

# ON ACADEMIC BOYCOTTS

In spring 2005, the Association's Committee A on Academic Freedom and Tenure, in response to a controversy that was roiling the British academic community, approved a statement condemning academic boycotts. The statement declared that

since its founding in 1915, the AAUP has been committed to preserving and advancing the free exchange of ideas among academics irrespective of governmental policies and however unpalatable those policies may be viewed. We reject proposals that curtail the freedom of teachers and researchers to engage in work with academic colleagues, and we reaffirm the paramount importance of the freest possible international movement of scholars and ideas.<sup>1</sup>

We affirm these core principles but provide further comment on the complexities of academic boycotts and the rationale for opposing them, and we recommend responses to future proposals to participate in them.

## The Controversy

In April 2005, the British Association of University Teachers (AUT) announced a boycott of two Israeli institutions: Bar-Ilan and Haifa universities.<sup>2</sup> The AUT asked its members to respond to the following call from some sixty Palestinian academic, cultural, and professional associations and trade unions:

In the spirit of international solidarity, moral consistency, and resistance to injustice and oppression, we, Palestinian academics and intellectuals, call upon our colleagues in the international community to comprehensively and consistently boycott all Israeli academic and cultural institutions as a contribution to the struggle to end Israel's occupation, colonization, and system of apartheid, by applying the following: (i) refrain from participation in any form of academic and cultural cooperation, collaboration, or joint proj-

ects with Israeli institutions; (ii) advocate a comprehensive boycott of Israeli institutions at the national and international levels, including suspension of all forms of funding and subsidies to these institutions; (iii) promote divestment and disinvestment from Israel by international academic institutions; (iv) exclude from the above actions against Israeli institutions any conscientious Israeli academics and intellectuals opposed to their state's colonial and racist policies; (v) work toward the condemnation of Israeli policies by pressing for resolutions to be adopted by academic, professional, and cultural associations and organizations; (vi) support Palestinian academic and cultural institutions directly without requiring them to partner with Israeli counterparts as an explicit or implicit condition for such support.

The targeting of the two universities by the AUT reflected specific and different events at each of them. It was argued that these separate events were together representative of the ways in which these institutions were acting to further a state policy likened to apartheid and therefore in violation of the academic freedom of dissenting faculty and of Palestinians.

According to its Web site, under a section titled "Boycotts, Greylisting," the AUT "imposes or considers imposing an academic boycott on a university or college when we conclude that the actions of an institution pose a fundamental threat to the interests of members. . . . In publicly describing an institution as unfit to receive job applications, to engage in academic cooperation or host academic events, we recognize that it will cause significant damage to the university in its sphere of influence. In taking such a step, we would have to conclude that it was justified in the sense that it would be worse not to do so in the light of the circumstances." The AUT describes an academic boycott as a weapon of last resort, its use to be approved by a meeting of the association's full national executive committee. In recent years, the AUT called for boycotts of Nottingham University, for its refusal to honor a commitment to negotiate a pay and grading settlement; of Brunel University, because it threatened to dismiss thirty members of the academic staff and eventually dismissed two of them; and of higher education institutions in Fiji, following a coup in that country in 2000 and in response to requests for

1. The full text of the statement is in *Academe: Bulletin of the AAUP* 91 (July–August 2005): 57.

2. On June 1, 2006, AUT merged with the National Association of Teachers in Further and Higher Education to form the University and College Union.

assistance from faculty in Fiji and academic unions in New Zealand and Australia.

When the AAUP learned of the 2005 call for a boycott, the Association's staff promptly drafted, and Committee A approved, a statement that condemned any such boycotts as *prima facie* violations of academic freedom. The statement, cited at the beginning of this report, singled out item four of the call (which exempted dissenting Israeli faculty) as an ideological test repugnant to our principles.<sup>3</sup> While a meeting of an AUT Special Council voted to drop its call for the boycott within a month's time of the initial decision and, therefore, no Israeli university was boycotted, we have been urged to give fuller consideration to the broad and unconditional nature of our condemnation of academic boycotts. We are reminded that our own complex history includes support for campus strikes, support for divestiture during the anti-apartheid campaigns in South Africa, and a questioning of the requirement of institutional neutrality during the Vietnam War. In what follows we engage with the tensions that exist within some of our own policies as well as with the larger tension between a principled defense of academic freedom and the practical requirements for action. Finally, we offer a set of guidelines to address those tensions.

