

ACADEMIC BOYCOTTS CONFERENCE PAPERS

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The individual papers published in this special section of Academe are reflections on the AAUP report On Academic Boycotts, which appears on pages 39–43. The papers were prepared for a conference on academic boycotts that was to have been held in February 2006 at the Rockefeller Conference Center in Bellagio, Italy. Although the conference was canceled, the AAUP resolved to publish the papers so as to present the viewpoints that would have been debated at the conference. All conference invitees were invited to submit their papers for publication; some chose not to do so, as Joan Wallach Scott explains in the introduction that follows. The publication of this issue of Academe and these papers was supported by the Ford Foundation and the Nathan Cummings Foundation. Ernst Benjamin and Joan Wallach Scott, both members of the subcommittee of Committee A on Academic Freedom and Tenure that organized the conference, edited the papers. The opinions expressed in the papers are those of the authors and do not represent the views or policies of the AAUP.

JOAN WALLACH SCOTT,

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In retrospect it seems surprising that we thought we could hold a conference that would address a controversial issue dispassionately, with the kind of respectful reasonable exchange that characterizes meetings of the Association's Committee A on Academic Freedom and Tenure. I have served on Committee A for some thirteen years, and in that time I have come to assume that serious differences can be aired, that even highly contentious topics can be frankly discussed, and that I could learn from those with whom I deeply disagreed, even if I didn't change my mind. It was the Committee A experience that led those of us who organized the Bellagio conference on academic boycotts to think we could productively bring together the critics and supporters of a report we had written, in order to explore our differences. Alas, we were wrong. The political climate, particularly as it applies to the Israel-Palestine conflict, is far too volatile to permit the reasonable conversation we hoped to have.

Our report condemning academic boycotts, issued in response to a call by the British Association of University Teachers (AUT) in spring 2005 for a boycott of two Israeli universities, Bar-Ilan and Haifa, elicited comments from many quarters, not all of them Israeli or Palestinian, not all of them polemical. It was clear that we had touched a nerve, that this was an issue that would not go away (as indeed it hasn't—another academic boycott is in the works as we go to press). We thought that the AAUP might play a helpful international role if we could engage (and perhaps persuade otherwise) people who believed that academic boycotts were a useful political tool. In the comments we received regarding our position, there were philosophical discussions of the concept of the boycott and historical examples offered both to bolster and to question the case we had made. Even some of the polemics had buried in them critical political and philosophical reflections. There seemed to be the beginnings of a conversation worth having, despite or maybe because of the political stakes involved. Could a principled opposition to an academic boycott—the position we had taken—ever be compromised by its political applications? Were there contexts in which adhering to principle would lead to undesirable results? Was princi-

ple merely an excuse for inaction, a weapon of the strong to deny a voice to the weak or oppressed? What was the relationship between abstract principle and concrete reality?

As it turned out, we were unable to pursue these questions because some of those we invited to discuss them objected to the positions of others we invited. Early in the process of organizing the conference, we received e-mails from Jonathan Rynhold and Gerald Steinberg of Bar-Ilan University expressing "concerns" about the balance of the participant roster. They felt that the proponents of the academic boycott of Israel whom we had invited held unacceptable positions that amounted not only to "demonization," but also to a denial of the legitimacy of the state of Israel itself. Wrote Rynhold, "At least eight participants are pro-boycotters, most (perhaps all) of whom effectively deny Israel's right of exist [*sic*] and/or imply or directly state that Zionism is racism/Apartheid." "Demonization" is here equated with charges that Israel's policy toward Palestinians is racist and that there are analogies to be made with apartheid. While these are characterizations one could strongly disagree with, they don't amount to a call for the destruction of the Israeli state. Indeed, the writer's use of the term "effectively" leaves open many interpretive possibilities and, thus, grounds for honest disagreement about what such criticisms might imply. In any case, we did not feel we could let one side of a political debate set the limits for what it was permissible for the other side to say. But those who felt the AAUP must set those limits persisted. They copied their e-mails to a long list of their colleagues in Israel and the United States. They also suggested inviting several more antiboycott scholars. Eventually we did invite Jon Pike of the Open University in the United Kingdom to join the conference. Later, at the suggestion of his colleagues, we asked Michael Yudkin, a professor emeritus of biochemistry at Oxford, to permit us to include his previously published paper. (Both declined.)

This did not calm the furor that had been unleashed, and there then began a systematic campaign for "clarification" of the purposes of the conference. Edward Beck of Scholars for Peace in the Middle East later wrote to

Ha'aretz, "From the first invitation, faculty from Israel, the UK and America, from the left, right and center worked to try to get this conference postponed until it was better defined." "Better defined" could only mean disinviting the representatives of unacceptable positions, those who had supported the boycott of Israel and had engaged in "demonization" as their critics understood it. We were not willing to do that, believing still that a reasonable conversation was possible and that those we invited had a right to be heard, even if we did not agree with them. It made sense, after all, to invite some of those who had supported the boycott of Israel if we were to understand their motivation. But our critics insisted that inviting them to the conference gave them and their position a kind of legitimacy they must not be allowed to have. Yudkin wrote, "They will benefit from an invitation to a meeting of a prestigious organisation held at a prestigious location, and will on future occasions cite the invitation as evidence that their views are academically respectable and worth taking seriously." The issue became one of academic freedom in ways we hadn't expected: we were being asked to declare views we had not fully heard (we had no papers at this point) beyond the pale, outside the scope of rational discourse.

At this point one of those accidents of history conspired to undermine our efforts to resist the pressure to "postpone" the conference. A staff member in the AAUP's national office gathering documents from the Internet related to academic boycotts included one article that had not been properly vetted and that turned out to have come from a Holocaust-denial Web site. Before we realized its provenance, however, it was sent out in a packet of background readings. When we realized our mistake, we notified all conference participants and withdrew the article. But it was too late. For those who needed it, this inadvertent mishap became proof of our lack of credibility; it was as if the document itself had been written by one of the proboycott invitees (of course, it was not). The document's anti-Semitism seemed to substantiate the charge of our critics that the conference organizers were irresponsible, allowing morally unacceptable views to be expressed. (The conflation of moral and political unacceptability is noteworthy here and is not confined to one side in the arguments about Israel and Palestine.) The question might also be raised about why such a document could not be part of the proceedings. It is, after all, a historical document, much as *Mein Kampf* is. That text used to be regularly assigned in Western civilization courses so that students could take the measure of Hitler's anti-Semitism. Reading abhorrent material doesn't make you a partisan of it!

In the wake of this event and of the uproar that followed it, and because of the advice of the conference's funders (the Ford, Nathan Cummings, and Rockefeller foundations), the conference was postponed. We were encouraged by our funders to reschedule the conference. Our critics, too, urged us to reschedule, but with new participants and a new agenda, one that would not grant legitimacy to "demonizers" of Israel. We felt we could only hold the same conference with the participants we had invited. To try to do that, however, would reopen the earlier debate. So, instead, we decided to publish the papers that invitees had written, some for the conference in response to the AAUP report denouncing academic boycotts, others written and originally published elsewhere as critiques of the AUT boycott resolution.

Some of those papers are printed in this issue of *Academe* but, sadly, not all of them. The four who supported our policy statement, particularly as it applied to Israel, declined to be included. Yossi Ben-Artzi, the rector of Haifa University, which was one of those targeted by the original boycott proposal, withdrew his paper without explanation. After reviewing the proposed table of contents and the list of editors, Michael Yudkin refused to let us reprint a paper he had co-authored and that we had planned to distribute at the conference. Jonathan Rynhold did not want his paper to "serve as some kind of fig leaf" for the "demonizing and deligitimising [*sic*]" of Israel. And Jon Pike, objecting to comments I had made when the conference was canceled, stated that he was "not willing to have my work published in a journal which she in part edits." In an attempt to get at least one representative of the antiboycott position in print, we then asked Kenneth Stern of the American Jewish Committee for permission to reprint a long and thoughtful e-mail he had written, both supportive and critical of the AAUP report. He, too, declined because I was involved in the editing and because he didn't want to appear to condone our publishing pieces that would "demonize Israel."

We deeply regret their absence here, not only because it "unbalances" the discussion, but also because their views deserve to be heard.¹ But the views of those they refused to meet also deserve a hearing, and they are published here—not because we endorse them, but because they express ideas and deeply felt positions that help us understand the reasons for their disagreement with our policy. In addition, there are three papers about the 1980s South African boycott that take different sides on the usefulness of this tactic in opposing apartheid. And there are what we have labeled "mixed perspectives": comments from Israelis who oppose academic boycotts

but who are sympathetic to Palestinians who demand changes in Israeli policy; a call by a group of Cuban academics to overturn the U.S. boycott of their country; and the reflections of a Swiss educator on a boycott of Yugoslav universities in the Milosevic era. (A paper by Rajeev Bhargava could not be finished in time for publication.)

The issue ends with a strong reaffirmation of the AAUP report, written by Ernst Benjamin—an insistence on the importance of our principled opposition to academic boycotts, no matter what political pressures are brought to bear to challenge it. We might say, too, that this issue as a whole reaffirms our commitment to the underlying principle, that of academic freedom. In the course of this experience, we have never wavered in our defense of it. ☞

Note

1. The papers by Michael Yudkin and Jon Pike are available elsewhere; see Colin Blakemore, Richard Dawkins, Denis Noble, and Michael Yudkin, “Is a Scientific Boycott Ever Justified?” *Nature* 412 (January 23, 2003): 314; and Jon Pike, “Academic Freedom and the Limits of Boycotts: Some Kantian Considerations,” *Engage* 1 (January 2006), http://www.engageonline.org.uk/journal/index.php?journal_id=5&article_id=25.

Bellagio Conference Scheduled Participants

ANDRIS BARBLAN, Magna Charta Observatory, Italy
 OMAR BARGHOUTI, independent researcher, Palestine

YOSSI BEN-ARTZI, University of Haifa, Israel
 RAJEEV BHARGAVA, University of Delhi, India
 ANAT BILETZKI, Tel Aviv University, Israel
 SORAYA CASTRO, University of Havana, Cuba
 SONDRHA HALE, University of California, Los Angeles, United States
 REMA HAMMAMI, Birzeit University, Palestine
 SHIREEN HASSIM, University of the Witwatersrand, South Africa
 JONATHAN HYSLOP, University of the Witwatersrand, South Africa
 HILARY ROSE, University of Bradford, United Kingdom
 JONATHAN RYNHOLD, Bar-Ilan University, Israel
 UR SHLONSKY, University of Geneva, Switzerland
 LISA TARAKI, Birzeit University, Palestine
 SALIM VALLY, University of the Witwatersrand, South Africa

Organizers and Observers

ERNST BENJAMIN, Washington, D.C.
 ROGER BOWEN, American Association of University Professors
 DAVID CHIEL, Ford Foundation
 ROBERT O’NEIL, University of Virginia and the Thomas Jefferson Center for the Protection of Free Expression
 DAVID RABBAN, University of Texas School of Law
 JOAN WALLACH SCOTT, Institute for Advanced Study

ON ACADEMIC BOYCOTS

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.¹

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.² 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.³ 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."⁴ 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.⁵ 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.⁶ Three years later, the Association’s Seventy-fourth Annual Meeting urged TIAA-CREF to divest itself “of all companies doing business” in South Africa.⁷ 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.”⁸

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.”⁹ 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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Subcommittee of Committee A on Academic Freedom and Tenure

OMAR BARGHOUTI, INDEPENDENT
RESEARCHER, PALESTINE

In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order, and the general welfare in a democratic society.

—Universal Declaration of Human Rights, Article 29(2)

The American Association of University Professors ought to be commended for taking this timely and valuable initiative, promoting an open debate on academic boycotts and their bearing on the principle of academic freedom. In this paper, I shall limit myself to critiquing the AAUP's position on academic boycotts and academic freedom as expressed in its Committee A report "On Academic Boycotts."

From my perspective, three sets of problems arise from the AAUP stance on this issue: in a reverse order of importance, conceptual, functional, and ethical. Together, they pose a considerable challenge to the coherence of the AAUP's position on the academic boycott of Israel, and they call into question the consistency of this position with the organization's long-standing policies and modes of intervention in cases where its principles are breached. Most important, by positing its particular notion of academic freedom as being of "paramount importance," the AAUP effectively, if not intentionally, circumscribes the scope of the moral obligations of scholars in responding to situations of oppression when carrying out such obligations conflicts with that notion.

Conceptual Inadequacy

Among other problematic aspects, the AAUP's conception of academic freedom appears to be restricted to intrastate conflicts, mainly "governmental policies" that suppress the "free exchange of ideas among academics." This leaves out academics in contexts of colonialism, military occupation, and other forms of national oppression where "material and institutional foreclosures . . . make it impossible for certain historical subjects to lay claim to the discourse of rights itself," as philosopher Judith Butler eloquently argues.¹ Academic freedom, from this angle, becomes the exclusive privilege of some academics but not others.

Moreover, by privileging academic freedom as *above* all other freedoms, the AAUP's notion contradicts seminal international norms set by the United Nations. The 1993 World Conference on Human Rights proclaimed,

"All human rights are universal, indivisible . . . interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis."² Finally, by turning the free flow of ideas into an absolute, unconditional value, the AAUP comes into conflict with the internationally accepted conception of academic freedom, as defined by the UN Committee on Economic, Social, and Cultural Rights, which states:

Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the state or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction. The enjoyment of academic freedom carries with it *obligations*, such as the duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any of the prohibited grounds.³ (Emphasis added.)

When scholars neglect or altogether abandon their said obligations, they thereby forfeit their right to exercise academic freedom. This rights-obligations equation is the general underlying principle of international law's position on human rights. It also was one of the foundations of the AAUP's initial view of academic freedom, as expressed in its 1915 *Declaration of Principles*, which conditioned this freedom upon "correlative obligations" to further the "integrity" and "progress" of scientific inquiry. Without adhering to a set of inclusive and evolving obligations, academic institutions and associations inhibit their ability to discourage academics from engaging in acts or advocating views that are deemed bigoted, hateful, or incendiary.

Should a professor be free to write, "Among [Jews], you will not find the phenomenon so typical of [Islamic-Christian] culture: doubts, a sense of guilt, the self-tormenting approach. . . . There is no condemnation, no regret, no problem of conscience among [Israelis] and [Jews], anywhere, in any social stratum, of any social position"? In fact, if we substitute for the words in brackets—in order, "Arabs," "Judeo-Christian," "Arabs," and "Muslims"—the above would become an exact quotation from a book by David Bukay of Haifa University.⁴ A Palestinian student of Bukay's filed a complaint against him alleging racially prejudiced utterance. The university's rector exonerated Bukay of any wrongdoing, although Israel's deputy attorney general ordered an investigation against Bukay "on suspicion of incitement to

racism.”⁵ In this case, the institution itself becomes implicated.

Criminal law aside, should an academic institution tolerate, under the rubric of academic freedom, a hypothetical lecturer’s advocacy of the “Christianization of Brooklyn,” say, or some “scientific” research explicitly intended to counter the “Jewish demographic threat” in New York? Arnon Soffer of Haifa University has worked for years on what is exactly the same, the “Judaization of the Galilee,” and he is launching projects aimed at fighting the perceived “Arab demographic threat” in Israel.⁶ In his university and in the Israeli academic establishment at large, Soffer is highly regarded and often praised.

Do academics who uphold Nazi ideology, deny the Holocaust, or espouse anti-Semitic theories enjoy the freedom to advocate their views in class? Should they? Does the AAUP notion of academic freedom have the competence to consistently address such thorny cases?

Operational Inconsistency

Throughout its report, the AAUP fails to maintain fairness and commensurability when dealing with Israeli academics and their Palestinian counterparts. According to the report, what provoked the AAUP’s “prompt” condemnation was the perceived violation of a specific aspect of the academic freedom of Israeli scholars—their right to interact freely with international academics—as a result of the British Association of University Teachers’ (AUT) later-rescinded decision to boycott two Israeli universities. The injustices that prompted the AUT’s motion and that comprised, among several other breaches of human rights, the more radical and comprehensive denial of Palestinian academic freedom did not invite even censure from the AAUP. Indeed, when the AAUP report refers to these injustices at all, it reduces them to “what some see as the Israeli occupation’s denial of rights to Palestinians,” implying that most do not see military occupation as antithetical to the very claim to or exercise of freedom and rights.

Moreover, while the AAUP “has approved numerous resolutions condemning regimes and institutions that limit the freedoms of citizens and faculty,” the organization, to the best of my knowledge, has never taken a public stand in response to Israel’s military closure of Palestinian universities and schools for several consecutive years in the late 1980s and early 1990s and its simultaneous “criminalization” of all forms of alternative, “underground” education.⁷ Despite ample documentation by major human rights organizations and UN organs as well as extensive media reports, Israel’s current policy of hampering and often denying Palestinians access to their schools and universities—through its illegal, colonial wall; roadblocks; and

“Israelis-only” roads—has also been ignored by the AAUP. The same can be said about the Israeli army’s intentional shoot-to-harm policy against demonstrators, including even schoolchildren.⁸

Another aspect of the violations of the Palestinian right to education that has eluded the AAUP censure system is Israel’s contravention of the right to equality in education of its own Palestinian Arab citizens. A groundbreaking 2001 study by Human Rights Watch reaches the following conclusions:

Discrimination at every level of the [Israeli] education system winnows out a progressively larger proportion of Palestinian Arab children as they progress through the school system—or channels those who persevere away from the opportunities of higher education. The hurdles Palestinian Arab students face from kindergarten to university function like a series of sieves with sequentially finer holes. At each stage, the education system filters out a higher proportion of Palestinian Arab students than Jewish students. . . . Although Israel’s constitutional law does not explicitly recognize the right to education, its ordinary statutes effectively provide such a right. However, these laws, which prohibit discrimination by individual schools, do not specifically prohibit discrimination by the national government. And Israel’s courts have yet to use either these laws or more general principles of equality to protect Palestinian Arab children from discrimination in education.⁹

Doesn’t this institutionalized racial discrimination evoke parallels with South African apartheid? According to former Israeli education minister Shulamit Aloni, Israel is “no different from racist South Africa.”¹⁰ Also, member of Knesset Roman Bronfman criticized what he termed “an apartheid regime in the occupied territories,” adding, “The policy of apartheid has also infiltrated sovereign Israel, and discriminates daily against Israeli Arabs and other minorities.”¹¹ Doesn’t this call for a similar divestment initiative in response? It is worth mentioning that in the South African case, the AAUP expressly justified its call for sanctions as directed “against apartheid” in general, whereas in the Palestinian case, it restricted its interest to “violations of academic freedom.”

And if calls for academic boycotts, as a rule, invite the AAUP’s censure, did the organization condemn the American Library Association when it implemented an academic boycott against South Africa in the 1980s? What about the Anti-Defamation League’s call for a counter-boycott of British universities after the AUT boycott decision?¹²

Ethical Responsibility

The AAUP report, “On Academic Boycotts,” states, “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?” (Emphasis added.) While “objective” criteria may indeed be an abstract ideal that one can strive for without ever realizing, some ethical principles have acquired sufficient universal endorsement to be considered relatively objective, at least in our era. Prohibitions against committing acts of genocide or murdering children are two obvious examples. The growing body of UN conventions and principles must be viewed as the closest approximation to objective criteria we can be guided by to adjudicate conflicts of rights and freedoms, particularly in situations of oppression.

UN norms and regulations may not all be consistent, but they are mostly informed by the ultimate ethical principle of the equal worth of all human lives and the indivisibility and interdependence of human rights to which every human being has a claim. Arguably, the violation of these principles was the strongest motivation behind the AAUP’s laudable call for divestment from South Africa during apartheid. This precedent is worth highlighting, as it deals with criteria, implicit as they may be, for deciding what constitutes an “extraordinary situation” necessitating exceptional measures of intervention.

The AAUP’s support for a form of boycott against South Africa can be interpreted or extrapolated to show that, when a prevailing and persistent denial of basic human rights is recognized, the ethical responsibility of every free person and every association of free persons, academic institutions included, to resist injustice supersedes other considerations about whether such acts of resistance may directly or indirectly injure academic freedom. This does not necessarily mean that academic freedom is relegated to a lower status among other rights. It simply implies that in contexts of dire oppression, the obligation to help save human lives and to protect the inalienable rights of the oppressed to live as free, equal humans acquires an overriding urgency and an immediate priority. This is precisely the logic that has informed the call for boycott issued by the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI).

Misunderstanding the PACBI Call

Legitimate criticism from the AAUP and other organizations and individuals of the “exclusion clause” in the Palestinian call for boycott, coupled with PACBI’s resolute opposition to alleged “ideological tests” or “blacklisting,” convinced the campaign to omit this clause altogether. The intention of including it in the first place

was not to draw lists, but to bring as much nuance as practicably possible to the call in order to better address the inevitable gray-area situations where it is not clear whether academics or intellectuals are acting in their personal capacities or as representatives of institutions subject to boycott.¹³

But overall, the AAUP largely misread the PACBI call. Since it is accustomed to dealing with violations of academic freedom perpetrated by governments or university administrations against academics, the AAUP report seems to preclude the possibility of institutional complicity of the academy itself in maintaining or furthering a system of oppression outside the academy’s gates, as is the case in Israel.

