/Zimmermann\\_response.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Shame/Zimmermann_response.pdf)

<sup>14</sup> Report #28/29 for the years 2001/2002, p. 35; the most recent report to date.



Joseph Ben David, the renowned scholar of higher education, provides specific meaning to *most autonomous in the world*:<sup>15</sup> “Faculty self rule in academic affairs at the Hebrew University was almost absolute. In principle, the HU Board of Governors could have maintained supervision similar to that in the German states [if not the better *academic* and fiscal supervision that the public expects of a board of trustees of an American elite university, YB], but it lacks the administrative apparatus to do so.”<sup>16</sup>

Indeed, supervision over the Hebrew University by the Board of Governors is so lacking, that the government appointed, public Maltz Committee<sup>17</sup> has determined:

We concluded that in its current composition, the university Board of Governors is unable to fulfill the duties and discharge the responsibilities that are required of it by the University Constitution. [ ] *The Board of Governors is not interested in and is not knowledgeable of the university affairs, and, therefore, cannot fulfill its mission as the highest university authority.*

— *The Maltz Committee Report, January 2000*

**4.1 Unaccountability of Rector Rabinowitch.** Left without supervision of a Board of Governors that should have been knowledgeable of the university affairs but is not, the faculty has commandeered the Hebrew University. For example, while a provost of an elite university is nominated by its president, a Hebrew University rector, by contrast, is elected and can be fired by the faculty, and therefore is subordinated and accountable to them.

This suggests the explanation for what happened. Prof Zimmermann appealed to Rector Rabinowitch as his constituent client for protection from the Head of the Berlin Jewish Community. Weighing the interests of his constituent, Prof Zimmermann, against those of the Berlin Jewish community, Rector Rabinowitch decided to act in his own personal interests, which are to please Zimmermann who otherwise might retaliate when the faculty are called upon to vote on Rabinowitch’s second term in office this coming summer. The strange, unparalleled inner Hebrew University politics has thus struck as far out as the small Berlin Jewish community.

However, HU Rector Rabinowitch must have been well aware that intimidating the Head of the Berlin Jewish Community into apologizing to Zimmermann was wrong.

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<sup>15</sup> Joseph Ben-David, 1985, *Israeli universities, dilemmas of expansion, diversification, and management*, in Ackermann, Carmon, and Zucker, “Education in a forming Society: The Israeli System, Vol 1, p. 531.

<sup>16</sup> For an overview of the serious academic problems that the lack of supervision by its Board has inflicted upon the Hebrew University, the reader is invited to a presentation at [http://pluto.mscc.huji.ac.il/~msyberg/Higher\\_Education/Krueger.pdf](http://pluto.mscc.huji.ac.il/~msyberg/Higher_Education/Krueger.pdf) . Additionally, “The Head is Sick too” is an op-ed I have written for *Haaretz* newspaper about the problems of Israeli higher education. English: <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=351202> Hebrew: <http://www.haaretz.co.il/hasite/pages/ShArtPE.jhtml?itemNo=351262>

<sup>17</sup> The Maltz Committee, named after the Supreme Court Justice (emeritus) who headed it, was commissioned at the behest of the Israeli government to examine the governance structure of the Israeli universities. It submitted its report in January 2000. Its recommendations were adopted by the Israeli government at the end of 2001.

Rabinowitch therefore composed his queer letter, and then sent it in a roundabout way to Dr Brenner, hoping not to be caught.

But he was caught; by the second largest Israeli newspaper, *Maariv*, which rightfully rebuked him and the University of the Jewish people, “*Shame on the Hebrew University!*”

**4.2 Unaccountability of President Magidor.** Although formally President Magidor is responsible to the Board of Governors for the fiscal and the academic well being of the Hebrew University, left without supervision by the Board, he really serves the faculty’s interests, as they hold a veto power over his reelections; the next one coming up in a few months.

A prime example among many others for President Magidor’s lack of accountability to the HU Board of Governors and, therefore, to the Jewish people, is his failure to follow the all important practice of elite universities;<sup>18</sup> to deploy routinely external expert review committees at the many units and departments of the Hebrew University. Since the majority of HU faculty is naturally opposed to such reviews, President Magidor, like his rector, would not dare annoy that constituent majority, lest he would not be reelected by their representatives to his handsomely remunerated position.

