

## Response to Cary Nelson and Ernst Benjamin

A Response to the [AAUP Journal of Academic Freedom, Volume 4](#)

By David Lloyd

The responses by Cary Nelson and Ernst Benjamin to the *Journal of Academic Freedom's* recent forum on academic boycott offer little new to the familiar litany of objections to the academic and cultural boycott of Israel [ACBI]. Moreover, neither response shows any signs of having seriously read and considered what the essays in the forum actually propose. When they do even refer to them, their misreadings are so egregious that one would almost prefer to presume malice than to impute obtuseness to a colleague. Most extraordinary is that they proceed as if the matter at stake were Israeli academic freedom, the protection of Israeli rights to debate and criticize, the defense of a largely illusory body of Israeli academics that are supposedly engaged in a vigorous critique of the occupation of Palestine, the ethnic cleansing of Palestinian citizens of Israel along with Bedouins in the South Hebron Hills and the Negev, the ethnically exclusive nature of the State of Israel, etc, etc, etc. It would be wonderful if this flourishing sphere of liberal to left critical thought really existed, but it would still not be the issue on hand.

That issue is the systematic assault on Palestinian intellectual life and culture that has been undertaken since the Nakba: the denial of the most fundamental rights of access to education, whether by the direct, punitive closure of schools and universities and their destruction in targeted military campaigns, or by the restrictions on movement and freedom to travel that in innumerable ways and on a daily basis prevent Palestinian students and teachers from functioning normally. Those of us who do enjoy—and take for granted—our academic freedoms can scarcely imagine the degree to which those privileges are denied to our Palestinian colleagues. It is not merely their speech, but the very conditions of scholarly life that are daily denied to them. But in these responses, yet again, those realities are overlooked in the rush to defend the academic freedom of Israeli academics, whose rights to speak as individual academics, to research and to propagate whatever truths they believed they had established, would be far less restricted by even the most successful institutional boycott than are their Palestinian counterparts' freedoms under occupation and blockade. This all too typical overlooking of Palestinian scholars and teachers has an effect tantamount to what Zygmunt Bauman once termed “moral eviction.” Palestinian scholars are disappeared, “present absentees” who furnish the invisible backdrop against which the infringement of the rights of Israeli scholars is lamented. That Nelson or the AAUP may on occasion “have lodged protests” against the treatment of Palestinian scholars may be welcomed, but this focus on the individual case has a dangerous tendency to obscure the systemic nature of Israel's restrictions on Palestinian education and of its institutions' collaboration in a system of discrimination and dispossession.

Nelson writes as if the issue at hand is the censure and censorship of scholars or what they say or think. It is not. Nor is it what Benjamin calls “subjecting the right to speak out and participate fully in academic debate to a political litmus test.” The academic boycott is directed—one has to reiterate this once again in the face of continuing and deliberate obfuscation—against academic institutions whose direct and unrepentant involvement in dispossession, occupation, discrimination and the maintenance of an apartheid system is a matter of well-researched public record and not the delusion of fanatics or merely an aberration of “a flawed democracy.” Nelson's high-handed respect for Israel's right to create “a theocratic state” is oblivious to the consequences of that state for its victims. The Israeli system of dispossession and discrimination is not South

African apartheid, but it is nonetheless one in which separate rights, privileges and laws are accorded to one section of the population and denied to others on the basis of ethnicity and religions. Israel declares itself a “Jewish state for a Jewish people” just as South Africa declared itself a white state for a white people, or Northern Ireland “a Protestant state for a Protestant people.” For the record, as Nelson puts it, I participated in the struggles against both exclusive states, each now a somewhat more open society for all the work that remains to be done. Rather than “singling out” Israel, I am subjecting it to the same standards as those to which I have subjected my own and other states.

As an apartheid, or, if you prefer, theocratically exclusive state, Israel is not a “flawed democracy”. It is not a democracy at all if, as most would, we require a democracy to be a state of all its people. However, its self-image as an open society with a vigorous public sphere is, as Malini Johar Schueller and I argue in our contribution to *JAF*, precisely why Israel is an appropriate target for the tactic of boycott, divestment and sanctions. Boycott is not a catch-all expression of moral disapproval, but a tactic to be applied where it has some chance of succeeding, that is, where it can impact public opinion both at home and in the state boycotted. Dictatorships do not make good targets for boycotts, though if vulnerable, they may succumb to sanction at great cost to their populations. The purely rhetorical example of China and Tibet that both Nelson and Benjamin invoke (along with every other antagonist of the boycott) is, as they both know, irrelevant. Nelson is right to say that “A boycott of Israeli universities is more a tactical strategy than the moral and ethical priority they assert it is”, except that the latter is precisely what we do not assert. His casting of the case that we and other advocates make for the academic boycott is so wrong that it is evident that he has not read, or has not understood what we do say.