### AAUP Policies

The Association's defense of academic freedom, as explained in the 1940 *Statement of Principles on Academic Freedom and Tenure*, rests on the principle that "institutions of higher education are conducted for the common good . . . [which] depends upon the free search for truth and its free exposition." Although the statement says nothing about academic boycotts, plainly the search for truth and its free expression suffer if a boycott is in place. Legitimate protest against violations of academic freedom might, of course, entail action that could be construed as contradicting our principled defense of academic freedom. One such action is the Association's practice of censuring college or university administra-

3. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) advances the same principle as the AAUP: "[H]igher-education teaching personnel should be enabled throughout their careers to participate in international gatherings on higher education or research, [and] to travel abroad without political restrictions. . . . [They] are entitled to the maintaining of academic freedom, that is to say, the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, [and] freedom in carrying out research and disseminating and publishing the results thereof." UNESCO, *Recommendations Concerning the Status of Higher-Education Teaching Personnel* (November 11, 1997).

tions, which dates back to the early 1930s. The Association is careful to distinguish censure—which brings public attention to an administration that has violated the organization's principles and standards—from a boycott, by leaving it to individuals to decide how to act on the information they have been given. The AAUP engages in no formal effort to discourage faculty from working at these institutions or to ostracize the institution and its members from academic exchanges, as is the case in AUT "greylisting"; but moral suasion could have such results if faculty members were to decide to have no contact with an institution on the censure list.

AAUP censure differs from the AUT boycott in other important respects. Censure is preceded by an often lengthy effort to correct, and an investigation to document, violations of AAUP policies essential to academic freedom and tenure. Censure does not rest on a finding in regard to "member interests." Indeed, it is not required that faculty be AAUP members in order to have their complaints pursued by the organization. This is not to say, however, that the AAUP supports no practices that correspond to the AUT boycott undertaken in the interests of its members. Under AAUP policy, chapters that engage in collective bargaining can participate in a strike. Moreover, while AAUP policy states that strikes and other such actions are "not desirable for the resolution of conflicts within institutions of higher education," it also states that in certain cases "resort to economic pressure through strikes or other work actions may be a necessary and unavoidable means of dispute resolution."<sup>4</sup> A strike is an economic boycott (we will distinguish among types of boycotts below), but it often involves pressures that are not exclusively economic, such as the local faculty union's asking outside speakers not to come to a campus during a strike or the refusal of faculty elsewhere to attend conferences held on a campus where a strike is in process. So, while the AAUP insists on action that conforms to its principles, practical issues sometimes produce dilemmas that must be addressed.

### AAUP History

In 1970, the AAUP published two conflicting commentaries on institutional neutrality; there followed an intense debate on the subject.<sup>5</sup> The context was the war in Vietnam, and the question was whether universities should take a position on the war. One side, by far the majority, argued that all ideas had to be tolerated within the academy, lest the university "become an instrument

4. AAUP, "Statement on Collective Bargaining," *Policy Documents and Reports*, 9th ed. (Washington, D.C., 2001), 252.

5. See *AAUP Bulletin* 56 (Spring 1970): 11–13; (Summer 1970): 123–29, 257; (Fall 1970): 346–47.

of indoctrination,” and that therefore a university should not take a position on disputed public issues. The other side asked whether “perilous situations” called for extraordinary action: “It might be worthwhile to debate just how bad things would have to get before the principle of academic neutrality were no longer absolute.” While this discussion about institutional neutrality led to no policy recommendation, it raised issues that have since surfaced in discussions about academic boycotts. Are there extraordinary situations in which extraordinary actions are necessary, and, if so, how does one recognize them? How should supporters of academic freedom have treated German universities under the Nazis? Should scholarly exchange have been encouraged with Hitler’s collaborators in those universities? Can one plausibly maintain that academic freedom is inviolate when the civil freedoms of the larger society have been abrogated? If there is no objective test for determining what constitutes an extraordinary situation, as there surely is not, then what criteria should guide decisions about whether a boycott should be supported?