PACBI’s call specifically targets Israeli academic institutions because of their complicity in perpetuating Israel’s occupation, racial discrimination, and denial of refugee rights. This collusion takes various forms, from systematically providing the military-intelligence establishment with indispensable research—on demography, geography, hydrology, and psychology, among other disciplines—that directly benefits the occupation apparatus to tolerating and often rewarding racist speech, theories, and “scientific” research; to institutionalizing discrimination against Palestinian Arab citizens; to suppressing Israeli academic research on the Nakba, the catastrophe of dispossession and ethnic cleansing of more than 750,000 Palestinians and the destruction of more than 400 villages during the creation of Israel; and to directly committing acts that contravene international law, such as the construction of campuses or dormitories in the occupied Palestinian territory, as Hebrew University has done, for instance.¹⁴

Accordingly, although the ultimate objective of the boycott is to bring about Israel’s compliance with international law and its respect for Palestinian human and political rights, PACBI’s targeting of the Israeli academy is not merely a means to an end, but rather a part of that end. This is especially true when taking into account the fact that the academic boycott is one component of a general campaign for boycott, divestment, and sanctions adopted by a decisive majority of Palestinian civil society.

Regardless of prevailing conditions of oppression, the AAUP has been consistent in opposing academic boycotts, preferring economic boycotts in extreme situations. In justifying its preference, the AAUP argues, among other points, that an academic boycott injures blameless academics. But doesn’t an economic boycott hurt many more innocent bystanders, and not just in the academic community? Boycott is never an exact science, if any science is. Even when focused on the most legitimate target, it invariably causes injury to others who cannot with any fairness be held responsible for the disputed policy. The AAUP-endorsed economic boycott of South Africa during

apartheid certainly resulted in harming innocent civilians, academics included. And as in the South African boycott, rather than focusing on the “error margin,” as important as it is, proponents of the boycott must emphasize the emancipating impact that a comprehensive and sustained boycott can have not only on the lives of the oppressed, but also on the lives of the oppressors, while doing their utmost to reduce the possibility of inadvertently hurting innocent individuals. As South African leader Ronnie Kasrils and British writer Victoria Brittain have argued, “The boycotts and sanctions ultimately helped liberate both blacks and whites in South Africa. Palestinians and Israelis will similarly benefit from this nonviolent campaign that Palestinians are calling for.”¹⁵ The Israeli boycott, in this light, can be a crucial catalyst to processes of transformation that promise to bring us closer to realizing a just and durable peace anchored in the fundamental and universal right to equality.

Recommendations

a. Consistent with its long-standing principles and practices, the AAUP is urged to censure Israel for its systematic infringement of Palestinian rights, including academic freedom.

b. Following its action in South Africa, the AAUP is urged to consider calling for divestment from companies that directly or indirectly prolong Israel’s military occupation, colonization, and other forms of grave oppression of the Palestinians. UN standards similar to but more comprehensive than the Global Sullivan Principles of Corporate Social Responsibility ought to be the proper frame of reference guiding such divestment.

c. Recognizing the evolving centrality of the United Nations in establishing international principles in most situations affecting freedoms, rights, and conflict resolution, the AAUP is advised to revamp its notion of academic freedom and its principles of intervention in extraordinary situations to conform with international standards and to become more relevant globally and more responsive to situations of conflicting freedoms and rights. This would bring the AAUP’s conception of academic freedom closer to the ideal evoked in the preamble to this paper. ☺

Notes

1. Judith Butler, “Israel/Palestine and the Paradoxes of Academic Freedom,” *Radical Philosophy* 135 (January-February 2006): 8–17.

2. United Nations World Conference on Human Rights, “Vienna Declaration and Program of Action,” July 12, 1993,

[http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.CO.NE.157.23.En?OpenDocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/A.CO.NE.157.23.En?OpenDocument).

3. UN Committee on Economic, Social and Cultural Rights, “The Right to Education (Art.13),” December 8, 1999, [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/ae1a0b126d068e868025683c003c8b3b?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/ae1a0b126d068e868025683c003c8b3b?Opendocument).

4. David Bukay, “The First Cultural Flaw in Thinking: The Arab Personality,” in Bukay, *Arab-Islamic Political Culture: A Key Source to Understanding Arab Politics and the Arab-Israeli Conflict* (Shaarei Tikva, Israel: Ariel Center for Policy Research, 2003).

5. Meron Rapoport, “In the Name of Truth,” *Ha’aretz*, April 28, 2005.

6. For more on this point, see Esther Zandberg, “Unacceptable Norms,” *Ha’aretz*, September 26, 2004; and Lily Galili, “A Jewish Demographic State,” *Ha’aretz*, July 1, 2002.

7. Birzeit University’s Public Relations Office, “The Criminalization of Education: Academic Freedom and Human Rights at Birzeit University during the Palestinian Uprising,” December 1989, 2.

8. Tel Aviv University professor Tanya Reinhart wrote at the beginning of this Intifada that “a common practice [among Israeli sharpshooters] is shooting a rubber-coated metal bullet straight in the eye—a little game of well-trained soldiers, which requires maximum precision.” <http://www.tau.ac.il/~reinhart/political/DontSayYouDidntKnow.html>. See also, Physicians for Human Rights, “Evaluation of the Use of Force in Israel, Gaza and the West Bank,” November 3, 2000, http://www.phrusa.org/research/forensics/israel/Israel_force_2.html.

9. Human Rights Watch, “Second Class: Discrimination against Palestinian Arab Children in Israel’s Schools,” September 2001, <http://www.hrw.org/reports/2001/israel2>.

10. Roei Nahmias, “Israeli Terror Is Worse,” *Yedioth Ahronoth*, July 29, 2005.

11. Roman Bronfman, “The Hong Kong of the Middle East,” *Ha’aretz*, May 20, 2005.

12. Yair Sheleg, “ADL’s Boss Threatens Boycott of UK Academe,” *Ha’aretz*, May 18, 2005.

13. The PACBI statement can be read in full at: http://www.pacbi.org/boycott_news_more.php?id=123_0_1_0_C.

14. Oren Ben-Dor argues that one of the purposes of the proposed academic boycott is to “provide a means to transcend the publicly sanctioned limits of debate,” adding, “Such freedom is precisely what is absent in Israel.” Oren Ben-Dor, “Academic Freedom in Israel Is Central to Resolving the Conflict,” *CounterPunch*, May 21/22, 2005, <http://www.counterpunch.org/bendor05212005.html>.

15. Ronnie Kasrils and Victoria Brittain, “Both Palestinians and Israelis Will Benefit from a Boycott,” *Guardian*, May 25, 2005.

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In January 2002, Chivvis Moore, a fifty-seven-year-old American instructor of English language at Birzeit University, arrived at Israel's Ben Gurion Airport after visiting her family for the winter break. Moore's passport showed that she had a work permit from the Israeli civil administration to teach at Birzeit that had expired many months before. What it did not show was that the university lawyer had spent the previous few months in a futile attempt to get Moore's and other foreign faculty's work permits renewed by the Israeli authorities. As usual, the officer in charge had not issued an official refusal but had simply stated that "there were no work permits being issued." Even before Moore took the chance of going home to visit her ailing mother, she faced the constant worry of being picked up at a military checkpoint with an expired visa, and she lived as a virtual prisoner in Ramallah, only crossing the checkpoint that blocked the way to the university when the soldiers weren't there.

On arrival at the airport, she explained what had happened and was taken by airport security to a lockup inside the building and told she would be deported on the next available flight. Luckily, another female deportee inside the lockup had a mobile phone through which she was able to contact the university, which immediately contacted an Israeli human rights lawyer on her behalf. The lawyer explained to Moore that if she did actually get deported, she would probably never be able to reenter the country again; to stop the deportation, the lawyer would need to buy time. Over the next twenty-four hours, the security officers kept constant pressure on Moore, threatening that she would be incarcerated in an Israeli prison if she refused deportation. In the meantime, sick with a fear-induced migraine, Moore finally consented to board a flight but began vomiting as soon as she reached the plane. A sympathetic pilot explained that he could refuse to carry her if he deemed her medically unfit for travel. This he did, and the frustrated airport security personnel were forced to escort her back to the airport lockup. The lawyer, Lea Tsemel, was finally able to make enough fuss to get her released from the lockup and then spent the next month fighting with the various authorities until she wore them down into issuing a new work permit. All parties involved hoped that the massive expenditure in resources—time, energy, and money—to get the six-month work permit so that Moore could simply resume teaching English to Birzeit students would not repeat itself. But in fact, every subsequent time that Moore has needed to

renew her work permit, the university has had to avail itself of Lea Tsemel's intervention again.

Because Birzeit University has no guarantee of getting foreign faculty work permits from the Israeli authorities, these faculty have two choices: try for an elusive work permit or try entering Israel as a tourist. Over the last few years, most have taken the latter route, whose cost is the need to exit and reenter the country every three months, at considerable expense, always with a worry that one might be refused reentry. Another American faculty member, a professor of European history who had taken the tourist visa path, was denied entry at Haifa in September 2004. As with Moore, Roger Heacock explained to officials that he taught at Birzeit, that their records would show that at various times the Israeli civil administration had given him a work permit, but that for the last few years their refusal to issue a permit had forced him to depend on tourist visas. Due to the immediate intervention of the same Israeli human rights lawyer, Heacock was given a short "stay of execution," a one-week visa, in order to try to get the needed work permit. Again, only after intense work by the human rights lawyer was Heacock finally issued the permit. But as with Moore, the permit was given only on a "one-time" basis.

While one might argue that both cases positively prove that Israel does have legal mechanisms and systems of recourse that Palestinian academic institutions can avail themselves of, in fact this is not always the case. Khaled al Nashef, a Palestinian of Austrian nationality without a West Bank residency card, was the director of Birzeit's Institute of Archaeology until March 2002. After the refusal of the civil administration to issue him a work permit, he had been forced to rely on a tourist visa. In 2002, he was denied entry by Israeli border control through Jordan, after having exited to keep his tourist visa in order. When he called university administrators, they suggested that he try entering through Ben Gurion Airport, saying that the university would pay for the flight. After flying to Cyprus and attempting to enter the country through the Tel Aviv airport, he was again denied entry and was deported too quickly for a lawyer to be able to intervene. The human rights lawyer who had helped the other two Birzeit faculty said she could help only if he was on Israeli territory—that is, he had to fly into Ben Gurion Airport again. But Nashef, understandably traumatized by his experience, made the difficult decision to forgo putting himself through the same experience, one that came with absolutely no guarantee that, at the end of it, he would be able to resume his career at Birzeit.

I have started with these three cases because I think they most directly speak to the AAUP's advocacy, as stated in "The AAUP Opposes Academic Boycotts," of "the paramount importance of the freest possible international

movement of scholars and ideas” and suggest most clearly how this principle is violated by the Israeli state when it comes to international scholars attempting to teach at Palestinian universities. Israel, as the occupying authority in the West Bank and Gaza, has the power to decide who does and does not cross the borders it controls to reach Palestinian universities; thus it has the power to enact or violate the AAUP’s core principles of academic freedom in relation to Palestinian universities.

But there are a number of ironies here. First, and most obvious, is the fact that the AAUP condemned the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) and the British Association of University Teachers (AUT) boycott calls based on the fact that they would deny Israeli scholars the “freest possible international movement” and foreclose their “freedom . . . to work with academic colleagues,” the very rights that the state of Israel regularly denies international scholars in relation to Palestinian academics and institutions. The less obvious irony is that the cases of the three scholars mentioned above, while speaking most directly to the principles enshrined in the AAUP position on academic freedom, are in fact relatively benign violations of Palestinian academic rights in comparison to the host of Israeli actions that have affected Palestinian academic life. Even the scholars whose experiences I have cited suggested that this aspect of Israeli treatment of Palestinian academic institutions was “not the main story.”

So what is the main story? For Palestinian educators and their colleagues, there are the open and dramatic examples of direct Israeli military actions against Palestinian educational institutions, personnel, and students. These have included closure of universities, military takeover of schools, the bombing and vandalism of educational institutions (including the Palestinian Ministry of Education), incarceration or harassment of students and faculty, and, in some cases, the killing of students and faculty. While these are the most material and quantifiable instances, the main story actually takes place on a less overt and dramatic level: through the ways that military occupation comprehensively delimits the possibility for Palestinians to functionally or legally access a range of civic and human rights. Over forty-nine years, the Israeli state has evolved an immense and sophisticated military, bureaucratic, and “legal” infrastructure in order to keep control over Palestinian territory (for the sake of Israeli settlement), to limit Palestinians’ access to their own territory, and to enable the suppression of opposition to this process of dispossession. It is through the everyday workings of this infrastructure that the most constant and debilitating actions affecting Palestinian society and its educational life take place.

I offer a few mundane examples from my own working life: fourteen of my graduate students in gender stud-

ies had their education summarily terminated in November 2000 because Israel would not allow them (along with the rest of the population) to reach the West Bank from Gaza; our graduate program cannot avail itself of a much-needed scholar in gender legal studies because she is a Gaza resident also unable to get permission from Israel to access the West Bank; and in the West Bank, our graduate program no longer has students from the northern and southern regions (who once made up 25 percent of our enrollment) because of the disruptive impact of military checkpoints. One of our brightest graduates cannot avail herself of a PhD scholarship to the United Kingdom because Israel denies her a travel permit due to her political background. Simply to reach my classroom every day, I must cross two Israeli military checkpoints, with nineteen-year-old Israeli soldiers deciding when and whether I shall get there.

Clearly, my colleagues’, my students’, and my own rights to academic freedom are under constant abrogation by Israel, not because it targets our academic freedom per se, but because by its very logic of action as an infrastructure of occupation and territorial dispossession, it abrogates the rights on which our academic freedom depends. For years, Palestinian universities, human rights organizations, and their supporters have tried to deal with these circumstances through piecemeal mobilizations to win back a few students or faculty academic rights, but to little effect. Thus, what is important about the interventions undertaken by PACBI and the AUT academic boycott statements was their attempt to mobilize for a transformation of the very structural context that violates Palestinian civil and human rights, rather than construing the problem as a series of individual violations of a narrowly conceived set of academic rights.

However, while supporting the larger aims of both boycotts, I did not sign either statement, but not because I share the same concerns about them as the AAUP—I have no ethical or moral qualms about the boycott statement or AUT’s position, as such. But given the highly charged international atmosphere that any criticism of Israel’s occupation provokes, I thought that neither approach (a broad boycott of Israeli academic institutions or a targeted boycott of two of them) was strategically framed in ways that might have an effective impact. On the one hand, as summed up by the AAUP’s report that academic institutions are “conducted for the common good,” universities and academics are assumed to be positive moral forces in society, regardless of the context, thus making them particularly difficult symbolic targets of criticism. More fundamentally, by focusing on Israeli academic institutions (particularly in the way undertaken by the AUT), the problem of redressing violations of Palestinian rights became narrowed in public debate to a face-off between Israeli and Palestinian

academic rights, a problem exemplified by the AAUP's position that the use of a boycott in an attempt to defend Palestinian academic freedom actually constitutes a violation of Israeli academic freedom. A more broad-based framing of the issue is necessary, and a more strategic approach to action is called for. These must be done in ways that can encompass and positively mobilize those sectors of the Israeli public, including academics, who are clearly against their government's ongoing military occupation but who saw in the boycott a compounding of their political isolation within their own national community with isolation from their global peers.

Five years ago, as part of a group of Palestinian and Israeli "civil society actors," I was invited to South Africa to learn firsthand from African National Congress leaders and members of the former apartheid government about their experience of the democratic transition to majority rule. When F. W. de Klerk was asked about the role of sanctions in bringing down the apartheid regime, he actively denied they had any impact. Instead, he argued that ways and means to get around economic sanctions were always found and that the apartheid regime had simply come to consciousness that apartheid was morally wrong. That ways to detour economic sanctions could always be found was convincing; what was not was the idea of the magical shift in the apartheid regime's moral awareness. When pushed, de Klerk insisted that no, it wasn't sanctions that brought about the shift—it was "international isolation." Sanctions and boycotts are a message; that is, they work primarily at the symbolic level to tell a regime that because of its behavior, it is considered outside the international moral order.

The Israeli public has already shown how it can be swayed by even the threat of sanctions: for example, the election of Yitzhak Rabin following the threat by the U.S. administration to block loan guarantees if the Shamir government kept building settlements in occupied territory. Even the reaction to the AUT call was not simply one of counterattack; many Israeli colleagues who had been against the boycott said it had awakened many academics to the fact that the world was not treating Israel's occupation as "business as usual," and that it had been a reminder that being members in the global community of scholars could not simply be taken for granted.

The PACBI and AUT calls focused on academic sanctions because this was the area of their members' ethical responsibility as well as their natural political community. As is suggested by my paper thus far, I see the need for a much wider sanctions movement, one that involves a wider activist community beyond academics and their particular area of competence. But what type of sanctions should be called for by academia within its particular area of responsibility and competence? The AAUP's position, as it stands, absolves the academic community

from having to take any responsible action toward the Israeli state's abrogation of Palestinians' civic, human, and thus academic rights. It is a morally untenable position. At the same time, the AAUP report suggests a number of moral dilemmas that would arise if, for instance, sanctions were undertaken against individuals. They have also raised the dilemma of the relation of academics and academic institutions vis-à-vis their own government's actions and policies. Academic institutions are neither independent of their nation-state context, nor purely extensions of that state. So to what extent, and under what circumstances, should academics be expected to take responsibility for their state's actions?

A way out of these dilemmas for the academic community is a sanctions strategy that clearly puts the onus on the role of states while making a clear-cut distinction between academic activities and resources that constitute "privileges" rather than "rights." This would mean a focus on calling for an end to bilateral and multilateral state-level exchange and research-support agreements, rather than for an end to all academic exchanges regardless of their institutional parameters. Such a strategy would be based on the principle that the access of academics to interstate transfers of academic opportunities should not be considered in and of itself an academic right, but as constituting a privilege for states and, thus, for academics. The Israeli state, regardless of its government's behavior, has been extraordinarily privileged by a host of bilateral and multilateral academic agreements. In 1999, it became the first non-European Union country to be given full status in the EU Framework Program for Research and Development, which provided funding and infrastructure for more than six hundred research projects to be undertaken jointly between Israeli universities, research institutes, and industries between 1999 and 2002. The agreement was undertaken between the EU and an Israeli interministerial committee, which included the Israeli Council on Higher Education and which is continuously renewed. More than thirty-five countries have state-level "cultural agreements" with Israel that promote exchange of students through the provision of state-sponsored scholarship funds. With the United States, the special U.S.-Israel Science and Technology Commission was founded in 1993, with a \$30 million investment shared by both governments to further links in scientific research and development between the two states. The U.S. government has at least another two state-level research funding agreements with the Israeli government through the United States Agency for International Development.¹

These agreements do not constitute "academic rights"; they are privileges given to the Israeli state, privileges that its nationals are able to take advantage of. Making these state-level privileges a focus of sanctions means taking a

clear stand that the problem and its solution lies with state actors, and that responsible citizenship means calling for an end to states giving or receiving these privileges when in violation of human, civil, or academic rights. In addition, a state-level focus does not end the right or ability of Israeli academics and researchers to be part of the global academic community. Every single Israeli university has a myriad of privately sponsored, institutionalized exchange programs with universities in Europe and North America that are not called into question. Instead, focusing only on state-level privileges puts a moral focus on the actions of the Israeli state, while the academic rights of Israeli scholars are not only protected, but defended.

Palestinians and Israelis are facing a shared catastrophic future. A large burden of responsibility for this

lies with the international community and its forty-nine-year commitment to the politics of “constructive engagement” with each generation of new Israeli government policy toward the occupied territories. Now, more than ever, a conceptualization of academic freedom that condemns people of conscience to passivity while governments create disaster is untenable. ☹

Note

1. These include the Cooperative Development Research Program, to support collaborative research of scientists from Israel, the United States, and their counterparts in developing countries, and the Middle East Regional Cooperation Program, to support joint research projects between Arab and Israeli scientists on topics relevant to the development of the Middle East region.

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This is a time when many in the United States (and perhaps elsewhere) are discussing whether or not we need to transform the concept of academic freedom to address the changing political climate and, therefore, the changing nature of universities. Among the critics are Berkeley historian Beshara Doumani, who argues in the introduction to a collection of essays on academic freedom that institutions of higher education have been increasingly subjected to “surveillance, intervention, and control.”¹ Many have written about the changes wrought by the commercialization and privatization of the university, making the production of knowledge for the public good increasingly difficult. No matter if we define academic freedom as an individual right of free speech or as a “professional privilege based on a codification of a set of understandings . . . that allows faculty to regulate their affairs according to their own set of standards,” we still need to ask if this academic freedom makes any sense in a context of occupation and conflict, that is, in the absence of “critiques of professional norms, national identity and hierarchical power relations.”² What does it mean in the United States to refer to such an abstract freedom in the face of the USA Patriot Act, the “war on terrorism,” and the incessant assaults on the university as the last bastion of critical inquiry in the United States? We are forced to ask, in observing both the U.S. and Palestinian cases, whose freedom is being defended.