Likewise, Nelson is right in ways that unintentionally reveal his real concern when he claims, in his “thought experiment” about a hypothetical boycott of Nazi Germany, that “A separate movement to boycott German universities would not have been a legitimate effort”. The invocation of Nazi Germany, the classic worst-case scenario, is of course a not-so-subtle way to evade consideration of the actual academic and cultural boycott of South Africa that so many academics did support. But that very present absence is instructive by way of comparison: like Israel, South Africa believed itself to be the only representative of western-style democracy in the region, if a democracy for whites only, and, like the Palestinians, the ANC called for boycott, divestment and sanctions. But in neither case is the academic and cultural boycott “a separate movement”: it constitutes a part of a much broader effort that is economic and political as well. And that part is not merely symbolic: much as the economically inconsequential boycott of sports teams was among the most effective tools of the South Africa divestment movement, the academic and cultural boycott exerts pressure precisely where Israel’s self-image is most vulnerable. Vaunting the prestige of its universities and cultural achievements is a principal way in which Israel promotes the misleading notion that it is a normal member of the Western democratic world. (That it is, of course, in the exorbitant violence of its sovereign power, but not in the sense it desires the phrase to be taken). The boycott aims to unsettle the normalization of an apartheid state by targeting those institutions not only for their material practices in maintaining that state and its brutal occupation and blockade, but also for the ideological contribution they make to mystifying the nature of Israel. In this respect, it may have far greater impact than the economic boycott Nelson approves (and which could be objected to by free trade advocates on much the same grounds as he objects to the academic boycott).

Again, insofar as it raises the specter of the Nazi boycott of Jewish businesses, Nelson’s invocation of Germany is further misleading—and shares in a common distracting tactic used by opponents of Boycott, Divestment and Sanctions [BDS]. The Nazi boycott targeted people for what they were; BDS and ACBI target a state and its institutions for what they do. Furthermore, boycott as a proper political tactic is aimed at actions that constitute an ongoing and serious

infringement of human rights and dignities by an entity that has the power to change that conduct. The demands of the Palestinian BNC (BDS National Council) are simple and in accord with international law and human rights conventions that Israel has flouted for decades. If Israel is unable to satisfy those demands on the grounds that it would change the demographic character of the Jewish state, the ethical response is hardly to suggest that it should be exempted for international norms and the Palestinians be abandoned to a state of exception that boldly demands their subjection at best, their extinction at worst.

Yet, against all the odds, globally the BDS movement continues to grow. The best measure of the success of the BDS movement in many spheres may not so much be the steadily increasing number of its supporters and of its victories globally and domestically, but the huge sums being poured into the attempt to suppress it and its advocacy by the Israeli state and Zionist organizations. As we argue in our essay, where political movement is blocked by Congress and successive administrations, only a civil society movement can dislodge intransigently framed and heavily funded policies that have for decades given cover to Israel's steady appropriation of Palestinian land and resources. That civil society movement already exists on our campuses as it does globally and its work will continue no matter how long the AAUP chooses to stand on the sidelines.

The main justification for such inaction derives from a view of the AAUP as an organization. Both Nelson and Benjamin assert repeatedly that the AAUP is not a human rights organization, but one concerned solely with academic rights. They reject the argument made by Judith Butler and others "that our struggles for academic freedom must work in concert with the opposition to state violence, ideological surveillance, and the systemic devastation of everyday life"—an argument that one would have thought to be elementary to any professor of cultural studies. The arguments they make continually refer back to the protection of Israeli academics while ignoring the steady destruction of Palestinian academic life and of the institutions that ensure the reproduction of its culture. Academic freedom, if it is to be considered a universal value, cannot be suspended for one group of our international and domestic colleagues—for Nelson and Benjamin also seem to forget that Palestinian scholars here are almost as often impacted by Israeli restrictions as are their colleagues in Occupied Palestine and Israel. But that is what these officers of the AAUP in effect do in consigning Palestinian academics to invisibility in order to protect Israeli scholars and institutions who retain all the power and privilege.

I do not expect the AAUP to change its position on academic boycotts any time soon. But it may well be that the AAUP has in any case already consigned itself to irrelevance on this issue and on many others. So fervent a delinking of academic freedom from all the other forms of freedom that are increasingly under siege in our time is the best way to ensure that it becomes a mere formality. Academic freedom that is not put to the test by real challenges to power and its abuses is ornamental at best. Those of us who are proponents of BDS and ACBI refuse to separate academic freedom from the general conditions under which it can be exercised.

I support and work for BDS and ACBI in the first place because Palestinian civil society, whose very existence is threatened by Israel's policy of expansion and suppression, has asked us to do so. I support it because my own freedom, academic and political, is diminished by the ongoing process of Palestinian dispossession and the denial to them of fundamental freedoms. But I also support it because the Palestinian struggle, in its steadfast refusal to give in and in its imaginative cultural and intellectual productivity, reminds us so powerfully that scholarly detachment and disinterest is a myth. The scholar who declines to confront a manifest injustice, especially when directly called to do so, has already chosen to side with power: Kantian "spectatorship" was an evasion even in 1795. But above all, I support ACBI because I hope that its transformative power will—as the divestment movement from South African apartheid did—impel a deeper engagement on the part of our over-professionalized academics with the ongoing denial of the fundamental right

to education to all too many, with the corporatization of the university that serves the military-industrial complex, and with the struggle of students and others to realize a juster distribution of the abundant potentials of our earth.