But a university cannot be managed without the routine functioning of external review committees. In their absence, President Magidor’s reports to the HU Board of Governors and to the public are as vacuous as financial statements of a corporation that its CEO refuses to certify by an independent external auditor. (A more detailed treatment of this subject is “*This is a Lie!*”<sup>19</sup>)

Could it be that while universities like UC Berkeley, Harvard, and Princeton need and do employ external review committees, the Hebrew University is so excellent that it does not need them? The evidence is to the contrary. For example, Sir Isaiah Berlin, the famous Oxford philosopher and historian of ideas<sup>20</sup> was interviewed to a *Kol Ha’eer* newspaper article (October 27, 1995) titled, “*Whither has the Hebrew University Disappeared?*” He said:

I am following with great concern the decline of the humanities in Israel. This problem is peculiar to you; it occurs neither in England nor in the United States. The Hebrew University may be better than the other Israeli universities, but it lags behind the rest of the world. The culprit, in my opinion, is the quality of the Hebrew University professors; they are not good enough.

— Sir Isaiah Berlin

Currently, the situation at the Faculty of Humanities of the Hebrew University is even worse:

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<sup>18</sup> “Institutions of higher education, like individuals, require regular scrutiny and self-examination to improve, and the systematic review of academic programs is an integral part of this process of improvement.”— From *A Policy Statement on Academic Review*, University of California, Berkeley, 1990;

[http://opa.vcbf.berkeley.edu/AcademicPrograms/report\\_only.html](http://opa.vcbf.berkeley.edu/AcademicPrograms/report_only.html)

<sup>19</sup> [http://pluto.mscc.huji.ac.il/~msyberg/Higher\\_Education/This\\_is\\_a\\_lie.pdf](http://pluto.mscc.huji.ac.il/~msyberg/Higher_Education/This_is_a_lie.pdf)

<sup>20</sup> <http://berlin.wolf.ox.ac.uk/tribute/>

Needed is a sense of security, minimal stability, *full trust between the faculty and top Hebrew University administration*. But I am impressed that *the opposite atmosphere exists* now in many of the Humanities departments; uncertainty, *panic of collapse*, and a sense of disrespect to the whole Humanities Faculty.<sup>21</sup>

— Vice-Rector Mara Beller

*Protocol of the December 3, 2003 Senate meeting*

The HU social sciences, and the schools of business and of law are in no better shape; whole divisions of the Hebrew University are declining. But if the Hebrew University governors are not interested in and are not knowledgeable of the university affairs, then an unaccountable president and a consequent declining university should not surprise any observer.

**4.3 President Magidor blocks essential information flow.** There is a reason that the governors are not knowledgeable of the Hebrew University. It is because President Magidor prevents them from becoming informed about it. Unaccountability can only breed on opaqueness, which rules supreme at the Hebrew University.

For example, a year and a half ago I wrote a 26 page long open letter, entitled “*Castle without Leader*,”<sup>22</sup> about the Hebrew University grave leadership problems, of which the Rabinowitch-Zimmermann affair is just a recent manifestation. The letter went eventually to all who have any connection to Israeli higher education, including to the faculty of all Israeli universities, to government officials, and to the Israeli media. The letter is also forthcoming in an academic collection of papers. But when I asked at the Hebrew University Office of the Governors that the letter be relayed also to them as overseers of the university, President Magidor intervened unconstitutionally, intercepted it, and ordered the University Legal Counselor to write to me that “the Hebrew university does not believe that it is its duty to distribute to members of the Board mail from various sources.” Moreover, although the letter had a significant impact on government decision makers, Magidor ignored it just as he ignored “*SHAME ON THE HEBREW UNIVERSITY!*” The end result was that essential information came into the possession of everybody *except for the Hebrew University governors*.

The obstruction by President Magidor of the free flow of information about the Hebrew University to its governors is as unthinkable as a mayor intercepting letters from town citizens to their councilmen, or as a prime minister isolating the parliament members from the public.

Contributing to the explanation for the difference between the two universities is the fact that while Columbia University discloses the names of its trustees on the Internet<sup>23</sup> as a manifestation of their accountability to the public that Columbia University serves; tellingly, the Hebrew University refuses to similarly disclose the names of its governors. In fact, the designer of the HU web site innocently dedicated a web page entitled *About*

<sup>21</sup> [http://pluto.msc.huji.ac.il/~msyberg/YB\\_files/Beller\\_to\\_Senate.pdf](http://pluto.msc.huji.ac.il/~msyberg/YB_files/Beller_to_Senate.pdf)

<sup>22</sup> [http://pluto.msc.huji.ac.il/~msyberg/Higher\\_Education/Castle\\_without\\_leader\\_.pdf](http://pluto.msc.huji.ac.il/~msyberg/Higher_Education/Castle_without_leader_.pdf)

<sup>23</sup> <http://www.columbia.edu/cu/secretary/trustees/bios.html>

*HU Governors*. Years later, that page remains blank.<sup>24</sup> Moreover, the list of HU governors has not been updated in many years, as there are those who are sure they have ceased to be governors long ago, but are still listed as such in the Board's files.