We are at a crossroads and need to think carefully about how to reconfigure the concept and praxis of academic freedom so that it can serve just as

well in a world where war and systematic misinformation campaigns are the norm and where peace and the free pursuit of knowledge the exception. At stake is the continuation of the academy as the bastion of informed, independent, and alternative perspectives crucial to a better understanding of the world we live in.³

The Moral Imperatives

If ever there was a time for the AAUP to call for an academic boycott, this is it. If not now, then when? Can an organization as principled as the AAUP truly say that one should never use academic boycotts as a strategy to end the suppression of academic freedom in Palestine or anywhere else?

How can we discuss academic freedom in the absence of basic human rights? More explicitly, how can we take a “neutral” position that purports to protect the academic freedom (ergo, human rights) of Israeli institutions and academics and Palestinians in the occupied territories? Who is protecting the academic freedom of Palestinian institutions and academics? The Israeli occupation of the West Bank and Gaza is the longest-running occupation in contemporary times, and intervening, surveilling, and controlling educational institutions is an integral part of the success of the occupation. Perhaps the nail in the coffin of free education for Palestinians is the building of the wall that serves as a major obstacle for many Palestinians to continue schooling on a regular basis, if at all. The wall is a recent obstacle, but for many years other strategies have been employed to deny the free pursuit of education and the development of Palestinian society through education—strategies such as checkpoints, curfews, closures, invasions of campus grounds, harassment, removal of equipment, and arrests of teachers. The figures, maps, and statistics are

available on these points. The portrait is clear: Palestinian education is an endangered species.

Yet as Tel Aviv University Linguistics professor Tanya Reinhart noted in the February 4, 2003, issue of *ZNet*,

never in its history did the senate of any Israeli university pass a resolution protesting the frequent closures of Palestinian universities, let alone voice protest over the devastation sowed there during the last uprising. . . . If in extreme situations of violations of human rights and moral principles, the academia [*sic*] refuses to criticize and take a side, it collaborates with the oppressing system.⁴

Through all of the withholding of education from Palestinians, Israeli academics continue to enjoy material advantages internationally—for example, obtaining visiting teaching posts and fellowships, having their articles published in international journals, getting their books published, receiving general academic funding, and traveling at will. Shahid Alam, professor of economics at Northeastern University, argues, as do many others, that Israeli educational institutions, as arms of the state, are serving the state “through their links with the military, the political parties, the media, and the economy.”⁵ Or, as Mona Baker, Manchester University director of the Center for Translation of Intercultural Studies, claims, “Israeli academic and research institutions are a major source of prestige, legitimacy, and income for Israel.”⁶ Whose academic freedom is the AAUP supporting?

The AAUP Report “On Academic Boycotts”

A series of 1970 commentaries in *Academe* on institutional neutrality asked “how bad things would have to get before the principle of academic neutrality were no longer absolute.”⁷ Arguably, in modern history, only a few national institutions have been so systematically subjected to a full range of devastating and sustained strategies by another political entity as have Palestinian universities by the state of Israel.⁸ Although I am always dubious of this kind of exceptionalism, the fact is that the Palestinian case is exceptional and should be treated accordingly.

The AAUP’s report “On Academic Boycotts” forwards the argument that, although economic boycotts can be effective, academic boycotts are not. I have implied above that an academic boycott is an economic boycott. Striking at the economic privileges of Israeli academics weakens their economic gains and, thus, the gain of the state. An academic boycott would contribute to the international movement to boycott Israeli goods.

However, there is another curious aspect of the AAUP’s statement about academic boycotts, namely, that there is no consideration of the material aspect of academic freedom. In the AAUP statement, ideas are treated as if they

have no materiality, as if they are separate from the material base of society. In this way, ideas are treated as if they are above society, apart from society. If we concretize ideas, see them as part of the material base, then an academic boycott can make a lot of sense. The economic privilege of the idea people is challenged.

The last issue in the AAUP statement that I want to challenge is the notion of one truth. I am asking if, by supporting Israeli institutions in their “search for truth and its free expression,” we are overlooking Palestinian institutions in their search for truth. Don’t we need to recognize the existence of multiple truths? Furthermore, by seeming to accept the truth of one side (the academic freedom of Israeli educational institutions), don’t we automatically negate the truth of the other side (the trammled academic freedom of Palestinians)? Wouldn’t an academic boycott be effective in raising the consciousness (even if not succeeding, at first, in appealing to the conscience) of Israeli academics to join many in the international community in protesting state control and repression of Palestinian educational institutions? One cannot help but think that the academic freedom of Israelis would gain deeper resonance.

As a North American free-speech and academic-freedom advocate, I am arguing that academics should take any measures at our disposal (for our power is limited) to contribute first to effecting the development of human rights and economic equalization and then to developing within that framework a newly wrought academic freedom for Israelis and Palestinians. We can take a first step with an institutional, targeted academic boycott. ☹

Notes

1. Beshara Doumani, “Between Coercion and Privatization: Rethinking Academic Freedom in the Twenty-First Century,” in *Academic Freedom After September 11*, ed. Beshara Doumani (New York: Zone Books, 2006), 11–57.

2. *Ibid.*, 11.

3. Beshara Doumani, “Academic Freedom Post-9/11,” *ISIM Review* 15 (Spring 2005): 23.

4. Tanya Reinhart, “Academic Boycott: In Support of Paris IV,” *ZNet*, February 4, 2003, <http://www.zmag.org/content/showarticle.cfm?ItemID=2961>.

5. Quoted in Mona Baker and Lawrence Davidson, “In Defense of the Boycott,” *CounterPunch*, September 18, 2003, 3.

6. Mona Baker, “On the Distinction Between Institutions and Individuals” (conference paper, “Resisting Israeli Apartheid: Strategies and Principles,” London, December 5, 2004).

7. Quoted in “On Academic Boycotts” on page 41 of this issue of *Academe*.

8. One might be able to argue that there have been situations of genocide in which educational institutions have been systematically destroyed. In the case of the Nuba in the mountains of western Sudan, successive governments have carried out various strategies of cultural annihilation.

HILARY ROSE, EMERITA PROFESSOR OF SOCIAL POLICY, UNIVERSITY OF BRADFORD AND CO-CONVENDOR, BRITISH COMMITTEE FOR THE UNIVERSITIES OF PALESTINE

It is not easy for any academic to call for a boycott—our lives are committed to the production and sharing of knowledge, a commitment and practice we speak of as “academic freedom.”¹ However, as I shall argue, that freedom cannot be understood without reference to the material conditions of knowledge production and sharing, specifically, in the context of this discussion, in the case of Israeli and Palestinian universities.

From Moratorium to Boycott

In “On Academic Boycotts,” the AAUP opens its account of the origins of the present discussion with the resolutions by the United Kingdom’s Association of University Teachers (AUT) calling for the boycott of two Israeli universities, Bar-Ilan and Haifa. To understand how these resolutions came to be passed requires putting them into context. In recent years, and especially with the growth of Israeli human-rights abuses, collective punishments, house demolitions, targeted assassinations, and, most recently, the construction of the “separation wall,” judged illegal by the International Court of Justice, the majority of European citizens have become profoundly concerned by Israel’s policies.² A Eurobarometer study in 2003 reported that 59 percent of those surveyed saw Israel as the country posing the greatest threat to world peace.³ A report by Amnesty International documenting the abuse of human rights by Israel challenges its inclusion in Europe-Israel trade agreements and in the European Research Area. The defense of human rights is a precondition of participation in the European Union, whether as a member or as a trading and research partner, hence the call initiated by Hilary and Steven Rose for a moratorium on EU funding of research collaboration with Israel in April 2002. Later that year, this call was adopted as a resolution by the AUT, and it still stands.⁴ Some French universities—as institutions, not just individuals or even trade unions—took a much stronger position of complete boycott, which unleashed a powerful Zionist backlash claiming the move was anti-Semitic, and most, but not all, subsequently rescinded their statements.⁵ In July 2004, the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) issued its call for a comprehensive boycott and later that year, we in the United Kingdom established the British Committee for the Universities of Palestine (BRICUP), whose twin aims are (a) to support Palestinian universities, staff, and students and (b) to oppose the continued illegal Israeli

occupation of Palestinian lands, with its concomitant breaches of international conventions of human rights, its refusal to accept UN resolutions or the rulings of the International Court, and its persistent suppression of Palestinian academic freedom.⁶

In support of these aims, BRICUP works (a) to put pressure on the EU and the UK government for the exclusion of Israel from the European Research Area; (b) to develop policies that encourage individual academics to break their professional links with Israel by such actions as refusing to collaborate on research with Israeli institutions, to referee papers or grant applications issuing from such institutions, or to attend academic conferences in Israel and supporting Israeli academic colleagues working with Palestinian colleagues in their demand for self-determination and academic freedom; (c) to work within our trades unions and professional organizations in support of such actions; and (d) to explore forms of support for Palestinian academic colleagues.

Note that the initial moratorium call and the subsequent BRICUP statement referred specifically to an institutional boycott, not to one aimed at individuals of any specific nationality or ethnicity. We saw the “exceptionalist” clause in the initial PACBI call, which excluded Israeli academics working directly with Palestinians for peace and justice from the boycott, as a generous gesture not wanting to condemn all academics working in Israeli universities, even though most were silent when protest was needed. Interestingly, the AUT’s call for the academic boycott of apartheid South Africa was also exceptionalist. Such a clause did not merit the fatuous Israeli lobby claim that a civil society group, with powers only of moral persuasion, could unleash a force resembling McCarthyism. Recently, PACBI has clarified and reaffirmed its commitment to an institutional boycott of academic institutions as part of a wider project of boycott, divestment, and sanctions directed against the state of Israel.

A constant difficulty for the boycott movement has been that strong and well-funded Zionist interests constantly seek to displace Israel as the target of criticism and instead to relocate the focus of discussion on an abstract, context-free discourse about “academic freedom,” in which the illegal Israeli occupation, military repression, and very real physical and psychological sufferings of the Palestinian people disappear. This ideological and politically driven impulse to defend Israel and her universities, right or wrong, particularly strong in right-wing quarters but disturbingly widespread across the political spectrum, has been able to derive strength by commandeering the discourse of academic freedom.⁷

Different Locations and Perspectives

The European calls for boycott reflect an important transatlantic difference from American views in both our

understanding of the present political situation and our historical experiences. The AAUP report is an expression of the American Constitution's First Amendment, an important but abstract statement of principle. The American experience of the cold war and McCarthyism as a period when academic freedom and free speech suffered has properly affected the AAUP's thinking, and its self-criticism of its own lack of activism in those difficult years is to be welcomed. Even more welcome is its defense, alongside others (such as the American Civil Liberties Union), against the new McCarthyism, which was both formalized in and unleashed by the USA Patriot Act.

We in Britain have no such foundational text as the First Amendment. Our nearest equivalent is the European Social Charter, which places human rights at the center of the EU's developing constitution. European culture has also been profoundly shaped by Immanuel Kant and Denis Diderot, those theorists of constrained rights, and by the experience of war and occupation. In the United Kingdom, the National Council for Civil Liberties was created by left and liberal intellectuals, not in the defense of free speech per se but in the concrete and practical defense of the civil rights of unemployed workers in the 1930s in the face of police violence against legitimate peaceful protest. Thus for us, the concepts of academic freedom and its close kin, freedom of speech, cannot be placed in a discourse of ahistoric abstraction but must be related to specific contexts.

Thus statements such as those of Haifa professor of geography Arnon Soffer—who has said, “If we want to remain alive we will have to kill and kill and kill. All day, every day. If we don't kill we will cease to exist. The only thing that concerns me is how to ensure that the [Jewish] boys and men who are going to do the killing will be able to return home to their families and be normal human beings”—would be covered by the AAUP's call for freedom of expression, “however repugnant the views expressed.”⁸ By contrast, in Britain, Soffer's comments would fall under the rubric of hate speech and be subject to prosecution, just as currently the leader of the British National Party is on trial for expressing not dissimilar sentiments concerning Muslims, as is also an imam from the Finsbury Mosque for comments concerning Jews. Providing the trial is fair, British political and ethical culture endorse such restrictions on the freedom of speech.⁹

On Academic Complicity and Academic Silence

Soffer's comments, which were not repudiated by Haifa, along with the university's promotion of a conference, from which Palestinian Israelis were excluded, on demographic proposals for ensuring a permanent Jewish majority in Israel, point to a more general problem in treating Israeli universities as divorced from the interests and policies of the Israeli regime.¹⁰ An “academic boy-

cott is usually at least once removed from the real target,” the AAUP's “On Academic Boycotts” argues. Often, maybe. This is perhaps why an academic boycott of Chinese or Indonesian universities—or, for that matter, American or British universities—may not be appropriate. But sometimes such a boycott is not so readily “removed from the real target.”

The AAUP statement cites the example of Nazi Germany and poses, but does not answer, the question whether supporters of academic freedom should have continued research cooperation once the Nazis were in power. What might an answer look like? In practice, even left and liberal geneticists, not least from the United Kingdom (for example, the eminent Marxist geneticist J. B. S. Haldane), actively collaborated with German geneticists, even those who provided the “scientific” foundations for the concept of “lives not worth living” and *Rassenhygiene* (racial hygiene), right up to the outbreak of war. This cooperation continued while German universities complied with the racist dismissal of Jews from academic posts. What stopped scholarly exchange was not a challenge from defenders of academic freedom, even though the German universities were complicit in the destruction of that very freedom, but the declaration of war. When Germany fell, the allies restored many of those selfsame leading geneticists as heads of laboratories. If this was academic freedom, it was not an appropriate memorial for the 6 million slaughtered in the camps. Here, an absolutist principle of academic freedom, it could be argued, failed to challenge institutionalized racism, thus facilitating the eugenic project of the Final Solution. Even after the Nazis were defeated, this academic freedom took it upon itself to forgive the scientific racists, thus erasing from public view their culpability in genocide.

This attempt to answer the AAUP's question casts light on the danger of too abstract a concept of academic freedom, but it should not be misunderstood as an overt or covert attempt to compare the Nazi period with the present discussion of the case for the academic boycott of Israel. That is not my purpose. Instead, I refer to Edward Said's argument that for the Jewish people the greatest tragedy and horror is the Holocaust while for the Palestinians it is the Naqba. Tragedy and horror cannot be measured or compared.

The case for an academic boycott of Israel is that it both challenges the policies of the Israeli government and also draws attention to the complicity of the universities themselves. We are constantly told that the Israeli universities are one of the major sources of criticism of and opposition to the state, yet despite the heroic efforts of a very few, what is mostly audible is the silence of Israeli academia. Silence on the part of good men, Edmund Burke trenchantly observed, is all that is needed for evil

to be done. Far from being the bastions of criticism of government policy, the universities have not harbored many dissidents; rather, they have tended to harass and restrain such individuals. Israel academic associations also remain silent in the face of flagrant breaches of law and human rights, in contrast, for example, to the protest by the American Sociological Association over the Iraq war.¹¹ Some academics, such as Soffer, actively promote government policies associated with illegal acts and breaches of fundamental human rights. Many have argued that Haifa University treats its Arab students systematically as second-class citizens.¹² Further, Haifa does not even defend the academic freedom of its own Jewish students, as evidenced by the case of Teddy Katz, who was forced to retract his thesis identifying a massacre carried out by the Israeli military. Bar-Ilan, until it broke its links in the wake of the AUT votes last year, supervised the work of the College of Judea and Samaria in the illegal settlement of Ariel in the illegally occupied West Bank. This is good reason, in the words of the AAUP's "On Academic Boycotts," to "feel no obligation to support or contribute to institutions that are not free or that sail under false colours." The distinction between "no obligation to support" and the call for an institutional boycott comes close to equivocation. In concrete terms, what does the AAUP think it or its members should do about Bar-Ilan and Ariel?

Economic Boycotts Versus Symbolic Boycotts

The AAUP has previously expressed appropriate concern about the consequences of university research protected by patents, the USA Patriot Act, and the proposed self-censoring by academic journals and of researchers in the sharing of information with colleagues from certain nations.¹³ However, what perhaps has not been clearly recognized is the extent to which these practices are no longer isolated breaches of previously accepted norms of academic freedom but have become pervasive features of a new system of knowledge production, especially in the biological and information sciences, largely funded by industry and the military, and associated with today's globalized capitalist economy. "Intellectual property" is the term that so brutally links the cultural and the economic. It stalks the universities of the world.

And it is precisely in the context of today's knowledge economy, rather than in some abstract universe, that the distinction that the AAUP wishes to draw between a potentially acceptable economic boycott and an unacceptable, "largely symbolic" academic boycott becomes unsustainable. (For that matter, why is an academic boycott not acceptable when an economic boycott is? Surely not because it is symbolic, since it hits hard where it matters—the amour propre of academics in Israel and their position in the global marketplace, above all, in informatics and biotechnology.)

Inclusion in the European Research Area is thus partly about the privileged minority of Jews of European or North American origin within Israel feeling they belong to "the West" and its research and cultural community, and it is partly pushed materially by the financial hunger of researchers. The Israeli economy is distorted by its massive expenditures on illegal settlements, illegal roads, the illegal wall and, of course, the illegal military occupation itself; it is not just Israel's poor who are feeling the pinch but even the hitherto well-financed universities. Meanwhile, Europeans are all too aware of the extent of the financial as well as political support of Israel on the part of the United States and of the failure of the United States to use its powers to put pressure on Israel to negotiate a just peace.

As Nelson Mandela pointed out, boycotts are tactics in political struggle. The universities in Israel are an important part of the state apparatus. It is precisely because of the strength of the Israel academy and its centrality in Israeli economic, social, and cultural life that an academic boycott becomes such a crucial strategic instrument. In a different context, it might be different. Consider the South African situation, where it was not the academic but the sporting boycott of apartheid that dramatically raised public awareness and thus pressure for change, leading ultimately to UN sanctions. The concern felt by the Israeli state regarding the effect of a boycott on its cherished centers of knowledge and learning is demonstrated by the fact that it was not merely the Israeli university administrations that mobilized to reverse the AUT resolutions: the Likud cabinet itself was moved to establish an antiboycott committee chaired by Binyamin Netanyahu.

When the Israeli government intervenes in this way, it is surely clear that the issues involved are political as much as academic and that the government and academia are involved together in an ultimately unacceptable compact. While the implications of the recent Palestinian elections are far from clear, an academic boycott of Israel would be an expression of the despair of European civil society, including academics, over the failure of our governments and the European Union to help pressure Israel to negotiate with the Palestinians so as to build a just peace. But we also need the voices and commitment of American academics to build a policy of boycotts, divestment, and sanctions as a nonviolent form of political pressure. ☞

Notes

1. This response to the AAUP's "On Academic Boycotts" is a personal statement, but it has benefited from extensive discussion with colleagues from the British Committee for the Universities of Palestine: Martha Mundy, Steven Rose, Jonathan Rosenhead, and David Seddon.

2. This criticism of Israel also encompasses opposition to the deliberate killing of civilians, even when engaged in armed struggle with the aim of achieving national liberation—an opposition affirmed in international law.

3. Flash Eurobarometer 151, “Iraq and Peace in the World,” November 2003, 80, http://ec.europa.eu/comm/external_relations/iraq/doc/f1151_iraq_full_report.pdf.

4. Association of University Professors, “AUT Rebutts Claim over Middle East Policy,” December 12, 2002, <http://www.aut.org.uk/index.cfm?articleid=271> (accessed April 31, 2006).

5. The French position was set out on the Web site www.pjpo.org. This server has since closed, but a cross reference is available at www.Europalestine.com/article.php3?id_articles=1727. Accessed July 20, 2006.

6. The full PACBI statement is available at www.pacbi.org. Accessed July 20, 2006.

The Web address for BRICUP is www.bricup.org.uk.

7. The power of the Israel lobby was documented by John Mearsheimer and Stephen Walt in “The Israel Lobby,” *London Review of Books* 28 (6), available online at http://www.lrb.co.uk/v28/n06/mear01_.html.

8. Arnon Soffer, “It’s the Demography, Stupid,” *Jerusalem Post*, May 21, 2004, Upfront supplement. Soffer also claims that he is the intellectual architect of the separation wall. The AAUP language cited is from its report “Academic Freedom and National Security in a Time of Crisis,” published in *Academe* 89 (November–December 2003): 34–59.

9. I write with the memory of the Irish Republican Army bombing campaigns, when the routinely preju-

diced conduct of the courts was grasped in the common joke, “Innocent till proved Irish.” An e-mail message from an Israeli academic laconically asked how Soffer’s proposal would have gone down in New York if it was made by an American Arab vis-à-vis New York Jews. (Personal communication.)