In 1985, the AAUP’s Seventy-first Annual Meeting called on colleges and universities “as investors to oppose apartheid,” to “decline to hold securities in banks which provide loans to the government of South Africa,” and to favor divestiture of holdings in companies that did not adhere to the Sullivan principles. The meeting also urged similar action on the part of public and private pension funds serving higher education faculty.<sup>6</sup> Three years later, the Association’s Seventy-fourth Annual Meeting urged TIAA-CREF to divest itself “of all companies doing business” in South Africa.<sup>7</sup> Although the resolutions did not apply to exchanges among faculty and, in this sense, did not constitute an academic boycott, some argued at the time that the indirect effect of disinvestment would be harmful to university teachers and researchers. Some individuals, publishers (University Microfilms), and organizations (the American Library Association, for example) did engage in an academic boycott, but the AAUP limited its protests against apartheid to resolutions of condemnation and to divestment, because it was considered wiser to keep open lines of communication among scholars in accordance with principles of academic freedom.

6. *Academe: Bulletin of the AAUP* 71 (July–August 1985):

4. In 1977, the Rev. Leon Sullivan initiated a program to persuade companies in the United States with investments in South Africa to treat African employees as they would their American counterparts. The program included several specific courses of action, or principles, for the companies to follow.

7. *Academe: Bulletin of the AAUP* 74 (July–August 1988): 6.

Throughout its history, the AAUP has approved numerous resolutions condemning regimes and institutions that limit the freedoms of citizens and faculty, but South Africa is the only instance in which the organization endorsed some form of boycott. Indeed, the Association has often called for greater freedom of exchange among teachers and researchers at the very time that the U.S. government has imposed restrictions on these exchanges, as occurred with the Soviet Union and is still occurring with Cuba. The Association has also disputed arguments of various administrations in Washington that the requirements of national security justify halting academic travel for bona fide academic reasons or scholarly communications.

### Boycotts

Though often based on assertions of fundamental principle, boycotts are not in themselves matters of principle but tactical weapons in political struggles. Different kinds of boycotts can have different results. Economic boycotts can have a direct effect on a nation’s economy; other forms of boycott are usually more symbolic. This is the case with sports boycotts, such as the exclusion from international competitions (the Olympics, for example) of a team that carries the flag of a nation whose policies members of the international community consider abhorrent. Cultural boycotts have a similar status, though they can affect the earning capacity of artists and writers who are banned from international events. Academic boycotts, too, although they certainly have material effects, are usually undertaken as symbolic protests.

In protesting against apartheid in South Africa, the AAUP carefully distinguished between economic and academic boycotts largely on matters of principle. Economic boycotts seek to bring pressure to bear on the regime responsible for violations of rights. They are not meant to impair the ability of scholars to write, teach, and pursue research, although they may have that result. Academic boycotts, in contrast, strike directly at the free exchange of ideas even as they are aimed at university administrations or, in the case of the AUT call for a boycott of Israeli universities, political parties in power. The form that noncooperation with an academic institution takes inevitably involves a refusal to engage in academic discourse with teachers and researchers, not all of whom are complicit in the policies that are being protested. Moreover, an academic boycott can compound a regime’s suppression of freedoms by cutting off contacts with an institution’s or a country’s academics. In addition, the academic boycott is usually at least once removed from the real target. Rarely are individuals or even individual institutions the issue. What is being sought is a change in state policy. The issue, then, is whether those faculty or ideas that could contribute to

changing state policy are harmed when communication with outside academic institutions is cut off and how to weigh that harm against the possible political gains the pressure of an academic boycott might secure.

This issue divided opponents of apartheid within South Africa. There, in the 1980s, many liberal academics argued against the academic boycott on principled grounds (it could not be reconciled with principles of academic freedom and university autonomy) and also on practical ones (it was vital to maintain channels of international communication). Even more radical groups opposed a total boycott and urged instead a selective boycott, one that would target supporters of apartheid but not its challengers. This position, like the Palestinian call for an academic boycott that the AUT initially endorsed, introduced a political test for participation in the academy.

