

# Academic Freedom and the Boycott

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WE REPUDIATE ANY EFFORT to foreclose productive dialogue.” Such is the position of CUNY Interim Chancellor William Kelly, who released a short press statement in late December unilaterally reaffirming the consortium’s “long association with Israeli scholars and universities.” Kelly was responding, of course, to the controversial non-binding resolution recently passed by the American Studies Association (ASA) in favor of boycotting formal ties with Israeli universities. Similar statements have been released or signed by senior administrators at Harvard, Yale, Cornell, Amherst, Duke, Tulane, the University of Pennsylvania, and many more. The American Association of University Professors (AAUP), in view of their “long-standing commitment to the free exchange of ideas,” has also reaffirmed its opposition—since at least 2005—to academic boycotts.

Politicians have also joined in on the reaction. In late January the New York State Senate quietly passed a bill that would “prohibit any college from using state aid to fund an academic entity, to provide funds for membership in an academic entity, or fund travel or lodging for any employee to attend any meeting of such academic entity if that academic entity has undertaken an official action boycotting certain countries or their higher education institutions.” The bill, which the *New York Times* predicted would have “trample[d] on academic freedoms and chill[ed] free speech and dissent,” bore a disturbing resemblance to the “deeply anti-democratic” legislation passed in Israel that today subjects advocates of a boycott to criminal penalties. Fortunately, the New York version has now been scrapped; but the logic behind such moves is clear: it is necessary to boycott the boycotters in order

to stop boycotts. Lost amid the clamor is the very real question of academic freedom itself, which is both poorly represented and widely mischaracterized.

Citing Israel’s occupation of Palestinian land since 1967, its relentless expansion of illegal settlements in the West Bank, the construction of a wall condemned by the International Court of Justice, the systematic discrimination against Palestinians, and the suppression of basic human rights (including the denial of academic freedom), the ASA voted on December 4, 2013 to endorse “the call of Palestinian civil society for a boycott of Israeli academic institutions.” The call is not compulsory and members are expressly encouraged to “act according to their conscience and convictions on these complex issues ... [T]he ASA exercises no legislative authority over its members.” Put simply, scholars remain free to pursue their own work,

while the ASA as a body simply chooses not to establish formal ties with Israeli institutions. Even the *New York Times* acknowledges that “the boycott does not apply to individual Israeli scholars engaged in ordinary exchanges,” yet most of the outrage mistakenly claims the opposite.

Such wide condemnation is mainly semantic. After all, who could possibly stomach the idea of “boycotting” the free exchange of ideas? The very suggestion smacks of McCarthyism—or worse! This

peculiar interpretation (incidentally not at all what the boycott calls for) has the unfortunate effect of stirring pious indignation among many of the same individuals whose concern for academic freedom does not extend to threats on their own campuses. The *potential* perils faced by Israeli scholars apparently command more attention than the enormous structural threat to academic freedom posed by the exploitation of adjunct labor at home.

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*potential* threat to Israeli academic freedom is predicated on a misconception. If we agree with the AAUP’s 1940 statement of principles that academic freedom protects the “individual’s ability to conduct teaching and research without interference,” then even a cursory look at what the academic boycott proposes should dispel any suggestion that the boycott is itself a violation of academic freedom.

Each of us chooses to work or not to work with scholars for any number of reasons. This is a negative liberty we enjoy in the academy. As a negative liberty, unless restrictions are put in place that would impede such freedom, it is presumed to prevail. If academic freedom is sufficiently upheld then we cannot be compelled to work with anyone for any reason. The motives behind our decision are irrelevant. Perhaps I resent you personally; perhaps I think you produce shoddy scholarship; perhaps you hold views I find deeply offensive. Whatever my rationale, however



correct or misguided, it remains *my* decision not to work with *you*. In refusing to establish formal ties with Israeli institutions, the ASA is merely expressing this liberty. Moreover, there’s something particularly obscene about the level of debate, the sheer output of concern over the ostensible threat to academic freedom faced by Israeli scholars while the conditions faced by Palestinian scholars inspires far less piety—even while Palestinian scholars are subject to the inevitable impediments and challenges that military occupation brings with it.

The following case highlights this hypocrisy. Brandeis

University recently severed various cooperative ties with Al Quds University in Jerusalem to protest an Islamic Jihad rally that took place on campus, apparently featuring Nazi-style salutes, fake weapons, and photographs of suicide bombers. No one at Brandeis seemed particularly disturbed with the decision to pull out—to effectively boycott Al Quds University—though it means terminating many established academic programs. Yet the entire American Studies at Brandeis department resigned from the ASA in protest of their largely symbolic, non-binding resolution against Israeli institutions.

But let’s assume the academic boycott is, as many claim, a violation of academic freedom. If this is the case, then the logical implications of the argument take us to some fairly untenable conclusions. If it is a violation of academic freedom to refuse to work with certain institutions or to cut established ties with those institutions, then

it follows that universities lacking established ties to those institutions are *also* in violation of academic freedom. I suppose these universities must now be compelled to immediately initiate cooperative endeavors, lest they undermine Israeli academic freedom. This becomes tiring very quickly and obliterates the negative liberty of choosing who or who not to work with, a key element of academic freedom. In a line of reasoning that may have inspired our esteemed state politicians, Indiana University has since withdrawn from the ASA in the name of academic freedom (of course). As Corey Robin writes pointedly, “Indiana University is so opposed to boycotts of academic institutions in

Israel that it is going to boycott an academic institution in the United States.”

The reader will have noticed that I avoided any discussion of the justifications motivating the boycott. I also did not discuss the boycott’s tactical virtues. As activists and scholars, many of us might disagree with an academic boycott on tactical grounds. Perhaps one feels such a move is counterproductive or will result in negligible gains for the Palestinian struggle. Those are valid arguments and should be taken seriously. Challenging the boycott on grounds of academic freedom is not. ☹