10. In Israel, the relative independence of institutions from the state—such as the army, the judiciary, and others—has weakened. Thus military refusniks who will not serve in the occupied territories are insisting on the rule of international law, but the Israeli courts deny their argument. Thus we see scholars, even of Judith Butler’s sophistication, using “state” where conventional analysis would indicate government. I take her conflation of categories as echoing the conflation on the ground, but this needs systematic analysis and not mere echo. (Judith Butler, “Israel-Palestine and the Paradoxes of Academic Freedom,” *Radical Philosophy* 135 (January–February 2006).

11. ASA News, “Sociological Association Takes Position on Conflict in Iraq,” August 1, 2003, <http://www.asanet.org/page.wv?name=Sociological+Association+Takes+Position+on+Conflict+in+Iraq§ion=Press>.

12. I have heard this point routinely made by both anti-racist Israeli Haifa academics (for example, at the Faculty for Israel-Palestine Peace conference in Jerusalem in January 2004) and by Palestinian ex-students from Haifa currently studying or teaching in Britain.

13. “Academic Freedom and National Security in a Time of Crisis,” *Academe* 89 (November–December 2003): 34–59.

LISA TARAKI, ASSOCIATE PROFESSOR OF SOCIOLOGY, BIRZEIT UNIVERSITY

My comments on the AAUP’s report “On Academic Boycotts” are made with the recognition that I share common ground with the Association on an issue of importance. The AAUP gives academics and their associations a legitimate role in politics and political struggles, both at the local and global levels. I also find encouraging the AAUP’s recognition of the complexities of academic boycotts, despite its “broad and unconditional” condemnation of them.

However, I find that the Association’s position does not allow for the full realization of the potential for political engagement by academics and their associations in the struggle against injustice, tyranny, and the stifling of basic freedoms. I think this limitation stems from the AAUP’s representation of the academy and its notion of academic freedom and from its reluctance to pass judg-

ment on the circumstances that may call for drastic actions such as boycotts. I also think that there has been a misreading of the Palestinian call to boycott.

In clarifying its position on academic boycotts, the AAUP states, “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 “[i]nstitutions of higher education are conducted for the common good . . . [which] depends on the free search for truth and its free exposition.” If this is a general statement of what academic institutions should be, then we cannot disagree with it as an ideal. However, as we all know, the reality is different, and that is what should guide our judgments and our actions. Universities are not completely autonomous institutions, linked, as they are, with the economic and political needs of the state. Universities are among the most important ideological arenas where state power and prevailing social and political hierarchies are reproduced and legitimized.

This is particularly so in the case of Israel, where a close partnership has existed from the very beginning between the academy and the political-military-intelligence establishment. In addition, in the Israeli academy, disciplines such as demography, archaeology, sociology, and even architecture have long been part of the colonial project, whether directly or indirectly. That those who work outside the reigning paradigms in these disciplines are in a small minority is testimony to this overriding reality.

I do not doubt that the authors of the report would agree, as scholars, with the gist of what I have said about the academy as a historical and current reality. But I would respectfully submit that the position of the AAUP, based as it is on an absolute, abstract, and ahistorical notion of the academy, may open the door—in practice—to an abdication of responsibility by academics to be critical of all varieties of regimes and institutions, whether they are political or academic. Furthermore, by casting a halo of sanctity around the abstract notion of academic freedom, the AAUP—in its public function as an association of faculty—may have inadvertently made the critique of regimes of oppression very difficult.

I submit that the notions of university autonomy and academic freedom need to be examined critically. The AAUP report gives the impression that these are self-evident; I think they are not.

I think that the abstract ideas of academic freedom and the free exchange of ideas cannot be the only norms influencing the political engagement of academics. Often, when oppression characterizes all social and political relations and structures, as in the case of apartheid-era South Africa or indeed Palestine, there are equally important and sometimes more important freedoms that must be fought for, even—or I would say especially—by academics and intellectuals.

This is the question I would pose: if it was possible in the 1980s for the Association to determine that the situation in South Africa was grave enough to warrant calls for divestment, why does it not take the position that it is possible to assess the degree of gravity of a particular situation, such as that in Palestine or indeed anywhere else, and advocate a response? I believe that it would be a failing of academics and intellectuals not to be able to identify “extraordinary situations” of violations of basic principles of self-determination, freedom, and justice. Otherwise, no situation would be judged graver than any other, and the cause of justice would be that much more retarded. In the case of Palestine, these violations, along with grave breaches of international law—not to mention the evidence for war crimes—are only too well established in international documents, scholarly works, and media reports, and I find it disconcerting that the AAUP’s report does not take a position on whether Israel’s occupation denies Palestinians their rights.

The AAUP report presents four main arguments against academic boycotts: (1) boycotts curtail the freedom of academics to work with colleagues, disrupt the international movement of scholars and ideas, and strike at the free exchange of ideas; (2) boycotts punish academics who are not complicit with the state policies that are the boycotts’ real target; (3) boycotts can compound a regime’s repression of freedoms by cutting off contacts with an institution’s or country’s academics; and (4) faculty or ideas that could contribute to changing state policy are harmed when communication with outside institutions is cut off.

In attempting to understand the AAUP’s arguments against academic boycotts, I find that there has been a conflation of the different rationales for boycotts and, consequently, a misreading of the Palestinian call for the boycott of the Israeli academy. The report does not make a clear distinction between boycotting institutions because of their suppression of the academic freedom of their members and boycotting them because of their complicity in systems of oppression larger than the academy. Since this distinction is not made explicit in the report, the arguments used to refute the rationale for a boycott on the grounds of the violation of academic freedom are not sufficiently distinguished from those arguments used to reject boycotts arising from the complicity of institutions in oppression. It follows that the report does not distinguish between what is the best way academics can respond to institutions’ suppression of academic freedom and what may be the appropriate instrument or tactic in a political struggle whose aim is to bring about a change in the larger status quo.

In light of this, I find that the report’s critique of the academic boycott of Israel as undermining exactly the freedoms one wants to defend is misconstrued. The freedoms that the Palestinian campaign seeks to defend are the freedoms of a people, not only the academic freedoms of a small minority of Palestinian academics (as important as these may be to us as academics who have a direct interest in enjoying them). The aim of the academic boycott of Israel is not to safeguard academic freedom as an abstract principle, nor to obtain better conditions for academic freedom in Palestine, but to obtain justice for Palestinians.

The AAUP’s report cites an article written by Omar Barghouti and me, critiquing our view that “the march to freedom [may] temporarily restrict a subset of freedoms enjoyed by only a small portion of the population.” The portion of the population in question consists of members of the Israeli academy, and indeed our boycott is not intended to obtain better conditions for academic freedom at Israeli universities, nor to protest or redress specific infringements on academic freedom at specific Israeli institutions. Rather, it aims to bring about a change in the policy and practices of the Israeli state

through targeting one institutional arena implicated in the state's violation of international law. The overriding principle is not academic freedom (whether for Palestinians or Israelis) but freedom from colonial rule and oppression. The underlying principle here is the equality of human beings in moral worth and their equal right to live in freedom, as expressed in the first article of the Universal Declaration of Human Rights. This same principle informed the struggle in South Africa and the international support it received. Our call for boycott urges the international academic 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."¹ Our rationale for targeting the academy stems from our view of the relation of the academy to state structures and the role of academics and their institutions in legitimizing oppression.

I would be avoiding the academic freedom issue if I did not address its place in the decision to boycott the Israeli academy. First of all, it should be made clear that the British Association of University Teachers' (AUT) decision to boycott Haifa University had to do with the suppression of dissent at the university. Regardless of how one evaluates the soundness of the AUT approach, it is clear that the issue of academic freedom in this instance is not unrelated to the larger issue of oppression. To me, the suppression of dissenting voices in the Israeli academy is one indicator among others of the complicity of university administrations and faculty bodies in the occupation and, indeed, in racism. While our aim is not to reform the Israeli academy and increase academic freedom there, it is clear that the expansion of freedoms in Israeli universities will invariably lead to an enlargement of the space for dissent and thus will contribute to the struggle for justice. In this regard, I would like to quote ex-Israeli academic Oren Ben-Dor, who has expressed this better than I am able to:

Academic freedom is not some idle abstraction which unconditionally shields academic pursuits. . . . Its purpose is to provide a means to transcend the publicly sanctioned limits of debate. . . . Israeli universities have, by and large, been conscripted into the Israeli national consensus. The absence of academic freedom is evident . . . in the pervasive marginalisation of the debate about the racist nature of the Zionist state, and about the catastrophe which Zionism inflicted on the Palestinian people. . . . A boycott to foster real academic freedom in Israel should unite academics all over the world. What is at stake is the primordial freedom to question the racist assumptions that lie at the heart of nationalistic ideology and historiography.

Thus, such a boycott is even more important than a general boycott of Israel as a criminal state, to which Israeli academics would be subject like the rest of the Israeli population. . . . [T]he boycott I wish to see is a boycott intended to produce academic freedom.²

The story of the complicity of the Israeli academy in the system of oppression is a long and complicated one. This history has yet to be written, although there is plenty of evidence and sufficient basis for an indictment. Here, I would only wish to document two stark facts about the Israeli academy and Israeli academics that to us justify the institutional boycott that we advocate: (1) no university or association of faculty has ever issued a statement expressing opposition to the occupation or considering it an impediment to the realization of Palestinian rights, including the right of faculty and students to a normal academic life; and (2) there is a near total lack of any institutional censure of the racism that appears in the guise of scholarship. The remarkable tolerance of the Israeli academy and its members for racist pronouncements, analyses, and policy recommendations issued by academics is entirely in keeping with the normalization of discourses of exclusion pervading Israeli society, finding daily expression in the media, the educational system, the government, the military, and civil society.

In closing, I would like to discuss briefly what I think the international academic community—and especially American academics and their representative organizations—can do to support Palestinian rights, including the right of academics and students to the pursuit of a "normal" academic life. Gestures of solidarity and commitment to justice can include public statements against the continued colonization of Palestinian land and the advocacy of divestment initiatives of the sort already launched at American universities by student activists. The American academy may not be ready for an academic boycott. But I urge you to consider the meaning and consequences of the privileged position the Israeli academy enjoys in international academic networks. To my mind, privileging the Israeli academy, whether in preferential treatment for financial support or through normalizing its place in the academic landscape, is a contribution to the normalization of occupation, oppression, and injustice. ☞

Notes

1. Palestinian Campaign for the Academic and Cultural Boycott of Israel, "Call for Academic and Cultural Boycott of Israel," http://pacbi.org/campaign_statement.htm.

2. Oren Ben-Dor, "The Boycott Should Continue: A Fight to Foster Real Academic Freedom in Israel Should Unite Academics All Over the World," *Independent*, May 30, 2005.

THE SOUTH AFRICAN BOYCOTT EXPERIENCE

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In the current debate about calls for an academic boycott of Israel, the history of the boycott of South Africa during the apartheid era has become an important standard. That history is represented in strikingly different ways by the opposing camps. For proponents of a boycott of Israeli universities, the South African campaign is a clear precedent to follow. In the eyes of the drafters of the AAUP report “On Academic Boycotts,” on the other hand, the AAUP never supported an academic boycott of South Africa. According to the statement, what they backed was a campaign for economic divestment.

Throughout the high point of the academic boycott, from the early 1980s to the end of that decade, I was on the staff of the University of Witwatersrand, better known as Wits, the Johannesburg university where I still work. The campus was highly politicized, and as a member of the executive of the academic staff association, I followed the issue of the academic boycott closely and participated in many discussions about it. For a time, I supported a selective form of the academic boycott.

But far from being an unproblematic strategy, the South African academic boycott was riddled with conflicts among its supporters, inconsistencies, and minor injustices. It was plagued by the problem of unintended consequences. In my view, it had no important political effect in undermining apartheid and, I will suggest in this paper, may have had a minor negative impact on postapartheid society.

The account of the boycott implicit in the AAUP report is equally unconvincing. If, as claimed, antiapartheid American scholars were pursuing a divestment campaign rather than an academic boycott, they never succeeded in conveying this fine distinction to South African colleagues at the time. It certainly appeared to us, from our experience, that American universities, scholars, and journals were boycotting South African universities, at least as strongly as their British colleagues. Indeed, while I can recall several significant British scholars giving support to antiapartheid activities on South African campuses in the 1980s, I can recall no examples of activist American scholars who were equally flexible in their approach to the boycott. For practical purposes, there was an American academic boycott of South Africa in the 1980s.

My purpose in this essay is not to prescribe to Palestinian, Israeli, British, or American scholars. My hope is, rather, that by identifying some of the issues that arose around the question of an academic boycott in South Africa, I can assist in their endeavors to come to terms

with the present issue. Perhaps in the 1980s I would have been keen to hand out advice to all and sundry, but in the immortal words of Bob Dylan, “I was so much older then, I’m younger than that now.”

The Total Boycott

In the years 1984 to 1989, the question of an academic boycott attained salience as an issue in South Africa and abroad, and it is with this period that my discussion is largely concerned. The boycott was supported by both exiled liberation movements recognized by the United Nations—namely the African National Congress (ANC) and the Pan Africanist Congress (PAC)—and inside the country by the United Democratic Front (UDF), which was essentially a legal vehicle for supporters of the ANC. By the start of the 1980s, it was clear that the ANC was a far more effective organization than the PAC, so the positions of the ANC and the UDF are the important ones for the purposes of this discussion.

The original form in which the academic boycott was pursued was that of an exclusion of South Africa from all forms of academic connection and exchange—a total boycott. However, it was not long before problems became apparent with this approach.

First, in the West, it was only liberal and leftist antiapartheid scholars who could be induced to support the boycott. Rightists and apartheid sympathizers came to South Africa freely and without political cost to themselves at home. International experts on counterinsurgency, military technology, and the like visited freely and worked with the regime.

Second, well-informed scholars abroad, who wanted to support the explosion of critical scholarship, cultural production, and activism that the revolutionary times had produced on South African campuses, faced a problem. They could not give such support if they were required to observe a blanket academic boycott. And the ANC itself began to develop an understanding that the political developments on South African campuses were worth encouraging and that international links might contribute to this.

Third, there were some cases of real, if minor, personal injustice arising from the implementation of a total boycott. For example, sociologist Eddie Webster played a crucial role in the development of trade unionism in the 1970s. He was detained by the police at that time and then subjected to a lengthy trial on charges of political subversion in which he was eventually found not guilty. He was one of the most important educators of the trade unionists, lawyers, and industrial-relations practitioners who democratized the labor arena in South Africa during the 1980s and 1990s. Yet when Webster arrived to speak on a British university campus, he was picketed by members of the local antiapartheid movement for

breaking the boycott. The spectacle of people who had never faced any force more lethal than the Thames Valley Constabulary adopting a position of moral superiority over someone who had seen the inside of South Africa's prisons for his beliefs is sufficiently ludicrous as to merit our reflection.

Fourth, the idea of a blanket ban on foreign academics taking posts at South African universities assumed that they would naturally be predisposed to play a reactionary role. This was certainly not the case. Political scientist Tom Lodge, for example, initially came from Britain to South Africa as a postgraduate researcher. He later accepted a post at Wits. During the 1980s, by commenting to the media on the ANC's political statements, which could not be directly quoted in South Africa at the time, he was able to project the banned organization's views into the public sphere. Lodge testified for the defense in a number of political trials. His teaching and publications helped educate a generation of activists about the history of political movements in the country. Lodge's role was recognized both by the security police, who set fire to his office, and by the ANC, which welcomed him at its exile headquarters in Lusaka, Zambia. Yet the logic of the total boycott was that Lodge would have made a greater contribution to change in South Africa by staying at home and going on demonstrations during the weekend.

The Selective Boycott

Such difficulties led to the emergence of support inside the antiapartheid scholarly community for the idea of a selective boycott. Although the ANC was hesitant to give public support to such a position, in practice it did begin to give approval to a number of scholars who sought its private endorsement of their visits to South Africa. As this position gained more support, UDF-related organizations inside the country attempted to take on a role in deciding which visits were politically acceptable.

The idea of a selective boycott, however, also proved problematic. Hard-to-answer questions arose. What were the criteria for exemption? Who made the decision?

One approach was to differentiate between "good" universities, with which foreign scholars would be encouraged to link up, and "bad" universities, which would continue to be boycotted. But this line proved impossible to draw. In the 1980s there were three broad categories of universities in the country. Afrikaans-language universities, such as Stellenbosch and Pretoria, were closely linked historically to the regime and were almost entirely white in staff and student composition. Then there were "liberal" universities. Witwatersrand was a good example here. Historically, it had always been predominantly white in staff composition. By the 1940s, however, a minority of black students was present on

campus. In the 1950s, the government decided that strict racial segregation should be implemented in higher education and that all black students should attend separate institutions. This was vigorously opposed by the university authorities and students at Wits and similar universities in the name of academic freedom. Nevertheless, restrictive legislation was passed in 1959, and through the 1960s and 1970s, despite continued protests by the university, few black students were admitted. But at the end of the 1970s, weakening political resolve by the government and continued attempts by the university to get around the legislation meant that black students again began to enter Wits in greater numbers. By the time of the mid-1980s upheavals, Wits had a large, often highly politicized minority of black students. Finally, there were what came to be called (rather misleadingly) the historically black universities (HBUs). These were established or consolidated under the 1959 legislation with the intention by the state to provide segregated education for people of color. These institutions had a significant number of black academic staff, but they tended to be dominated by Afrikaner professors and administrators and were, for the most part, run in an authoritarian style. Their establishment in large measure backfired on the government, because the HBUs became a focus of black radicalism. Steve Biko's black consciousness movement, for example, emerged from them, and they saw three decades of nearly continuous student unrest.

Any attempt to differentiate between these categories of universities would have come politically unstuck. The HBUs were the universities most directly and brutally controlled by the government. But they represented the largest concentrations of black students, and it would have been morally unacceptable to force visitors to avoid these campuses while encouraging them to speak to students on predominantly white campuses. The liberal campuses had a record of defending academic freedom, but this did not stand them in good stead. Black students often charged that the liberal universities' focus on academic freedom was accompanied by a hypocritical evasion of wider political issues and that they continued to be white dominated. The former charge had enough reality in it to hurt, and the latter point was unanswerable. To have made the liberal universities exempt from the boycott would have provoked student anger. The Afrikaans universities may have seemed the most obvious candidates for ostracism, but this was not straightforward either. Especially at Stellenbosch, the cradle of Afrikaner intellectuals, a courageous minority of staff and students were working in an antiapartheid direction. The magazine published by Stellenbosch staff members, *Die Suid Afrikaan*, was important in challenging received political ideas within the Afrikaner elite. By the

late 1980s, there was substantial student radicalization and political protest in Stellenbosch, which the university authorities met with a heavy hand. In these circumstances, to have boycotted the Afrikaans universities would have meant actually assisting the authorities in their attempts to impose ideological isolation. So it proved impossible for the boycott to differentiate by university.

That left the possibility of exempting individuals from the boycott, and this was indeed attempted. And despite having supported such an approach myself in the late 1980s, I now think it was misguided. It seems to me that the AAUP report is right to see such a strategy as involving a “political” test and in seeing this as ethically problematic. For how did one find an acceptable gauge for exemption from a boycott? Was it enough to make an antiapartheid declaration? What else could reasonably be asked for? Should support for a particular political movement be required, and, if so, what did that do to intellectual pluralism? What happened to political mavericks who were opposed to the regime but genuinely disagreed with the political ideas of the antiapartheid movements? What did one do about the difference between the position of the social scientist or humanist whose work could easily engage with current political questions and that of the natural scientist who was less easily placed to do so? Answers to these questions were not easily found; the selective boycott created a set of irresolvable dilemmas.

The Impact of the Boycotts

How effective was the academic boycott? That question can be answered at several different levels, and at each level it is important to understand the impact of the campaign in relation to the broader effects of sanctions.

Most straightforwardly, sanctions can be considered from the point of view of how effectively they put pressure for change on the Pretoria government and on white society in general. Economic sanctions certainly weakened the status quo in South Africa during the 1980s by contributing to the economic decline that the country suffered in this period. The effect should not be exaggerated, though: the mass revolts inside South Africa were the chief force making for the eventual democratization. And the revolts, combined with the Botha government’s inability to devise a coherent reform strategy, were also more important than sanctions in creating the investment famine, capital flight, and currency decline that characterized the period. Sports sanctions became tighter than before. British actors did impose a successful boycott of South Africa by the UK television industry, but British television productions had never been popular in South Africa. Cultural sanctions in the eighties had almost no effect on the availability of the im-

ported cultural staples of white society: U.S. movies, television series, recorded music, and magazines.

Compared with economic, sports, and cultural boycotts, the academic boycott was feeble indeed. I can honestly say that, throughout the 1980s, I did not talk to a single South African scholar or university employee whose political views had been changed in any way by the academic boycott. Whereas the economic boycott had some palpable effect on the regime, and sports and cultural boycotts had irritant effects on white society, the academic boycott had little in the way of visible achievements.