### The Academic Boycott as a Tactic

Addressing the African National Congress, Nelson Mandela stressed the need to choose tactics carefully. “In some cases,” he wrote, “it might be correct to boycott, and in others it might be unwise and dangerous. In still other cases another weapon of political struggle might be preferred. A demonstration, a protest march, a strike, or civil disobedience might be resorted to, all depending on the actual conditions at the given time.”<sup>8</sup>

Even from a tactical standpoint, as a way of protesting against what some see as the Israeli occupation’s denial of rights to Palestinians, the academic boycott seems a weak or even a dangerous tool. It undermines exactly the freedoms one wants to defend, and it takes aim at the wrong target. Defenders of the Palestinian call for an academic boycott have argued that, as in South Africa, “the march to freedom [may] temporarily restrict a subset of freedom enjoyed by only a portion of the population.”<sup>9</sup> But this argument assumes that the ranking of freedoms as primary and secondary is the only way to accomplish the goals of “freedom, justice, and peace” and that the academic boycott is the best or the only tool to employ. Some argue that it is appropriate to boycott those institutions that violate academic freedom. But would we wish, for example, to recommend a boycott of Chinese universities that we know constrain academic freedom, or would we not insist that the continued exchange of faculty, students, and ideas is more conducive to academic freedom in the long run? Other kinds of sanctions and protests ought to be considered. Some of them are listed in the Palestinian call we cited at the beginning of this

report, such as resolutions by higher education organizations condemning violations of academic freedom whether they occur directly by state or administrative suppression of opposing points of view or indirectly by creating material conditions, such as blockades, checkpoints, and insufficient funding of Palestinian universities, that make the realization of academic freedom impossible. These and similar actions may be more effective in obtaining better conditions for academic freedom. But if boycotts are to be used at all, economic boycotts seem a preferable choice, both tactically and as a matter of principle.

Colleges and universities should be what they purport to be: institutions committed to the search for truth and its free expression. Members of the academic community should feel no obligation to support or contribute to institutions that are not free or that sail under false colors, that is, claim to be free but in fact suppress freedom. Such institutions should not be boycotted. Rather, they should be exposed for what they are, and, wherever possible, the continued exchange of ideas should be actively encouraged. The need is always for more academic freedom, not less.

### Summary and Recommendations

1. In view of the Association’s long-standing commitment to the free exchange of ideas, we oppose academic boycotts.
2. On the same grounds, we recommend that other academic associations oppose academic boycotts. We urge that they seek alternative means, less inimical to the principle of academic freedom, to pursue their concerns.
3. We especially oppose selective academic boycotts that entail an ideological litmus test. We understand that such selective boycotts may be intended to preserve academic exchange with those more open to the views of boycott proponents, but we cannot endorse the use of political or religious views as a test of eligibility for participation in the academic community.
4. The Association recognizes the right of individual faculty members or groups of academics not to cooperate with other individual faculty members or academic institutions with whom or with which they disagree. We believe, however, that when such noncooperation takes the form of a systematic academic boycott, it threatens the principles of free expression and communication on which we collectively depend.
5. Consistent with our long-standing principles and practice, we consider other forms of protest, such as the adoption of resolutions of condemnation by higher education groups intended to publicize documented threats to or violations of academic freedom at offending institutions, to be entirely appropriate.

8. Nelson Mandela, *No Easy Walk to Freedom* (London: Heinemann Educational, 1990), 63.

9. Omar Barghouti and Lisa Taraki in *Palestine Chronicle.com*.

6. Recognizing the existence of shared concerns, higher education groups should collaborate as fully as possible with each other to advance the interests of the entire academic community in addressing academic freedom issues. Such collaboration might include joint statements to bring to the attention of the academic community and the public at large grave threats to academic freedom.

7. The Association recognizes the right of faculty members to conduct economic strikes and to urge others to support their cause. We believe, however, that in each instance those engaged in a strike at an academic institution should seek to minimize the impact of the strike on academic freedom.

8. We understand that threats to or infringements of academic freedom may occasionally seem so dire as to require compromising basic precepts of academic freedom, but we resist the argument that extraordinary circumstances should be the basis for limiting our fundamental commitment to the free exchange of ideas and their free expression. ☞

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