The Hebrew University administration also misinforms the Jewish press in the Diaspora. An example can be seen at <http://www.cjnews.com/pastissues/02/mar21-02/front3.asp> where *The Canadian Jewish News* displays an article (March 21, 2002) entitled, *Diaspora's role in Israeli universities threatened*. In it, former HU Rector Ben-Sasson, on a mission to solicit support from the Canadian Friends of the HU to oppose government required reforms of the universities, warned that "Hebrew University's board of governors may be 'stripped of its powers' and reduced to 'overseers' if Education Minister Limor Livnat's proposals are enacted."

In fact, Ben-Sasson gave the impression to the HU Friends that Minister Livnat was acting whimsically. "I think some ministers just want to put their own stamp on things," he told them, when the truth is that the education minister was trying to implement the recommendations to the Israeli government of the prestigious, nonpartisan public Maltz Committee, that had deliberated for two years, reading numerous documents and hearing many witnesses, including Ben-Sasson himself, before submitting its report to the government. Indeed, HU Governor Bernard Shuster from Montreal fell for Ben-Sasson's misinformation, and reacted by saying that "many of the people on the Hebrew University Board of Governors are leaders in their communities and in the business world. They like to have a say where their money goes. If you take away that input, there could be financial repercussions." Obviously, Mr Shuster *truly believes* that he and the other governors know enough about the Hebrew University to provide it with their input. In fact, the HU governors know so little about it, that they have not even heard that the public Maltz Committee has determined that "they are not knowledgeable about the university."

It follows that "*SHAME ON THE HEBREW UNIVERSITY!*" and the decline of the Hebrew University are two symptoms of the same fundamental affliction; that of the lack of supervision of the Hebrew University Board of Governors over its administration, which leaves the latter subordinated to the mediocre majority of its faculty, and the ensuing lack of accountability of that Hebrew University Board of Governors to the Jewish people.

## **5 What should be done**

First, the Hebrew University should embrace whatever steps Columbia University is about to take in response to the shame generated at its prestigious seat of learning. In particular, the Hebrew University should publicly apologize to the Berlin Jewish community and to its leader, Dr Alexander Brenner, for its mistreatment of them. By doing so, the Hebrew University would be reaffirming its accountability and allegiance to the Jewish people.

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<sup>24</sup> <http://www.huji.ac.il/unewboard.html> . A table that contrasts the opaqueness of the Hebrew University with the transparency of the University of California is at [http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Table\\_Governors.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Table_Governors.pdf) .

Second, as already explained, the Hebrew University rector's maltreatment of the Berlin Jewish community originates in bad governance that renders the Hebrew University unaccountable to the Jewish people. This fundamental flaw should be addressed as follows:

- A grand external review committee to the Hebrew University as whole should be commissioned as soon as possible.
- The committee should comprise prominent active or emeritus administrators from the best American universities. (Universities in other parts of the world are only now being reformed to accountability, and cannot therefore provide the needed guidance.) The committee might also comprise non-academic public figures of stature from around the world. However, The committee should *not* include faculty or administrators of the Hebrew University—or from other Israeli universities, for that matter—who naturally would be the subjects of such a visitation.
- The committee should be charged with looking into all aspects of the operation of the Hebrew University and make recommendations for sweeping reforms with the aim of making the university accountable to the Jewish people and to the Israeli public.
- Following the example of the top secret (American) National Security Agency (NSA),<sup>25</sup> and in a complete reversal of the current Hebrew University opaque organizational culture, the report of the external review committee should be made public on the Internet when completed.

Should the Hebrew University administration or faculty resist either requirements, then the Jewish press the world over—which should play an active role in the affairs of the University of the Jewish people by periodically informing its readers about it from sources that are also independent of the university administration—should call upon the donors to the Hebrew University to learn from the Columbia University experience, where “major Jewish donors to the university were considering severing ties with the institution.” Heeding the welcome activism of the donors of Columbia University, let the Hebrew University donors propel its governors, president, and administration to make a pledge of allegiance and accountability to the Jewish people.

## **6 Mr Harvey Krueger, why do I address this letter to you?**

Mr Harvey Krueger, there are several reasons that I address this letter to you, and not to the Chairman of the Hebrew University Board of Governors Yigal Arnon or to any other Israeli governor, for that matter.

First, despite residing in Israel in close proximity to the Hebrew University, Mr Yigal Arnon epitomizes disinterest in the university and ignorance about it. For example, Mr

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<sup>25</sup> The reports of the NSA review committees are at <http://www.nsa.gov/releases/relea00007.cfm> That the top secret NSA sets an example for transparency, while the Hebrew University is a model for the opposite, is closely related to the former's accountability to the American people and to the latter's lack of accountability to the Jewish people.

Arnon told me that “when I travel in the world, people tell me how good the Hebrew University is, and I do not need external review committees to tell me that.” This in itself should make it amply clear that Chairman of the Board Yigal Arnon does not understand what a university is.