But the impact of the boycotts also needs to be looked at in a more complex way. We need to consider why, given that it was viable for whites to continue to resist change, albeit at an economic and military cost, the large majority of them did in the end support F. W. de Klerk’s turn to negotiate with the ANC and, however grumblingly, go along with the transition to democracy in 1994. The original social base for apartheid, in the 1940s and 1950s, was a radical Afrikaner populist movement of farmers, minor civil servants, workers, and intellectuals. It was all about ethnically and racially based social protection—agricultural subsidies, expanded civil service employment, politically skewed promotions, and the “reservation” of skilled jobs for white artisans. Now such a movement would never have accepted a deracialized society at any price; no amount of sanctions and boycotts could have shaken its commitment to apartheid. But the very success of Afrikaner nationalism became its undoing. The state put enormous resources into educational uplift for Afrikaners and into providing preferential opportunities for Afrikaner businesses. The result was that, by the 1980s, a whole generation of the children of Afrikaner workers and low-level employees had moved into the professional, managerial, and entrepreneurial strata. Like English-speaking whites, the majority of Afrikaners were now no longer reliant on state protection; they had urban skills and capital of their own. They traveled internationally and were exposed to global media. This all provided the basis for a shift in identity—Afrikaner nationalism became increasingly less central to the worldview of the new middle class.

The identity shift was crucial to the willingness to accept deracialization and democracy in the 1990s. Whites, as a whole, came to see themselves primarily as globalized consumers. The ability to pursue a middle-class lifestyle became paramount in white identity. This was accompanied by a spread of antiauthoritarian ideas (anarchic youth cultures, feminism, gay rights), which made whites more difficult to mobilize politically in the cause of the old order. This is not in any way to say that whites were no longer racist. But they were increasingly less willing to lay down their lives for apartheid. When, in the

early 1990s, whites were confronted by a choice between a racially “pure” but impoverished and militarized future and the chance of prosperity in a new democracy, they chose the latter. Hendrik Verwoerd, the founding ideologue of apartheid, reputedly once said that it was “better to be white and poor than rich and mixed.” In contrast, the whites of the 1990s preferred to be mixed, rich, and globalized than white, poor, and isolated.

Now, why this is important to the question of the academic boycott is that, given the importance of the cultural shift in making whites ready to accept change, the *failure* of the cultural boycott (of which the academic boycott may for this purpose be considered a minor part) was actually rather important to the success of the other pressures for change. In order to be ready to accept democratization, whites had to move away from identities that were primarily defined by racial populist politics and cultural autarky. Although economic change provided the conditions for this, it was not enough in itself; a process of cultural change was also required. The images and ideas that enabled whites to make this reshaping of themselves were not available in the official cultural discourse of the apartheid state and society. They needed a vision of themselves on the other side of apartheid, and this, in the end, came from external sources—U.S. television programs and other cultural products, above all. They also needed exposure to different ways of thinking politically about the world, and here the universities certainly played a role. A culturally isolated white South Africa, in my view, would have been more rather than less likely to block the process of change. I would thus contend that economic sanctions worked because of sociocultural changes that the proponents of boycotts did not understand; they succeeded by good fortune rather than good judgment.

What were the long-term effects of boycotts? What is the relationship between means and ends? If boycotts are a means of political action to create democracy, how does use of those means shape the ends that they are designed to attain? How do the tactics used to promote democracy affect the quality of that democracy?

In many ways, postapartheid South Africa is an exemplary democratic polity. It has reasonably free and fair elections. The country’s new constitution and the constitutional court that enforces it are internationally admired. There is no censorship, and vigorous political debate can be found in the print media and on the radio. South Africa has one of the world’s strongest trade-union movements. In universities, scholars can teach and publish more or less what they wish. Nobody gets arrested for their political views. The governing party, the ANC, can claim a great deal of credit for all this. Through the inspired leadership of Nelson Mandela, it generated a vision of a new and united nation that was crucial to the

stabilization of the country. Mandela’s successor, Thabo Mbeki, has proved a competent economic manager.

Yet there are profound problems with the ANC’s relation to the future of democracy. The difficulty is that the ANC has a strong distrust of the independence and vigor of South Africa’s civil society and a resentment of the limitations on the power of the government that a constitutional order necessarily creates.

This distrust of civil society was also manifested in the ANC’s leadership of the boycott campaign during the exile years. There was an almost total unwillingness to acknowledge that autonomous civil society or even quasi-state institutions could be sites of important social battles that could have constructive results for a future democracy. The ANC’s vision of the future was of a society that would be reconstructed from scratch. Yet many of the pillars of today’s South African democracy in fact began to be built under apartheid. The ANC appeared to assume that the South African state had such total social control that no democratic impulse could emerge within the old order. Yet for all the brutality and authoritarianism of the regime, its control of institutions and society more broadly was remarkably ramshackle. Powerful independent black trade unions emerged in the 1970s. A tradition of critical journalism produced important oppositional newspapers like the *Weekly Mail*. The present constitution was largely constructed by human rights lawyers who had worked in the old legal system. Even judges were sometimes important in blocking the working of apartheid; the system of housing segregation largely unraveled as the result of a 1978 decision by Richard Goldstone, later famous as the UN human rights investigator in former Yugoslavia. University teachers who were determined to do so were able to teach both critical social theory and critical studies of the social order and to publish antiapartheid writing.

Boycott politics never took seriously the idea that it might be important to act in a way that supported democratic initiatives in South African civil society. Indeed, the ANC actually opposed international assistance to the trade unions in South Africa in the 1970s and early 1980s on the basis that any legal unions must be stooge organizations (a view not shared by the security police, who put a lot of energy into repressing these unions). Moreover, there was little awareness inside the boycott movement of any possibility that civil society in South Africa might one day need to defend democracy against a postapartheid government. This despite the fact that, in a number of other countries in the region, anticolonial liberation had not been accompanied by democracy.

That South Africa has a viable democratic order today is largely a result of the vibrancy of its civil society. That civil society in South Africa is, in a mild but potentially dangerous degree, threatened by authoritarian tendencies

within the new state. The importance of civil society in struggles toward democracy within apartheid South Africa was not sufficiently recognized by the boycott movement. More could have been done by antiapartheid forces abroad to strengthen civil society for the role it has to fill today. To do that would have required the complex politics of identifying and supporting important civil society initiatives, rather than the simplistic politics of lumping civil society and state together. And it would have therefore required more and not less involvement by the outside world in South Africa.

The Effect of Boycott on the Boycotters

Let me now turn to a topic that has been neglected in discussion of the South Africa boycott: what effect did the boycott have on the boycotters, rather than on those they sought to support or isolate by their action? I would suggest that the boycott campaign helped to cast South Africa in the minds of British and American academics as a moral rather than a political problem. While the moral impulse behind the campaign was commendable, it led to a moralism, which ultimately undermined the capacity of scholars abroad to understand the process of social change in South Africa and to contribute to it as intellectuals. The identification of scholars with the struggle for justice meant that they felt unable to comment critically on those whom they saw as being on the right side.

At its worst, the culture of the boycott produced an imagined South Africa that was a theater of morality. That this was so was entirely understandable. If ever a political struggle could reasonably be construed by democrats as one of good against evil, right against wrong, the situation in South Africa in the 1980s was it. But the problem was that, too often, the ostensible topic of South Africa simply became the occasion for a kind of parading of the foreign scholar's moral virtue. In much anti-apartheid writing of the time, we find out very little about South Africa but a great deal about the author's ethical qualities as an opponent of apartheid. The practice of the boycott often became a gesture of separating oneself from the sphere of evil rather than intellectually engaging with the realities of a society in travail. When traveling abroad in the 1980s, I was struck by the way in which many keen supporters of the boycott were uninterested in discussing the details of what was happening in South Africa. South Africa was merely the occasion for them to play a heroic (in reality, mock-heroic) role on the stage of the theater of morality.

This moralistic standpoint has, in the post-1994 period, become a major obstacle to western scholars' capacity to think about South Africa. Two melodramatic productions now alternate on the other side of the proscenium arch through which American and British

academics view South Africa. For liberal mainstream scholars, the South African drama is the "Miracle Triumphant"; for western leftists, it is the "Revolution Betrayed."

Those who adhere to the miracle view see the post-1994 period as the remarkable triumph of good. It is indeed extraordinary that South Africa made it through the transitional period to democracy without descending into Yugoslavian-style civil war and national disintegration and that the country functions relatively well despite its deep-seated social tensions. But the idea of a miracle is not conducive to analytical thought; miracles by definition are perfect and not susceptible to reasoned investigation. Analysts who view the story in this light seldom have interesting things to say about how the transition happened, and they are reluctant to acknowledge the persisting inequality, the corruption, and the incipient authoritarianism of the postapartheid polity. This type of approach often goes along with a disproportionate focus on aspects of South African life that can be read as part of a moral drama. The Truth and Reconciliation Commission, which gave public hearings to victims of repression, is the subject of an enormous proportion of the international academic work on South Africa. Now, I have unlimited admiration for Desmond Tutu, the archbishop who led the commission, and I do believe the commission had a definite and positive impact on the country. But to view the huge social changes through this prism alone is distorting. South Africa appears not as a real country with all its social, economic, and cultural realities but as a moral theater. The result is that the Truth and Reconciliation Commission looms far larger in the thinking of foreign scholars than it does in the minds of South Africans.

On the other hand, for many western leftists, South Africa is the story of the betrayed revolution. This is a drama of revolutionary moralism. Some western academics transferred their disappointed hopes of the 1960s and 1970s for an anticapitalist transformation in their own societies to the South Africa of the mid-1980s, which indeed looked like a classical revolution in the making. When, in 1994, South Africa instead produced a liberal democratic state with a capitalist economy, this moral fervor was turned on the ANC. For people in this camp, South Africa ought to have had a "real" revolution (however that was conceived), and the ANC leaders now were condemned for their failure to produce this result. A number of scholars have made entire careers out of writing moralistic denunciations of the ANC's strategies. One gathers from these texts that the revolution in South Africa would have been an altogether more satisfactory affair had it been conducted under the guidance of such scholars rather than left to mere amateurs like Oliver Tambo and Nelson Mandela. Proponents of the

betrayed-revolution idea thus surreptitiously set themselves up as the heroes or heroines of their own books and articles. They would not have supported the “compromises” the ANC made. The fact that those compromises avoided a civil war, which would have affected rather more seriously the people of South Africa than those on American campuses, does not seem to be regarded as important. This type of intervention is usefully understood in terms of Max Weber’s distinction between an ethics of responsibility, in which the immediate results of a political action are taken into account, and an ethics of ultimate ends, in which these immediate consequences are ignored in the name of a purportedly higher goal.¹ If Nelson Mandela’s leadership of the South African transition represents the politics of responsibility at its best, the ideas of such critics represent the ethic of ultimate ends at its worst.

Both these dramas in the theater of morality have produced a scholarship on present-day South Africa that is overwhelmingly preoccupied with continuities with the past. Much of the influential scholarship on the country emanating from the United States simply does not recognize any of the dramatic and dynamic cultural, social, and political developments in the country. Obsessed with continuity, scholars cannot recognize the emergence of anything new.

Essentially, then, I would suggest that the politics of the boycott engendered a situation where academics approached the South African question primarily as moralists. In doing so, they largely abandoned the contribution they could have made as intellectuals to the creation of South African democracy. To this day, it damages their ability to engage with the country.

Conclusion

Let me conclude on an unfashionably Enlightenment note. In an essay titled “Perpetual Peace,” Immanuel Kant wrote the following lines, which would seem to me to have some relevance to the matter at hand:

Cosmopolitan right shall be limited to the conditions of universal hospitality. Our concern here is not with philanthropy but with right, and in this context *hospitality* . . . means the right of an alien not to be treated as an enemy upon his arrival in

another’s country. . . . The right to visit, to associate, belongs to all men by their common ownership of the earth’s surface; for since the earth is a globe, they cannot scatter themselves infinitely, but must finally tolerate living in close proximity, because originally no man had a greater right to any region of the earth than anyone else. . . .

Because a (narrow or wider) community widely prevails among the Earth’s people, a transgression of rights in one place in the world is felt everywhere; consequently the idea of cosmopolitan right is not fantastic and exaggerated, but rather an amendment to the unwritten code of the national and international rights, necessary to the public rights in general.²

Like many an odd line of Kant, these contain material enough for a year or two’s cogitation and discussion. They could certainly be fairly invoked in critiques of apartheid and in support of action to support the victims of its injustice (indeed, I do not quote here Kant’s ringing denunciation of colonialism in general on the very same pages). But, in considering the academic boycott, Kant’s words must provoke us to think about whether the abandonment of that cosmopolitan right of hospitality in one place on the globe can be a useful contribution to overcoming the transgression of rights in another.

If we do believe that scholarship is more than a job, that ideas do make a difference in human affairs, that the clash of ideas is essential to change, then it is difficult for me to understand how stemming the flow of people and ideas assists us toward a better world. The great achievement of South Africa’s present is surely that it is an attempt at sharing the earth, to which nobody has a greater right than another. My experience of the South African boycott makes me doubt whether a refusal of academic hospitality is a means to bring about the conditions for that kind of sharing. ☞

Notes

1. Max Weber, “Politics as a Vocation,” in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills, 77–128 (London: Routledge, 1991).

2. Immanuel Kant, *Perpetual Peace and Other Essays*, trans. Ted Humphrey, 118–19 (Indianapolis, Ind.: Hackett, 1983).

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son whose general freedom and specific academic freedom were once denied, as one who received succor from international solidarity and eventually benefited from the isolation of and defeat of the ancien régime, as a former chairperson of South Africa’s Freedom of Expression Institute, and as an academic colleague who values

interactions with his peers throughout the world—leads me to support an academic boycott of Israeli institutions.

Academics and Society

In the struggle against the apartheid state, conceptions about any arena of social practice were inextricable from wider conceptions of social justice and encompassed not only political freedom. These wider considerations constituted the framework on which both ethical and strategic judgments were made and practical choices decided. This was true in relation to the isolation of South Africa from the international sporting arena, in relation to the divestment campaign, in relation to the resolutions of the United Nations relative to apartheid, and, indeed, in relation to the issue of academic boycotts.

In each of these, the primary consideration was the pursuit of a set of actions that would bring censure and condemnation of the violence of the apartheid regime through international cooperation in support of the resistance struggles waged internally by the people of South Africa. These practices recognized not only the indivisibility of civil, political, and economic freedoms but also the interrelatedness (through the divestment campaign) of the violence of apartheid and the very forms of exploitation on which the whole of apartheid's political edifice was constructed. Political, social, and economic issues were regarded as inseparable and were seen as mutually foundational to the idea of resistance and the practices—boycotts included—it shaped.

The academic boycott was never regarded as a privileged strategy, nor were academics regarded as an exceptional category. The reasons for this were simple. First, the strategies adopted by the liberation struggle placed onerous conditions on millions of individuals and many institutions in society, some more than others. Particularly for workers and the poor, the sacrifices they were asked to make exceeded those of other social classes, and in some cases it meant not only the loss of jobs, family, and health but also direct physical confrontation with a brutish state. Second, academic boycotts were supported by the majority of those academics who understood their role to be engaged and socially committed intellectuals.¹ Academics so engaged did not regard themselves as privileged when it came to making sacrifices, even though their sacrifices were, relative to those of others, less onerous and demanding. Third, we simply did not regard intellectual work as outside of accountability. Finally, the call for an academic boycott was considered a legitimate and necessary extension of the freedom struggle into other arenas of social and political engagement and practice.

The “objective test” by which the issue of an academic boycott, or any other such strategy, must be eval-

uated can only arise from a consideration of the conditions of each case. That is, it is determined contextually, not a priori or ahistorically. Academic freedom in the conditions of civil war, violent occupation, genocide, or conquest and subjugation must surely bear some reference to these very conditions for the criteria of its determination. Failure to recognize this will mean that the very concept of freedom more generally, and academic freedom in particular, becomes both meaningless and bereft of any practical possibilities.

Morality and Ethics

At the outset, the AAUP authors state that their report was written in response to the British Association of University Teachers' initial announcement favoring an academic boycott as a response to a Palestinian call. The Palestinians had grounded this call on “the spirit of international solidarity, moral consistency and resistance to injustice and oppression.” This moral ground is negated by the AAUP for the sake of “preserving and advancing the free exchange of ideas” and “the search for truth and its free expression.” That all moral debate within the academy should be viewed only through this categorical imperative and the singular principle of “academic freedom” is, philosophically and ethically, a dubious position. It is also certainly a politically dangerous position to take, for it does not take the situational, teleological, or ethical positions into consideration.

Given the fact that Palestinians are continuing to suffer occupation, colonization, and physical apartheid (and even a wall that not only “secures” the Israeli state but also imprisons the people of Palestine), their situation seems very close to that of South Africans under apartheid. But the notion of academic freedom in the AAUP report does not allow us to critically question the foundation, formation, existence, and oppressive character of the state of Israel. So while the AAUP may be correct in theory to distinguish between the “free exchange of ideas” and “government policies,” the distinction doesn't hold in concrete situations. Consider the view of Arthur Goldreich, a founder of the architecture department of Jerusalem's Bezalel Academy who in the 1940s was a fighter with Israel's Palmach and in the early sixties a member of the African National Congress's armed wing: “I watched Jerusalem with horror and great doubt and fear for the future. There were those who said what's happening is architecture, not politics. You can't talk about planning as an abstraction. It's called establishing facts on the ground.”² Goldreich was expressing dismay at the way architecture and planning evolved as tools for illegal territorial expansion.

The Palestinians are not asking for a boycott to defend their own transcendent academic freedoms against state intervention or policies but in order to prevent the state of Israel from using its own academies as tools of state propaganda in a symbolic offensive against Palestinian rights. This is important because in this context symbolic resources are to this struggle what economic-material struggles are to other conflicts. And if this is the case, then a type of boycott that is “symbolic,” to use the AAUP’s characterization, is completely analogous to an economic boycott in other circumstances, which the AAUP has less difficulty with and tacitly endorses in the case of labor conflicts within the academy.

I would also argue that a boycott is a tactic in the struggle for free speech by a representative majority of Palestinian academics who are attempting to get a larger public hearing for the issue of how the “common good” can best be realized. By this means, other issues about free speech in the academy will come to be addressed, such as the role of state sponsorship of certain types of academic research and publication and the tactics various affiliates of the Israeli state use to suppress the free speech of academics around the world.

The AAUP’s report also directly suggests that academics are incapable of exercising the right moral judgment to produce an “objective test for determining what constitutes an extraordinary situation.” This is stated in such a way that the answer is already embedded in the question itself, for the document says, “there surely is not.” This undermines academics, who are shown in the document to be incompetent or unable to produce such an objective test while people are being killed, atrocities are being committed, and violations of all nature of human rights are taking place. What, given international law and universal human rights conventions and declarations, are we to make of the following statement in the AAUP’s document: “what *some* see as the Israeli occupation’s denial of rights to the Palestinians”? (Emphasis added.)

While this document accepts the fact that different strategies, including boycotts, are needed in some circumstances—and quotes Nelson Mandela on this—it denies any role for boycott except for economic boycotts, thus negating the very quotation it uses to make its argument. The AAUP argument is an attack on the moral demand for an academic boycott, seeing it as bad tactics. When, in places, the document does take the moral demand more seriously, it is entwined so obtusely with economic argumentation that it ends up reducing all nuances, which is of necessity an academic task, and fudges them in a shallow way.

Finally, a large weakness in this document is an enormous confusion over the issue of tactics and principles, or means and ends. Conveniently, other people’s

positions are classified as poor tactics, while the AAUP position is defined as more principled, and its own tactics are very quickly converted into principles.

Academic Freedom under Apartheid and in Palestine

The university in South Africa played a critical role in reproducing the structural inequalities and injustices that were found in that society. Universities in South Africa—including the “liberal” ones—were closely linked to the state: they received much of their funding from the state; they provided the “scientific,” commercial, and intellectual bases for the state to continue functioning; and they were the prime knowledge producers for the state and its bureaucracy. Moreover, a large number of academics were directly linked to the state, furthered the apartheid agenda at universities, conducted research on specific issues as the state required, and even spied on other academics and students. It was such research that provided the “Christian” theological justification for racism. It also provided some of the basis for the security forces’ military operations against neighboring countries and liberation movements. But of course, there was resistance to this, and the university was, as we called it, an important “site of struggle.”

The Israeli university is not that much different from what the South African one was. Israeli universities and a number of individual Israeli academics play key roles in providing the intellectual support for the Israeli state and its endeavors. Certain Israeli universities have very strong links to the military establishment, particularly through their provision of postgraduate degrees to the military. A number of Israeli academics provide the practical and ideological support necessary for the maintenance of the occupation and even for the ethnic cleansing of Palestinians, extrajudicial killings, racial segregation, and land expropriation. Consider the homicidal rant of one Arnon Soffer, who has spent years advising the Israeli government on the “demographic threat” posed by the Arabs: “When 2.5 million people live in a closed-off Gaza, it’s going to be a human catastrophe. Those people will become even bigger animals than they are today. . . . So, if we want to remain alive, we will have to kill and kill and kill. All day, every day.”³

In the main, Israeli institutions of higher learning, according to the testimonies of a number of Israeli academics, certainly are not consistent with the principle that “[i]nstitutions of higher education are conducted for the common good . . . [which] depends on the free search for truth and its free exposition.”⁴ The “common good”—whether “common” includes only Israelis or both Israelis and Palestinians—is not served when universities and individual academics support racism, ethnic cleansing, and the continued violation of

international law. Can we ask colleges and universities to be “institutions committed to the search for truth and its free expression” when they willingly support a state and military complex that promotes discrimination among their student bodies and when they have no regard for their fellow academics (Palestinian and dissenting Israeli academics) whose academic freedom is trampled and denied at every turn by the patrons of these colleges and universities? Avraham Oz, in his comments on a May 2005 conference titled “The Demographic Problem and the Demographic Policy of Israel,” held at the University of Haifa, points out that it was not just an individual academic that lent “credibility to this conference which promoted ethnic cleansing”; the guest of honor was the rector of the university, Yossi Ben-Artzi.⁵

When the South African liberation movements called for academic boycotts against South African institutions and academics, the institutions that were targeted included the academic bastions of apartheid (such as the University of Stellenbosch and the University of Potchefstroom), the liberal white universities (such as the University of the Witwatersrand and the University of Cape Town), as well as the black ghetto universities (such as the University of Durban-Westville and the University of the Western Cape). The “victims” in this case included white and black academics, liberals and racists, those who supported apartheid and those who supported the antiapartheid struggle. The South African experience highlights a comment in Committee A’s statement, that an academic boycott “inevitably involves a refusal to engage in academic discourse with teachers and researchers, not all of whom are complicit in the policies which are being protested.” South Africans understood this very well when we called for such boycotts against our country.

Further, the assertion that an academic boycott against Israeli institutions will compromise academic freedom needs, of necessity, to be followed by the questions: Whose academic freedom? and Who benefits from this “academic freedom”?

In the South African context, we understood that sanctions and boycotts were targeted against the state and various institutions within broader South African society—businesses, institutions of higher learning, sporting institutions, and so on—so that black people, primarily, might be liberated from the shackles, injustices, and humiliations we faced. It is true, as Ronnie Kasrils, the South African minister of intelligence, argued, that ultimately it was both black and white South Africans who were liberated.⁶ However, the international community recognized and acknowledged the oppression of black people and the need for their liberation.

In the Israeli-Palestinian context, we should be asking whose academic freedom and whose human rights it is

that we want to protect. It is Palestinians who are living under occupation. It is Palestinians within Israel who are being discriminated against on the basis of their ethnicity. Ultimately, as Kasrils and Victoria Brittain argued in the *Guardian*, both Palestinians and Israelis will be liberated.⁷

If we are to ask “whose academic freedom,” then we are forced to consider what academic freedom actually exists for Palestinians. Is the academic freedom of a professor in Birzeit University equal to that of a professor at Haifa University, when the former is under occupation by a government that is supported by the latter?

Palestinian academics daily run a gauntlet of soldiers, checkpoints, roadblocks, and the threat of arrest, detention, and death in order to be able to get to their institutions to perform basic tasks like teaching and researching. They often teach classes that are sparsely populated, usually because students could not get through the checkpoints. Students sometimes are trapped in their universities for days, unable to get home because of curfews and checkpoints.

And the basic rights of academics, as explained by the United Nations Educational, Scientific, and Cultural Organization (UNESCO), do not exist for Palestinian academics in the occupied Palestinian territories.⁸ UNESCO requires that higher-education teaching personnel “should be enabled throughout their careers to participate in international gatherings on higher education research, [and] to travel abroad without political restrictions.” For most Palestinian academics from the occupied territories, such opportunities are based on a range of factors that are out of their control and firmly in the control of the occupation authorities: whether they will be allowed to pass through checkpoints on their way to the border or airport, whether they will be allowed to leave the country, whether they will be required to hand over their papers to the occupation authorities for vetting before they are allowed to leave, whether they will be monitored at foreign institutions or conferences they might be traveling to, and whether they will be interrogated on their return about the content of their presentations.

UNESCO further requires that academics should be “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.” As discussed earlier, the freedom of Palestinian professors to teach is contingent on a number of factors related to the occupation. Their ability to conduct research is similarly contingent. There is not much freedom to do research or to disseminate research for an academic who is confined, for months at a time, in a canton of a few square miles and whose virtually every move is dictated by military occupation

authorities. Oren Ben-Dor, on the basis of this understanding of academic freedom, believes that an academic boycott “is a boycott intended to produce academic freedom.”⁹

The AAUP’s Committee A is correct that “boycotts are not in themselves matters of principle, but tactical weapons in political struggles.” Other tactical weapons include, for example, the armed struggle, which, according to the Fourth Geneva Conventions, Palestinians are entitled to use in their struggle against occupation. By calling for a regimen of boycotts, divestment, and sanctions, Palestinians are allowing us the opportunity to join in the struggle for justice in a nonviolent way. A range of South Africans and South African organizations have responded to the call positively. These include a number of black and white academics; the Congress of South African Trade Unions; many faith-based organizations, such as the South African Council of Churches; nongovernmental organizations; and politicians.

We should heed the plea of Ilan Pappé, an Israeli academic from Haifa University: “I appeal to you today to be part of a historical movement and moment that may bring an end to more than a century of colonisation, occupation and dispossession of Palestinians. I appeal to you as an Israeli Jew, who for years wished, and looked, for other ways to bring an end to the evil perpetrated against the Palestinians in the occupied territories, inside Israel and in the refugee camps.”¹⁰

Finally, a respected South African academic, Jacklyn Cock, shared this sentiment with me: “[The academic boycott] definitely had an impact on white academics. . . . [Y]ou could quote Raymond Hoffenberg, senior lecturer in medicine at the University of Cape Town before he was banned, who told me that the boycott ‘made many white medical academics rethink the scientific and intellectual cost of apartheid.’ I think opposition to academic boycotts tends to privilege the university as an ivory tower

that is divorced from its social context, and in the South African case, the notion of isolating the regime was a very significant nonviolent action.”¹¹ ☞

Notes

1. See, for example, Neville Alexander, “Academic Boycotts: Some Reflections on the South African Case,” *Perspectives on the Professions* 15 (fall 1995): 3. However, Alexander’s anxiety referred to the importance of how best to implement the academic boycott without making it a “blunt instrument” and to a consideration of its effects. He did not advocate the dismissal of the academic boycott itself.
2. Chris McGreal, “Worlds Apart,” *Guardian*, June 2, 2006.
3. “It’s the Demography, Stupid,” *Jerusalem Post*, May 21, 2004, *Upfront* supplement.
4. “1940 Statement of Principles on Academic Freedom and Tenure,” AAUP, *Policy Documents and Reports*, 9th ed. (Washington, D.C., 2001), 3–10, as quoted in “On Academic Boycotts.”
5. Avraham Oz, “Haifa University and the ‘Demographic Problem,’” *LabourNet UK*, <http://www.labournet.net/world/0505/haifa1.html>.
6. Ronnie Kasrils and Victoria Brittain, “Both Palestinians and Israelis Will Benefit from a Boycott,” *Guardian*, May 25, 2005.
7. *Ibid.*
8. UNESCO, “Recommendations Concerning the Status of Higher-Education Teaching Personnel,” General Conference Resolution (29 C/res. 11), November 11, 1997, quoted in AAUP, “On Academic Boycotts.”
9. Oren Ben-Dor, “The Boycott Should Continue: A Fight to Foster Real Academic Freedom in Israel Should Unite Academics All Over the World,” *Independent*, May 30, 2005.
10. Ilan Pappé, “To Boldly Go,” *Guardian*, April 20, 2005.
11. E-mail correspondence between the author and Jacklyn Cock, January 11, 2006.

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The AAUP’s position is unequivocal in its view of universities as arenas in which there is—or ought to be—free pursuit and exchange of ideas. This is an attractive vision and one that many academics the world over have fought to defend. But this vision is utopian. In reality, institutions of higher education do not stand outside the relations of power in society. They are implicated in defending, elaborating, and applying technologies of power and in training the elites who use that power. Although destructive uses of the natural and physical sci-

ences—for example, the development of efficient mechanisms for killing—are acknowledged, social scientists are also implicated—for example, in developing anthropological and philosophical arguments for the supposed racial inferiority of colonized peoples. Of course, universities are also crucial sites of resistance to such forms of power and are among the arenas in which alternative philosophies and visions flourish.

Academic Freedom

Academic freedom is an important right and one worth struggling for. The degree to which it exists in any society is often a barometer of the extent to which other freedoms are allowed to thrive. Advancing the space for free

thought within universities can be an important mechanism through which the space for free expression can be widened in society as a whole. Under apartheid, white liberal university administrations (themselves pressured by students and faculty) sought university autonomy. In the process, these universities became spaces in which antiapartheid activists were relatively more able to organize and mobilize. Ultimately, however, the dependence of these universities on state funding limited the extent to which even the liberal universities were able to allow open access to all.

In societies deeply divided by conflict, such as South Africa during the era of apartheid, the idea of universities as open and autonomous is very difficult to sustain. Academic freedom cannot be sustained in a deeply unfree society where other freedoms are not recognized; moreover, elevating it above other rights and freedoms could be seen as an elitist luxury. We need to consider what ends we are serving in defending this ideal at all costs under conditions of repression. To be sure, more academic freedom is always better than less, as the AAUP report argues. But placing this goal above all others may have unintended consequences. In South Africa, the apartheid state insisted that there was academic freedom for black people in the “black” universities. It pointed to “separate but equal” facilities for black students and argued that the state operated within the framework of the law. This was patently false, of course, and academic boycotts (and, to a much greater extent, sports boycotts) were very important weapons in exposing the falsehood of these claims.

The report overstates, in my view, the impact of academic boycotts on academic freedom. It fails to recognize the possibility of building a stronger, justice-oriented discourse on the Israel-Palestine issue—one that would indeed benefit from the engagement of intellectuals concerned with freedom. The unqualified defense of academic freedom, and the rejection of any tactic that might be understood as curtailing the full expression of this freedom, in effect removes the possibility of collective action by the academic profession in contexts where other freedoms are violated on a daily basis.

Boycotts as Political Weapons

The idea that boycotts are a tactic and not a principle is one that potentially opens up the debate. Unfortunately, the AAUP report almost immediately makes a distinction between academic and other forms of boycott, arguing that academic boycotts can under no circumstances be viable. This would seem to place academic boycotts outside the tactical and back in the principled realm, since the AAUP “resist[s] the argument that extraordinary circumstances are the basis for limiting our fundamental commitment to the free exchange of ideas and their free

expression.” In effect, this opposition to academic boycotts is an extension of the first argument for academic freedom, rather than a second category of argument. (As an aside, the quotation from Nelson Mandela is somewhat disingenuous—before 1990, the ANC, including Mandela, supported economic sanctions and a complete cultural and academic boycott.)

Reading the academic boycott as a political tactic introduces a set of considerations not adequately addressed in the report: what does this tactic seek to achieve, within what array of tactics is it based, and how effective is it likely to be? In making these judgments, careful attention needs to be paid to the debates and voices from within the society in which change is being sought. This is not because the voices “from below” or “from within” are necessarily always correct but because they have the best strategic understanding of the costs and benefits of different tactics. There are indeed strong voices within Israel calling for an academic boycott, and they are supported by a large cohort of Palestinian academics in the region and in exile. Similarly, in South Africa the call for a boycott was strongly supported by major academic staff associations. Although liberals did oppose the academic boycott, by the late 1980s, they were very much in the minority, in large part because the notion of academic autonomy could not be sustained.

As I understand it, the call for a selective academic boycott seeks to isolate the Israeli state as part of a strategy of sanctions and divestment. It is a nonviolent strategy and, on these grounds, has considerable merit in a situation in which violence on both sides has escalated to frightening proportions. Any strategy that offers alternatives to suicide bombings and targeted assassinations needs at the very least to be taken very seriously. How effective would it be? This would depend on a number of factors, including whether or not Israeli academics as individuals and especially as members of their professional associations are moved to examine the nature of their relationship to the state and its policies. Also important is whether there is sufficient international solidarity for a boycott to effectively pressure Israeli academic institutions. It is noteworthy that, in the absence of an academic boycott, no Israeli university administration or professional association has protested against the treatment of Palestinian academics and students. Ultimately, the effectiveness of a boycott depends on whether the Israeli state itself feels pressure and thus engages more actively in advancing a political solution. Whether or not this is likely to happen requires a deeper knowledge of the Israeli situation than I have. These are issues to be engaged, not to be pushed off the table by a principled, liberal-absolutist opposition to academic boycotts.

The references to South Africa in many of the statements for and against the boycott invite some comment

from the South African academics participating. Was the boycott successful in South Africa? Of course, there were some costs. Gatekeepers did emerge (but as frequently as not were challenged); some academics who actively opposed apartheid had invitations to international conferences withdrawn; it was not always possible to target the supporters of the apartheid regime; and South African academics' understanding of global issues was certainly weakened. It is in the nature of such weapons that they are double-edged. But, as part of a battery of sanctions, the academic boycott undoubtedly had an impact on both the apartheid state and on white academics and university administrations. The boycott, together with the more successful sports boycott and economic divestment campaigns, helped to strengthen the struggle of black people for justice. The Afrikaner elite, very proud of its European roots and of the legacy

of Jan Smuts as a global representative in the postwar system, and convinced that there would be support for its policies abroad, was rudely shaken. University administrations could no longer hide behind an excuse of neutrality but had to issue statements on their opposition to apartheid and introduce programs of redress. Academic associations (some more than others) examined the nature and conditions of research in their disciplines, and faculty unions became part of broader struggles for justice rather than bodies protecting narrow professional interests. Universities became sites of intense debate, and, indeed, intellectuals became critically involved in debates about the nature of current and future South African societies. In the wake of the boycott, there was not a curtailment of academic freedom, then, but a flourishing of intellectual thought that was rich, varied, and exciting. 📖

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OBSERVATORY

The AAUP report on academic boycotts is a good defense of academic freedom that keeps the individual at the center—as if freedom were some kind of personal treasure to cultivate along with one’s own talents and desires, a door to be kept open in all circumstances to the many possibilities one can use to move as he or she wishes, be it in physical, social, or ethical terms. Once this individualistic premise is agreed upon, everything follows—even the lack of criteria to consider Hitler as evil or at least unfortunate. The debates on Vietnam in the 1970s or on South Africa in the 1980s become exceptions that are difficult to explain.

Such a stand, at a time of social, physical, and intellectual horrors, can only be sustained if academics enjoy a protective device—the university—that keeps politics away to allow for neutral scientific opinions and safe judgment, or should I say judgment in academic safety. Academia then seems to respond to the world outside rather than to be responsible for the world it is part of. If the AAUP is an organization bringing together individuals, such a position makes sense when it supports the liberty of members to explore the known and the unknown. It makes all the more sense that it is grounded in a long American history of personal dissent vis-à-vis powers of class and privilege.

In 1998, Slobodan Milosevic, then president of Yugoslavia (in fact Serbia and Montenegro), decided to break potential dissent in the university world by requiring an oath of allegiance from all professors and by imposing rectors of his own choice. Since the 1960s, the universities of Yugoslavia had been members of the Association of European Universities (CRE), in which they had played an important role by keeping alive some links between the universities from western and eastern Europe, a role they lost after 1989 and the fall of the Berlin wall. All universities of Serbia and Montenegro were faithful members of the CRE and regular participants in its semiannual meetings. The reaction, however, was immediate in 1998: the Yugoslav universities’ membership was suspended because they had lost their autonomy (in CRE terms), and other members were invited to cut official links with them.

Professors ousted from the classroom for refusing to sign the oath went out to teach their students in the open, on the streets of Belgrade, Nis, or Novi Sad. The police and the army intervened, inducing dismissed teachers to set up the Alternative Academic Education Network (AAEN), a nongovernmental organization that organized clandestine teaching for the next few years. AAEN received support from European partners discreetly encouraged

by the CRE, which had established a fund to support democratic activities and to keep open the potential for dialogue between Serbian-speaking universities and the Albanian-speaking institution in Pristina. AAEN still exists today as an important part of Serbian civil society, and an Albanian-speaking university has taken over the old University of Pristina, which was created as a bilingual institution in the 1960s before the Albanian-speaking group was expelled in the 1990s, leaving a Serbian-speaking university thriving next to a semiclandestine Albanian-speaking network of higher education.

Although the term “boycott” was never used, the CRE organized an academic boycott: Serbian university representatives were no longer welcome in European gatherings, dues were no longer collected from Serbian institutions, and other CRE members were invited to forget the cooperation agreements signed in earlier days. Moreover, the CRE encouraged the people fighting against their “authorities.” If the AAUP is an association of individuals, the CRE was an association of universities or collectives. Politically ravaged universities had to be ostracized, but individual staff and students refusing the breach of autonomy could be helped. The club of the universities of Europe felt that excluding the black sheep did not contravene sacred university privileges—rather to the contrary.

Can lessons be drawn from this example? Here are some paths for exploring differences between the collective and individualistic approaches to autonomy and academic freedom.

Etymological Detours

The word *association* (of university professors or of European universities) is built around the Latin term *socius*, sometimes equated to *companion*, the prime member of medieval trade guilds. An association is an agreed-upon togetherness, where the consensus on specific aims makes the group more than the sum of its members. The association has an added value going beyond a simple collective. When this added value is forgotten, disparaged, or betrayed by a member, the association usually has ways to exclude the defaulter.

Societies tend to accept variations of behavior, up to a certain point at least, before excluding. In fact, these social relations are relative to the group’s organization and fears (anguish for survival) as well as to earlier models of collective development (the history of the group). Can such a group impose behavior—and on what grounds—or must the person differ at the risk of exclusion when claiming other references than those of the community? When do dissenting values take precedence over those of the community? When is the university the community we want to uphold? When is it wiser to separate oneself from it, especially when universities are called on to bring a diversity of contradictions under an

overarching unity that does not suppress variety but gives it common sense? Vaclav Havel, in 1995, challenged European leaders of higher education to live up to the meaning of *universitas*—when understood as “turning to the one,” in Latin, *ad unum vertere*—by helping society to make sense of the meaning of its place in the universe and its people to understand the sense of their existence, thus extending their margin of life choices, that is, their freedom and responsibility.

Academic Freedom Versus Institutional Autonomy

When is the assertion of academic freedom a flight from responsibility? Or could one say that academic freedom has not much to do with institutional autonomy, the latter implying some kind of political involvement while the former suggests that teachers as individuals, and persons, should pursue their scientific and intellectual activities the way they want with whom they wish, in and around their institution?

Here the question is the link between the individual teacher and the institution to which he or she belongs. Can the staff be entirely free from its university, and how does the relationship between the institution and its members influence personal responsibility? Going back to the Serbian example of 1998, the people who suffered from the boycott were first the people responsible for the institution as such, the new rector, vice-rectors, and other official representatives. No judgment was being passed on their intellectual capacity as teachers. As academic leaders, however, they contradicted the rules implicit in the university as an international community—if they behaved as requested by the authorities. Their “academic” socialization no longer fitted with the norms usually applied in European institutions of higher education insofar as they would be expected to keep some distance from the powers that be. And in Europe, this distance is often much smaller than in North America, because most continental universities are state institutions whose professors are civil servants expected to deliver a public service to all layers of society. Salaries, curricula, and employment are heavily influenced by ministerial standards. Academic freedom covers mainly the content and the mode of courses (the teacher-student relationship) and the choice of the fields of investigation and scholarship that make up the research activities of the members of staff, even if such fields and scholarship are well framed by specific demands and supported by special funding from the public authorities at the national and the European level.

The tradition of autonomous governance, as reflected by election processes, is all the more important in this rather constrained environment. Perhaps this explains why the reaction was strong when the Yugoslav government interfered heavily in the rectors’ appointment.

Anyway, the institutions as such were the target of ostracism, not the individuals—although the latter bore its consequences insofar as they adopted a position of servility that put at risk the quality of the university’s intellectual references. The new academic leaders of Serbia were asking the rest of the academic community, in Europe and beyond, for continued international recognition of and respect for their capacity to be heard as responsible university leaders. The CRE said no to this implicit request. However, as persons interested in ideas and pedagogy, the same individuals, if they shed their political roles, could be helped and supported in the defense and improvement of their teaching abilities, which is after all the core social function of the university.