Other Israeli members of the university executive committee are no better. One has challenged me to produce ten signatures of HU professors who support the deployment of external review committees, while clearly, this should not be a precondition for implementing that essential *academic* managerial tool. Another told me that the rules of the university constitution are unimportant, and that blatant transgression of those rules by the university administration is “no big deal.” The others I cannot reach.

Second, as unfortunate as this is, Israelis are not as sensitive to the plight of small Jewish communities like that of Berlin as are Jews in the Diaspora. This can be inferred also from the relative indifference that *Maariv's* “*SHAME ON THE HEBREW UNIVERSITY!*” was greeted by the Israeli public. Indeed, the Israeli universities should give an example in changing this sorry attitude. But until they are reformed, they cannot rise to this important task.

Third, ever since I visited in your New York office, HU Honorary Chairman of the Board Harvey Krueger, and made to you a presentation<sup>26</sup> about the problems of the Hebrew University, I have come to know that you are one of very few who *does* understand what the mission of the governors of the university is, and that you have been trying to change things at the HU from within. I also know that you have been successful on occasions, but that generally you are disappointed.

Can anything be done that you have not tried, Mr Krueger? The answer is *YES*. If you were not successful in changing things from within, the time has come to change things at the Hebrew University from *without*. A New York Times article (July 16, 2002) entitled, *Private Groups in Pittsburgh Halt Millions in School Aid*, reports: “In a stunning and rare example of philanthropy publicly flexing its muscles, three foundations have precipitated a crisis in the Pittsburgh public school system.” The article informs that “assessment has become increasingly important in philanthropy, as donors increasingly regard their gifts as investments. To determine a ‘rate of return’ for those investments, grants must be monitored and fine-tuned.” The article quotes an official: “Important is the message the foundations have sent. The key thing is not the money they’re pulling out, but the amount of goodwill these people carry in the community. That’s just priceless.”

Mr Krueger, yourself and your American colleagues are wielding much more power to change things around at the Hebrew University than you have ever actually used. In addition to being a governor, you are also one of the leaders of the American Friends of the Hebrew University which gives it 60% of the \$82 million a year that are being donated to it by Jews of the Diaspora. You should follow the example of the three Pittsburgh foundations and convince your colleagues at the American Friends of the HU to resolve to suspend payments until the Hebrew University is put back in order according to the recommendations of the grand review committee. This move shall

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<sup>26</sup> [http://pluto.mscc.huji.ac.il/~msyberg/Higher\\_Education/Krueger.pdf](http://pluto.mscc.huji.ac.il/~msyberg/Higher_Education/Krueger.pdf)



send the important message: The Hebrew University must be made accountable to the Jewish people.

Finally, Honorary Chairman of the HU Board of Governors Harvey Krueger, I am confident that unlike Hebrew University President Magidor who ignored "*SHAME ON THE HEBREW UNIVERSITY!*" you will not ignore this open letter to you. Indeed, I shall oblige to relay any message you should have concerning this letter to the Jewish people through the 206 Jewish newspapers and 47 Jewish organizations around the world that receive it.

Sincerely,

– *Yaacov Bergman*

To the editors of 206 Jewish newspapers  
and to the leaders of 47 Jewish organizations around the world

From Yaacov Bergman

It is my hope that you would inform the readers of your newspapers and the members of your organizations about this letter. I am making it available on-line at  
[http://pluto.mscc.huji.ac.il/~msyberg/Higher\\_Education/HU\\_Shame.pdf](http://pluto.mscc.huji.ac.il/~msyberg/Higher_Education/HU_Shame.pdf)

My other writings concerning the Hebrew University which you can use to inform your readers include the following:

YB's Haaretz article on assessments at the universities (Sick Head)

Hebrew: <http://www.haaretz.co.il/hasite/pages/ShArtPE.jhtml?itemNo=351262>

English: <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=351202>

Haaretz article about concealment of reports by the Israel Academy of Science  
(I lobbied *Haaretz* newspaper for two years to publish it.)

<http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=379271>

Transparency comparison table

[http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Table\\_Governors.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Table_Governors.pdf)

“This is a Lie!”

[http://pluto.mscc.huji.ac.il/~msyberg/Higher\\_Education/This\\_is\\_a\\_lie.pdf](http://pluto.mscc.huji.ac.il/~msyberg/Higher_Education/This_is_a_lie.pdf)

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Hebrew University Deceptive Administration: Part 1

[http://pluto.mscc.huji.ac.il/~msyberg/YB\\_files/Deception\\_1.pdf](http://pluto.mscc.huji.ac.il/~msyberg/YB_files/Deception_1.pdf)

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YB's web-site on higher education in Israel

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