After the fall of Milosevic, the AAEN, whose members had been excluded, came to power and resocialized the institution according to the shared values and principles of the academic community at large. That is why nobody considered it irrelevant that Sbrjanka Turaljic—a Belgrade professor of informatics who had been ousted from the university for refusing to sign the oath of allegiance and who then took the risk of launching clandestine academic work through AAEN—became the vice minister for higher education. It was she who proposed a new law to modernize the university system in Serbia and Montenegro. Political action like this, on behalf of academia over academics, is no exception in Europe, because it can justify the autonomy of the institution.

However, the role of administrators differs from that of faculty in relation to academic freedom. Indeed, in most cases, administrators put their scholarship aside. The tension between the administrative and scholarly roles should be workable, in theory at least; practically, it proves so difficult that people often have to choose, thus becoming, at least in Anglo-Saxon countries, professional university managers. To bridge such an opposition, the institution, which should be more than the sum of its members, has an identity and a profile of its own, hence a policy that frames its members’ activities: not everything is possible simply because Professor X considers it as part of his or her own prerogatives!

The AAUP Report

The drafters of the AAUP report look at academic boycotts from a different perspective, indeed, as they do not relate institutional autonomy to academic freedom or the political engagement of the university (its capacity for consent), nor to the university’s capacity for innovation (based on dissent, at least in the best circumstances). Do academics, in their daily lives, refer to the values of the “one,” the common goal that justifies their intellectual pursuit? Or do they simply respond to outside requests—in terms of helping to develop wealth, increase security, and foster good neighborhoods, thus respecting

the “political” dimension of their institutions? If the latter, why would they consider it impossible to judge in political terms—that is, by taking sides—what others are doing, at least at that level of activities? One could consider that refusal to enter judgment in order to protect academic freedom equals the ostrich hiding its head in the sand to avoid seeing imminent danger; when they do not take responsibility, academics have little weight in the organization of a society—national or international—and do not serve the social prestige of the university they want to defend. This is all the more paradoxical because universities claim a universality of purpose based on the universality of scientific rationality. Why would they then restrict their capacity for reasoning to the apolitical part of reality only?

As the fathers of the U.S. nation said in 1776, or the French Declaration of the Rights of Man noted in 1789, all men are equal, and that equality justifies and founds the freedom and responsibility of people in society, the liberty of one person stopping at the liberty of the other. No freedom is absolute. As long as universities are a part—and one part only—of society, relative freedom will frame their responsibilities. Indeed, no one is asking them to account for everything under the sun, simply for what they are supposed to achieve in society: training people, qualifying them, giving them a sense of the purpose of their living, that is, offering meaning that can be shared by all as well as paths of convergence so that knowledge is one in its multiplicity. And that is an enormous task already, although it is limited. But it is also a political one insofar as it structures the community to which mankind belongs. I am certainly not against “the

search for truth and its free expression,” but I fear that this quest is the tree that often hides the forest.

The best path for academics’ freedom of expression is to allow dissent not only to appear, but also to be sustained so that the unknown is further explored. Otherwise, institutions might simply live in consent, that is, do what they are told in the most efficient way. They could then prosper, although at the risk of closing in on themselves, becoming perhaps comfortable havens of insignificance, both in terms of knowledge and society. To nurture a core of dissent is thus a “political” choice—that of openness, be it social, intellectual, or political. Allowing for the unexpected is the test of the game—and also the stand from which judgment can be passed on what others are doing in the wider community of knowledge. And if, by putting values of immediacy and survival over principles of truth that keep the future open, they happen to cut forcefully the “flow of the unexpected,” a process of exclusion of the world community of academic belonging could be envisaged—or so it seems to somebody coming from Europe, where the university is part of the polis, a place of citizenship *and* a platform for long-term visions of the “one” as a potential for change, a true although rarely recognized service to society.

The university is *in* and *of* society. This represents the tension of dissent (in) and consent (of) that needs to be constantly kept if the institution and its members are to move ahead in a polarized world that calls for judgments respecting man and the university as a focus for universality, especially when the institution and its individual members meet their ethical obligation:

Ad unum vertere! ☞

ANAT BILETZKI, PROFESSOR OF
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I am Israeli. I work in an Israeli university. When the Palestinian Campaign for the Academic and Cultural Boycott of Israel’s call for boycott came out, formulated by my friends in Palestine, I was struck by the irony of the fact that they and I, having worked together in the past on bringing an end to the Israeli occupation of Palestine, were now split on this most central issue—split both in principle and in praxis.

Let me first try to state my position on academic boycotts in particular and on economic sanctions in general. In principle, anything that can be done to promote the demise of evil and to defeat any form of injustice is commendable. Still, the proverbial ends justifying the means is not to be countenanced: whatever is done must, in principle, not propagate more harm or more injustice. Acade-

mic freedom, while perhaps not sacrosanct, is high up on the ladder of priorities that must guide us in assessing the harm done by academic boycott. On the other hand, economic sanctions, in general, do not automatically offend our values concerning those harmed by such sanctions (though there is a point to be made about the helpless victims fired from a plant that is closed due to sanctions, not to mention the obviously innocent victims harmed by sanctions against poor countries, such as Iraq or Cuba). However, given Israel’s well-being—in terms of power, economy, international support, and so on—general economic sanctions would, if adopted widely, be a just and effective measure for pressuring it to cease the occupation of Palestine. This does not, however, carry through to the question of academic boycott, which, in turn, would not on its own be either just or effective. Baruch Kimmerling of Hebrew University has said, “I can understand and even support an academic boycott in the framework of a total

and global economic, political, and cultural boycott till Israel will withdraw to the 1967 lines.”¹ This does not entail support for an academic boycott on its own, and indeed, given the principles expounded in the AAUP report to which I truly ascribe, one might claim that an academic boycott even within a framework of total sanctions is wrong in principle.

In essence and in almost every detail, I can endorse, from my local Israeli perspective, the AAUP report.² More so, the analogy with South Africa—including the gradation of opinion about academic boycott there—is precisely in tune with the discussion on Israel-Palestine. Let me add, however, that beyond the analytical and principled discussion that emphasizes the parallels between Israel-Palestine and South Africa, there are two differences between these cases. First, notwithstanding the self-congratulatory claim that the global sanctions on South Africa were the catalyst to the end of apartheid, local activists consistently make the point that those sanctions were pertinent and effective only in connection with other elements of the campaign (such as armed struggle). Second, and most important, the sanctions on South Africa could work because they were realizable as global sanctions. Strategically, rather than tactically, a mode of action is worth considering only if it can be implemented. It is my firm belief that the possibility of recruiting the whole world to sanction or boycott the state of Israel in the manner South Africa was boycotted is nonexistent. The reasons for this impossibility may be unsavory: the automatic charge of anti-Semitism, which is sure to be heard; the power of Jewish lobbies around the world; the mythology of Jewish victimhood; and so on. But the fact that these reasons are distasteful will not make a worldwide movement for sanctions against Israel any more likely.

The AAUP report points to the tactical weakness, even the danger, of academic boycotts. Here, again, in addition to my principled agreement with the report, I also would point to the local boycott of Israeli universities as one harboring a great weakness and an even greater danger. Clearly, there is an obvious injustice in collective punishment and, more specifically, in harming academics who are committed to the Palestinian cause (I always ask my Palestinian friends if they would wish a certain professor to be denied tenure because our American and British friends refuse to provide letters of recommendation). Furthermore, not only is there palpable evidence in Israel today that a boycott against academics—or intellectuals, artists, or other agents of culture—would not be taken to heart by the general populace, there is also a clear indication that the powers that be would use such a boycott to continue their single-minded dismantling of those areas of public life—academic, intellectual, artistic, and cultural—that they perceive as a threat to their agenda of occupation and its corollaries.

The AAUP report is cognizant of the “tension between a principled defense of academic freedom and the practical requirements for action.” But there is another, related tension to address here—that between a principled call for sanctions and the practical detriments of certain actions. This inner tension, which I referred to above as ironic, can best be described by the oft-abused concept of “dialogue.” In these dire times, when dialogue has become a construct that raises easy money (“students for dialogue,” “parents in dialogue,” “teachers by dialogue,” and so on), one can be apprehensive about being manipulated into a dialogue that is not equal or authentic. Worse, such a dialogue can easily be perceived as collaboration with the occupation. The call for an academic boycott seems to be suspicious of all dialogue. It behooves us to insist on academic dialogue as authentic dialogue—always geared toward putting an end to the occupation.

In a tone of apology, and proper disclosure, let me add that I look at the issue of academic boycott “from the ground.” Does “from the ground” belie a principled position? Does it demand a pragmatic stance to take the place of an ethical one? Do I, thereby, adopt a certain realpolitik over ideological consistency? Does this stance favor the political discussion over the one on human rights? Does one, in deciding on such a perspective, find oneself with strange bedfellows? Does a local perspective, voiced from a local ground, compromise the universal aspects of the discussion that I—always ideally—subscribe to? These are the questions that I have tried to relate to. They are questions that put us—as Israeli academics—in a paradoxical situation if we try to consistently fit actions to principles. More concretely, when asked by academic friends abroad if they should come to Israel when invited, I say yes; but lest you be viewed, by your visit, as supporting Israel and its occupation of Palestine, do not forget to make a public statement of your position.

On a positive note, then, we must, as academics, never forget our political agenda: the eradication of evil. And the Israeli occupation of Palestine is the epitome of evil. We must constantly, as academics, identify with Palestinian teachers and students in conditions of severe repression. We must constantly, as academics, criticize the acquiescence of others in Israel to the occupation. And we must constantly, as academics, call for condemnation of the occupation. ☞

Notes

1. Kimmerling’s comment comes from an April 30, 2005, discussion on the Listserv ALEF-Academic Left, <http://list.haifa.ac.il/mailman/private/alef/2005-April/003038.html>.

2. I was surprised, however, by the words “as a way of protesting against what some see as the Israeli occupation’s denial of rights to Palestinians”; why the qualification “what some see”? There is no denying the Israeli occupation’s denial of rights to Palestinians, though there may be argument as to its reasons or justifications.

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“Trenches made of ideas are stronger than trenches made of stone.”

—José Martí

Academic exchange has contributed to the easing of tensions and the resolution of intra- and interstate conflicts. In today’s complex, globalized, conflict-ridden world, it is imperative to recognize the positive contributions of this form of transnational collaboration.

The electoral victory of U.S. president George W. Bush in 2000 and the tragic events of September 11, 2001, marked the onset of increasingly alarming limitations on academic, scientific, and cultural exchange between Cuba and the United States. Well-established and prestigious programs of U.S. academic and cultural institutions encountered new licensing obstacles, while a precipitous decline occurred in U.S. State Department approvals of visas for Cuban academics and intellectuals invited to travel to the United States as part of ongoing exchange programs and activities.

Academic exchanges and scholarly collaboration between Cuba and the United States have been subject constantly to the unpredictable developments that have governed political relations between the two countries. Travel between Cuba and the United States has often been uncertain and almost always cumbersome; research opportunities have frequently been subject to bureaucratic obstacles and political vagaries. The U.S. government’s application of arbitrary visa procedures to Cuban scholars, travel restrictions, and frequent revisions of unilateral sanctions against Cuba have created problems of daunting proportions. In Cuba, the difficulties scholars have faced in obtaining access to research facilities and authorization to conduct field research on the island have at times acted to impede outside initiatives.

Institutional exchanges and scholarly collaboration have endured decades of adversity. That they continue speaks to the resilience of commitments to pursue projects of mutual interest. Collaboration has involved scholars and researchers representing the full breadth of the social sciences and humanities, as well as the natural sciences, medicine, the performing arts, and archival management. It has borne fruit in various forms, including joint publications, joint panels at scholarly meetings, the exchange of resources and research materials, and the general advancement of science in both countries.

Most important, scholars from both countries have learned much from each other.

On May 6, 2004, the U.S. Commission for Assistance to a Free Cuba presented its report to President Bush. The report was explicit in proclaiming its goal to “help the Cuban people bring about an expeditious end to the Castro dictatorship” through “a more proactive, integrated, and disciplined approach to undermine the survival strategies of the Castro regime and contribute to conditions that will help the Cuban people hasten the dictatorship’s end.”² Accompanied by increasing difficulties in raising the funds needed to realize the full potential of exchange programs, and culminating in the broad assault on travel recommended by the Commission for Assistance to a Free Cuba, Bush administration efforts to eliminate study-abroad programs and other academic, scientific, and cultural exchange have deeply affected relations between Cuban and U.S. institutions and scholars.

The Bush administration has restricted academic exchange in a number of ways.³ Although full-time professionals can still travel under the general authority to conduct research in Cuba, and graduate students can conduct research under a specific license, high-school students are no longer permitted to travel to Cuba. Two-year licenses that enabled universities to send students and faculty to Cuba were reduced to one year; specific licenses for study-abroad programs are authorized if programs are ten weeks or longer (shorter programs may be granted a license only if the program promotes the foreign policy interests of the United States); and students who travel must do so with their own university, eliminating consortia-sponsored travel and the work of study-abroad businesses.⁴ In addition, the regulations explicitly preclude interpreting attendance at a conference in Cuba as research activity. The policy of specifically licensing participation in workshops and clinics was eliminated.

Academic exchange has been severely affected. A December 2004 survey by NAFSA: Association of International Educators found that forty-five of the sixty-one institutions that responded had suspended their study-abroad programs in Cuba after August 2004 because they did not meet the minimum ten-week length. Two institutions canceled prospective programs for 2004–05, and three canceled semester programs because they enrolled students from other institutions. Four other responding universities were affected by the new regulations but declined to be identified in the results. Only one university, SUNY Buffalo, reported that its program continued.⁵

Cuban education administrators have also documented a dramatic decrease in academic exchange programs during the last two years. After increasing steadily

since the 1999–2000 academic year to a peak of more than 2,500 in 2002–03, student participation in U.S. study programs in Cuba declined sharply to fewer than 1,000 in 2004–05. Enrollment for the spring semester of 2005 was only 5 percent of that of spring 2004.⁶

By early 2004, it had also become evident that the Bush administration was restricting visas for Cuban visitors on political grounds. Some delays and denials were due to new security measures. In addition, the Bush administration explicitly resuscitated Presidential Proclamation 5377. Visa denials based on this proclamation fall under section 212(f) of the Immigration and Nationality Act of 1952, which authorizes the president to deny entry to “any class of aliens into the United States [that] would be detrimental to the interests of the United States.”⁷ That Section 212(f) was being officially used to deny Cubans entry to the United States was confirmed by the formal letter explaining the denial of visas to Cubans invited to the February 2004 Grammy Awards.⁸

In fall 2004, the Department of State denied visas to sixty-five Cuban scholars who had been accepted to participate in the International Congress of the Latin American Studies Association (LASA), scheduled for October 7–9, 2004, in Las Vegas, Nevada.⁹ The visa requests had been pending since May. The U.S. Interests Section in Havana informed the Cuban authorities of the denials on September 28. The visa denial in 2004 effectively prohibited all Cuban scholars from Cuba from participating in LASA for the first time since 1977.¹⁰

In explaining the decision, State Department spokesman Richard Boucher made clear that the visas had been denied “as a group” and on political grounds: “This was a group I think of sixty-seven Cuban officials,” he said, “who were intending to come to a conference . . . I think sixty-eight is the current number of dissidents that Cuba has thrown in jail and is persecuting in its jails, and we just felt it wasn’t appropriate for this many Cuban government officials, ‘academics,’ to come to a conference to spout the party line.” He continued, “Engagement and dialogue is not an end in itself. Engagement and dialogue is a means to achieve U.S. interest. . . . The primary purpose of denying these visas is . . . to bring the pressure on the Cuban government and on people who are employed by the Cuban government so that they understand that their treatment of people in Cuba has implications.”¹¹

The denial of visas to Cuban academics continued. According to one analysis, “between September 2004 and November 2005, only 53 percent of professors from the University of Havana received State Department authorization to travel to the United States” and “between January 2004 and June 2005, Cuba’s Ministry of Culture reported that only 18 percent of Cuban academics working in the arts and humanities received approval from the U.S. State Department to visit the United States.”¹²

Again, on February 23, 2006, it was made known officially that of the fifty-nine requests by Cuban academics and intellectuals for visas to attend the LASA congress on March 15–18 in San Juan, Puerto Rico, fifty-four had been denied on the basis of Section 212(f). Eventually, as in 2004, no visas would be granted. One State Department functionary told the *New York Times* in October 2004 that “Cuban academic institutions are state run, and the Cuban government tightly controls the activities of its academic researchers.” The Cuban scholars invited to attend the meeting received notice from the U.S. government that their visas were denied based on section 212(f) of the Immigration and Naturalization Act, meaning that allowing them to attend might have been “detrimental to the interests of the United States.”

Although implemented in the context of the global war against terrorism, the policy has not been justified on antiterrorism grounds. Instead, it is part of the United States’ increasingly strict sanctions against Cuba, a policy of the Cold War era that has failed for more than forty-five years to achieve its objective—the overthrow of the Cuban government. Ironically, the new restrictions on academic and educational exchange are being implemented in the name of promoting democracy. These developments raise serious questions about the effects of a foreign policy that would seem to isolate the United States, even as U.S. officials speak of the importance of winning the global “battle of ideas” against those who promote terrorism.

Many have expressed their opposition to Bush administration efforts to restrict and reduce academic and educational exchanges between Cuba and the United States. The recommendations of the U.S. Commission for Assistance to a Free Cuba, for example, have received criticisms from many fronts, including from Inter-American Dialogue, which brings together leaders from throughout the Americas to address hemispheric problems. In September 2004, the group published *An Open Letter to Secretary of State Colin Powell Regarding the Commission for Assistance to a Free Cuba*. Similarly, LASA was joined by the AAUP and other professional organizations in decrying the denial of visas for the 2004 LASA Congress. The Latin American Working Group, the Washington Office on Latin America, and the Freedom to Travel campaign organized a “Cuba action” day in April 2005. In April 2006, the Emergency Network of Cuban American Scholars and Artists for Change in U.S.-Cuba Policy was created to help bring about an end to a failed policy that defies all sound principles for conducting foreign affairs and to voice outrage at a policy that is inhumane, unjust, ill-conceived, hypocritical, and contrary to American ideals.

In addition, an Emergency Coalition to Defend Educational Travel has been created, sponsored by the Center for International Policy and the Institute of Shipboard

Education. In June 2006, the coalition sued the U.S. Treasury Department in an effort to force the Bush administration to rescind the rule changes made in 2004 that have choked off most academic travel to Cuba. The lawsuit, which is available at www.edcet.org, is challenging the restrictive rules on educational travel in several ways: it requests judicial review of administrative rule making and includes a Fifth Amendment due-process claim of “impermissible infringement on the right to travel” and a First Amendment challenge based on grounds of academic freedom.

In 2006, LASA declared that to ensure participation of all of its members, it would do everything possible to move its 2007 congress, scheduled for Boston, out of the United States. It subsequently held a referendum, which resulted in the relocation of the congress to Montreal.

It is important that all such voices continue to press U.S. policy makers on behalf of freedom of expression and the right to travel.¹³ Throughout the years of U.S. unilateral economic sanctions against Cuba, it has been scholars and scientists in the two countries who have sustained intellectual and academic relations. At this critical juncture, the two academic communities should join forces to think creatively about ways to maximize the opportunities that do exist for exchanges and collaborations under the current sanctions regulations. This could mean, for example, restructuring programs to meet the current criteria, increasing attention to long-term research projects, designing new publishing collaborations, or considering ways to triangulate activities through third countries. U.S. colleges and universities are already beginning to develop more semester-long programs in Cuba to meet the ten-week stipulation. What is absolutely fundamental is that academic institutions not give up their commitment to engage Cuba. Academic and educational exchanges between Cuba and the United States should be guided by internationally recognized norms of freedom of thought and expression and due respect for sovereignty, independence, and self-determination. Exchange programs should be conducted on the basis of mutual respect and benefit, and academic relations should not be employed as an instrument of foreign policy nor regulated for political or ideological ends.

Addendum

On July 10, as this paper was being prepared for publication, the U.S. Commission for Assistance to a Free Cuba issued a new report claiming the success of measures the U.S. government introduced in 2004 to bring about the end of the Castro regime, including restrictions on academic exchanges. The full report is available at <http://www.cafc.gov/documents/organization/68166.pdf>. In light of this report, it seems likely that restrictions on educational and academic exchanges between Cuba

and the United States will increase. It is therefore necessary to seek alternatives that will allow us to maintain and even expand these interactions. ☺

Notes

1. This is an edited summary that draws from the report of the “Rethinking Academic Exchange(s) between Cuba and the United States” working group project. Funded by the Ford Foundation between 2003 and 2006, the project’s objective was to explore and recommend alternatives that will allow us to maintain the relations between Cuban and U.S. academic communities that have developed over nearly thirty years. The members of the working group are Milagros Martínez, Senior Adviser, International Relations, University of Havana; Soraya Castro, Senior Researcher, Center for the Study of the United States, University of Havana; Carlos Alzugaray, Professor, Higher Institute of International Relations, Havana; Louis A. Pérez, Jr., J. Carlyle Sitterson Professor, History Department, University of North Carolina, Chapel Hill; Kimberly Stanton, Associate Director, Project Counselling Services; and Sheryl L. Lutjens, Professor, Political Science Department, and Director, Women’s Studies Program, Northern Arizona University.

2. Commission for Assistance to a Free Cuba, “Executive Summary,” *Report to the President* (Washington, D.C.: U.S. State Department, 2004), 7. The report is available at <http://www.state.gov/p/wha/rt/cuba/commission/2004>.

3. Ibid.

4. Ibid. The specific requirement that shorter programs may be approved if they promote the interests of the United States was eliminated in the final regulations, but nothing has been issued that contravenes the intent expressed in the commission report.

5. NAFSA: Association of International Educators, “Institutions Reporting Cuba Program Cancellations” (the results of a survey sent out to the Listserv SECUSS-L on December 5, 2004), http://www.nafsa.org/public_policy.sec/study_abroad_2/cuba_travel_restrictions/institutions_reporting.

6. Milagros Martínez Reinoso, Carmen Castillo Herrera, and Mayra Heydrich, “Los programas de semestre de los estudiantes norteamericanos en la Universidad de La Habana” (presentation at the XII Encuentro Mundial de Educación Comparada, Havana, October 2004).

7. On October 4, 1985, U.S. president Ronald Reagan issued Presidential Proclamation 5377, titled *Suspension of Entry as Nonimmigrants by Officers or Employees of the Government of Cuba or the Communist Party of Cuba*. Since all education and research institutions in Cuba were state entities, the proclamation meant that any scholar or scientist could be denied entry simply by virtue of the fact that his or her employer was the Cuban state. Visa denials based on this provision fall under section 212(f) of the Immigration and Nationality Act of 1952, as amended by 8 U.S.C. 1182(f).

8. Ned Sublette, “The Missing Cuban Musicians” (Albuquerque, N.M.: Cuba Research and Analysis Group, June 24, 2004), 14.

9. With over 5,000 members, LASA is the largest multi-disciplinary professional association for individuals and institutions engaged in the study of Latin America. Its mission is to “foster intellectual discussion, research, and teaching on Latin America, the Caribbean, and its people throughout the Americas, promote the interests of its diverse membership, and encourage civic engagement through network building and public debate.” See <http://lasa.international.pitt.edu/aboutlasa.htm>.

10. State Department Daily Press Briefing, Washington, D.C., October 7, 2004, <http://www.state.gov/r/pa/prs/dpb/2004/36917.htm>.

11. *Ibid.*

12. Lorena Barberia, “Harvard’s Cuban Visa Denial Memo,” January 6, 2006. Open letter from Barberia, a program associ-

ate at Harvard University’s David Rockefeller Center for Latin American Studies. Copy available at <http://www.cubacentral.com/todaysnewsdetail.cfm?ID=1318>.

13. The advocacy agenda should include rescinding U.S. Presidential Proclamation 5377 and recognizing the prerogatives of universities to develop and control their curricula free of political intervention or oversight by government officials. Legislation to lift the ban on travel should be passed again as soon as possible. The politicization of decisions about the entry of Cubans using Section 212(f) of the Immigration and Nationality Act should end. Until the travel ban can be lifted completely, graduate, undergraduate, and short-term educational exchanges should be authorized by general license.

UR SHLONSKY, PROFESSOR OF
LINGUISTICS, UNIVERSITY OF GENEVA

There is no justification, in my judgment, for a boycott singling out or targeting academics. However, I do not see any justification for excluding academics, universities, or research institutes from the scope of a generalized boycott of Israel of the sort explicitly demanded by a large number of Palestinian nongovernmental organizations and advocated by a growing number of movements throughout the world.

A generalized boycott of Israel, one that targets Israeli exports, material as well as cultural, and sanctions state-run or state-affiliated institutions is, from a moral point of view, fully justifiable. I think a convincing argument can be made to the effect that boycott, divestment, and sanctions are about the only nonviolent measures that, at this stage, are likely to have an effect on the war that Israel is waging against the Palestinians.

It is sometimes argued—for example, in the AAUP report—that a boycott of Israeli academic institutions harms academic freedom. The argument is based on a distinction that the AAUP report introduces between economic and academic boycotts. The former “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.” The latter “strike directly at the free exchange of ideas.”

The only difference I can discern between an “economic” and an “academic” boycott is between the intent and the consequences. An economic boycott would, by definition, include the suspension of international funding and subsidies to Israeli academic institutions, since they are state or public institutions. It might have the consequence of limiting academic exchanges of various sorts but that would not be its primary intent. An economic boycott thus entails the academic one but does

not single out academics in any specific sense.

In this framework, the suspension of academic activities, such as participation in international conferences and publication in international journals, would be tantamount to job losses incurred by agricultural workers as a consequence of a drop in sales due to a consumer boycott. Given the arguably higher moral imperative of bringing Israeli actions against Palestinians to a halt, this does not seem to be an unreasonable price. Moreover, some academic activities would be entirely unaffected by such an international boycott, or only indirectly and marginally so. These include local teaching and Web publication. I therefore cannot consider the potential consequences of a boycott of Israel as inherently inimical to the principle of academic freedom.

Finally, I agree with the AAUP report’s characterization of boycotts as tactical weapons in political struggles and not as matters of principle. I beg to differ, however, from the report’s conclusion that “from a tactical standpoint . . . the . . . academic boycott seems a weak . . . tool.” In fact, I think the opposite is true. Given the very wide publicity, and, in certain quarters, the hysteria generated by the boycott initiative, be it the British Association of University Teachers’ April 2005 boycott call, the (much weaker) 2002 call by the Paris VI university administration to halt an Israel-European Union educational cooperation agreement on human rights grounds, the Presbyterian Church’s July 2004 initiation of a selective divestment in multinational corporations operating in Israel, or the December 2005 motion by the Sør-Trøndelag region in Norway to boycott Israeli goods, one can only conclude that boycott is actually a very effective educational tool. It has so far enhanced rather than vitiated public debate on Israel and its policies.

The continuation of the Israeli occupation depends, to a large degree, on the support Israel receives from

the international community. The boycott, in its various forms, undermines this support. This is why Israel and the pro-Israeli forces in the West are so energetically op-

posed to it, a fact that, in turn, argues for the judiciousness of a generalized boycott as a tactical weapon. ☞

ERNST BENJAMIN,

CONSULTANT, COMMITTEE A ON ACADEMIC FREEDOM AND TENURE

We invited discussion of the Committee A report “On Academic Boycotts” to encourage broader understanding of our perspective and not with the expectation that we would materially change our recommendations. We also anticipated disagreement and hoped that careful attention to counterarguments would assist us in clarifying our conclusions and making them more persuasive. Though we regret the lack of opportunity for dialogue the planned conference would have provided, we believe that the exchange of views in the papers we have received, including the papers of those who asked that we not publish their essays, contributed to both objectives.

The political contention surrounding our efforts to hold the conference arose from differences regarding the competing claims of Israelis and Palestinians, not over the issue of academic boycotts. We certainly do not disagree with those who contend that faculty should engage the Israeli-Palestinian debate. One reason for our support of academic freedom is that it enables faculty and students to express their views on contentious moral and political issues. I do not, however, focus these reflections on the Middle East, because, in writing on behalf of the AAUP, my primary concern is academic freedom and, although the principle of academic freedom provides an important foundation for the free exploration of contentious issues, it does not in itself offer guidance for their substantive resolution.

Limitations on Academic Freedom

One counterargument, explored in some of the papers, maintains that the principle of academic freedom does in itself offer guidance in those instances in which academic freedom has been violated. In these instances, the argument continues, academic freedom may rightly be denied to those who deny academic freedom to others. We understand clearly that academic freedom may be denied through state or corporate as well as institutional actions, and we agree that academic freedom cannot fairly be invoked to protect those who so abuse it. Advocates of academic freedom should, on the contrary, expose and criticize or censure those, including academics and their institutions, who deny academic freedom to others. We disagree only with regard to the remedy. As an organization fundamentally committed

to academic freedom, the AAUP cannot, consistent with our principles, adopt a remedy such as the academic boycott that directly curtails academic freedom.

Our rejection of this specific sanction certainly does not mean, as some suggest, that we recognize no limits to academic expression. Although Europeans understandably associate our view of academic freedom with American individualism and the unusually broad latitude the First Amendment affords to individual political speech, the AAUP has never maintained that academic freedom is the unrestricted right of individuals to teach, research, and communicate as they please. In the words of our founders in 1915: “There may, undoubtedly, arise occasional cases in which the aberrations of individuals may require to be checked by definite disciplinary action . . . It is, in short, not the absolute freedom of utterance of the individual scholar, but the absolute freedom of thought, of inquiry, of discussion and of teaching, of the academic profession, that is asserted by this declaration of principles.”¹ The limitations imposed by our professional responsibilities and subject to review by professional colleagues do not, however, include limitations based upon political, moral, or religious differences—including even such highly offensive statements as those referenced in the preceding papers. AAUP members can and do take positions on many such matters, but the AAUP as an organization recognizes only those limits on academic freedom that are inherent in our professional responsibilities and would impose no others.

Several critics assert that the AAUP perspective entails the untenable view that academic freedom is more important than broadly recognized fundamental human rights and moral principles. This argument again confuses our view of the problem with our view of the remedy. As our critics note, we ourselves defend academic freedom on the basis that it benefits society. So, of course, we recognize the priority of broadly applicable human rights and obligations in identifying social goods and problems. We simply argue that it is unnecessary, and therefore wrong, to violate the principle of academic freedom to achieve such social goods. When, for example, we refer to academic boycotts as a tactic, not a principle, we do not mean to imply that academic boycotts are one of the legitimate means to achieve higher ends. We mean rather that academic boycotts, because they are

merely tactics and not inherently required to achieve higher ends, should be rejected in favor of alternative tactics that do not entail unnecessary violations of basic principles.

We believe further that the use of academic freedom to expand rather than to curtail academic freedom is not only principled but effective in practice. The universities did contribute to the critique of apartheid in South Africa. The actual limits on expression in Israeli and Palestinian universities are here in dispute, but thoughtful critique is evident on both sides. We would seek to encourage rather than circumscribe expression. Two recent articles offer pertinent examples of the benefits of encouraging even the limited range of academic discourse in Chile during the Pinochet dictatorship and in China today.² These essays, though describing radically different circumstances, agree in their observation that academic settings provide opportunities for political discourse unavailable in the larger society. Both emphasize as well the benefits realized through scholarly exchange that would not exist were an academic boycott effectively enforced.

Several critics suggest that we fail to recognize that universities are subject to and, indeed, themselves contribute to the various political and economic controversies or abuses of the societies in which the universities are deeply enmeshed. But this notion of the “corporate” university is not novel, and AAUP policy is rooted in the recognition of such dangers. The authors of the 1915 *Declaration* observed, “In the political, social, and economic field almost every question . . . is more or less affected by private or class interests; and, as the governing body of a university is naturally made up of men who through their standing and ability are personally interested in great private enterprises, the points of possible conflict are numberless.” Nor do the authors fail to observe the equal threats that arise from “strong public feeling” and the “tyranny of public opinion.”³ These dangers are, of course, the very reasons why systematic protection of academic freedom is necessary. Restraints on academic freedom, on the other hand, will far more often reflect the prevailing powers than curtail them.

This argument responds as well to the contention that the principle of academic freedom does not ensure the rights of those denied its exercise by reason of the disadvantages of class, race, gender, or colonial or military domination. Mere assertion of formal rights may indeed fail to remedy and may even serve to cloak such domination. But, once again, curtailment of academic freedom will more likely benefit the powerful than the powerless. Where more powerful interests are prepared to support the disadvantaged, they can better accomplish this purpose, and avoid setting a dangerous precedent, by extending academic freedom to those who lack it than they can by denying it to those who have it. For this reason, AAUP

policy rejects the argument that academic freedom should be curtailed through limitations on hateful speech, while supporting policies against discrimination. Indeed, AAUP policies with respect to investigation and censure assign complaints of discrimination the same status and invoke the same procedural resolution as complaints of direct violations of academic freedom.

Others argue that the academic boycott has the virtue that it may be invoked, like a strike, by a substantial proportion of those who will be subject to its effects. So, it both provides a weapon for those whose rights have been curtailed and rests on self-determination. We reject this argument, and not only because of the obvious fact that it constrains their colleagues and denies their self-determination. We reject it also because we do not believe that the faculty have the right to waive even their own academic freedom. Faculty at institutions subject to censure investigation are all too often prepared to acquiesce in, and to seek to justify, the practices that have occasioned investigation. The AAUP has always sought in such cases to act based on the principles of academic freedom, not the interests of the specific faculty, even where these faculty are our members. If faculty have sufficient freedom to advocate a boycott, we believe they might better employ that freedom to expose and work against the abuses they seek to correct.

International Complexities

The issue of international academic boycotts does add complications beyond those that arise in the case of domestic academic boycotts. First, some argue that in the international setting the academic boycott is not only commendably nonviolent but the best tactic specifically available to faculty in circumstances where strong violations of rights oblige action. We think rather that the use of academic freedom to identify, publicize, and condemn violations of human rights is a better course. We believe that academic freedom is given us not so that we may deny it to some but so that we may encourage it for all.

But how are we to do so? The AAUP lacks the knowledge and resources requisite to the conduct of international investigations comparable to the careful inquiries that we require prior to approving censure resolutions affecting institutions (including some overseas universities and academic programs) accredited in the United States. Were we to have this capacity, however, we would still opt for censure rather than boycott as we do domestically. Moreover, although we cannot do so with the same authority we strive to bring to domestic matters, our staff and members do speak out from time to time regarding perceived violations of academic freedom abroad. Further, we vigorously encourage international academic exchange and oppose those domestic policies that impede it.

Second, the South African example persuades some that the academic boycott has been and can be used by the relatively empowered in some countries to assist those who are in need in other countries. This argument, and not the controversial contention that Israeli policies materially approximate apartheid, led us to include substantial discussion of South Africa in our report.⁴ Empirically, we find the case that the economic and cultural boycotts contributed to the end of apartheid more persuasive than the case for the academic boycott. We know of no one who would seriously argue that apartheid would have persisted absent the academic boycott. We are also mindful of the evidence presented to us that the academic boycott did do harm to some South African universities and students.

Third, some look beyond South Africa to propose the general principle that boycotts may be appropriate when a regime so affronts humankind that it creates a near-universal consensus in support of a boycott. This is a dangerous concept because, as I think is manifest in a few of the assertions in the papers here, it encourages boycott advocates to demonize their opponents, in order to try to create the consensus necessary to legitimize the boycott. Nor is there a clear and universal principle on which to base such a finding. The primary suggested principle, the breadth of international consensus, ignores the complex politics that shape votes in the UN General Assembly and other such bodies. Moreover, the most persuasive example, especially compelling for those who oppose a boycott of Israel but are unwilling to abandon the tactic entirely, is Nazi Germany. The difficulty with this example is its history. When the democratic powers had the opportunity to engage in an economic and cultural boycott of Nazi Germany, they chose instead to participate in Hitler's Olympic spectacle and simultaneously to impose an embargo on an elected Spanish government then under attack by military insurgents armed and assisted by Nazi Germany and Fascist Italy. The point of this example is not simply that the Western powers erred but rather that the geopolitical considerations of powerful political realists are more likely than academic principles to determine the effectiveness of international boycotts.

Conversely, those who have supported the concept of an academic boycott, with a view to its application to Israel, should note that within a year the weak and abortive effort by some English academics to mandate an academic boycott of two Israeli universities was replaced by a far more robust Western alliance to curtail funding to the Palestinian Authority. This example, as well as that of Nazi Germany, suggests that the unusual circumstances of the South African case do not provide a reliable guide to the likely direction of influential boycotts. The acquiescence of powerful interests in the

boycott of South Africa depended on unique factors including the history of imperial contention between English and Afrikaner, on the one hand, and cold war contention for influence in tropical Africa, on the other. Universal support for academic freedom seems to us, in general, a more reliable principle than a selective denial of academic freedom that is at least as likely to be misapplied in the interests of the powerful. We think, for example, of the U.S. government's restrictions on academic exchanges with Cuba or of the readiness of authoritarian regimes to weaken international statements on academic freedom and human rights in the interests of protecting their domestic power.

Alternatives to the Academic Boycott

We reject without qualification the contention that academic boycotts against specific institutions may be employed as a sanction to protest the actions of a regime. But what response is appropriate when an institution uses the opportunities afforded it by academic freedom to contribute to the oppressive activities of its country's regime? We have thus far encouraged exposure and censure rather than academic boycott, but are there also forms of noncooperation short of the academic boycott that might be acceptable?

In our original statement we recognized that individuals might choose on personal or professional grounds not to cooperate with institutions whose practices offend them. Encouraging others to join in systematic noncooperation would clearly constitute a boycott. On the other hand, alerting others to the unprofessional conduct of the institution or its denial of academic freedom would certainly remain within the bounds we refer to as censure. When the AAUP invokes censure, we do not call upon individuals to take specific actions against the offending institution. Rather, we leave it to individuals to decide for themselves, based upon their understanding of the specifics of the case, what consequences the censure should have upon their own professional decisions. We do so with the understanding that this might lead some individuals to choose to avoid cooperation with the censored institution, but we do not seek to enforce or even encourage noncooperation. This voluntary system depends upon our provision of a reliable and comprehensive report that individuals may consult in making their own decisions. Opponents of boycotts fear that the right to individual noncooperation opens the way to boycotts. Nonetheless, we cannot argue that faculty should not act on or express their professional concern about offending institutions or warn colleagues or prospective students of possible academic or professional failings. Censure has always entailed both the warning and the prospect that some individuals will act on it. Regardless, censure differs sharply from political boycotts in that we

have employed censure only in support of academic freedom and professional standards. Disguising a political critique as an academic or professional one would be as unacceptable as prevarication in professional matters generally. Finally, censure is directed at the administration or governing authority of an institution and not directed at the faculty individually or collectively.

Some boycott advocates take our argument a step further and suggest that, even when granting that an academic boycott is unacceptable, the denial of membership by academic associations and consortia for certain universities would be acceptable. This argument is difficult to resist since we can no more deny a consortium's freedom of association than an individual's freedom of speech and most academic consortia are, in fact, selective. Accordingly, we have recognized that groups of academics need not cooperate with others with whom they disagree. We would caution, however, that the use of political rather than academic and professional criteria for such selection will likely violate academic freedom just as would the use of a political litmus test in determining whom to boycott. Moreover, we are more inclined to recommend reaching out to include those whose rights have been curtailed than risking politically compromised exclusion.

We have rejected the argument that academic boycotts may be legitimate in extreme cases. But what of the related argument that the boycott may be necessary to prevent wars of aggression, genocide, and other crimes against humanity? Clearly, more than an academic boycott is required in such circumstances, but might not such a boycott play a role? In fact, many regimes, as well as international agreements, limit the exchange of information, including academic information, that might contribute to the development of weapons of mass destruction. The AAUP has long understood that certain research procedures or findings need to be kept secret, as in the manufacture of nuclear weapons. We have also maintained, however, that restrictions of this sort should be applied only in exceptional circumstances. These limitations should not extend to so-called dangerous ideas.

The best academic response to such ideas is well-constructed counter argument.

Finally, we have been asked repeatedly why we accept economic boycotts, which may have much broader repercussions than academic boycotts and may, in practice, constrain academic opportunities and exchange. The simple answer is that the AAUP's concerns are academic and we do not presume to legislate beyond our mandate. The more complex and principled response is that the distinction between academic and economic boycotts is a subset of the difficult but necessary distinction between speech and action on which arguments for free speech depend. Our purpose is not to endorse economic boycotts, but simply to urge that, even when such boycotts are found necessary, continuation of academic communication should be maintained to the extent possible. Nor do we counsel inaction in the face of great wrongs. We believe rather that, even in circumstances that call for punitive action, academics can contribute more by preserving and exercising than by curtailing the free exchange of ideas. ☞

Notes

1. AAUP, "1915 Declaration of Principles on Academic Freedom and Tenure," *Policy Documents and Reports*, 9th ed. (Washington, D.C., 2001), 300.

2. Jorge Heine, "Democracy, Dictatorship, and the Making of Modern Political Science: Huntington's Thesis and Pinochet's Chile," *PS: Political Science and Politics* 39, no. 2 (April 2006): 273-80. Daniel A. Bell, "Teaching Political Theory in Beijing," *Dissent* 53 (Spring 2006): 9-17.

3. 1915 *Declaration of Principles*, 297.

4. I found the following two critical assessments of the application of the terms *apartheid* to Israel comprehensive and thoughtful: (1) John Strawson, "Zionism and Apartheid: The Analogy in the Politics of International Law," *Engage*, Issue 2 (May 2006): http://www.engageonline.org.uk/journal/index.php?journal_id=10&article_id=34 and (2) Suzie Jacobs, "On Israel = Apartheid," <http://www.engageonline.org.uk/archives/index.php?id=12>.