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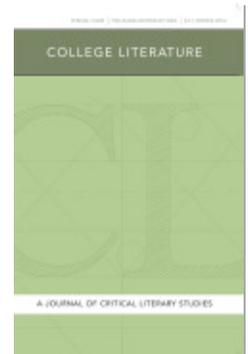
Academic Freedom and the Boycott of Israeli Universities: On  
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REVIEW ESSAY

## ACADEMIC FREEDOM AND THE BOYCOTT OF ISRAELI UNIVERSITIES: ON THE NECESSITY OF ANGRY KNOWLEDGE

CONOR McCARTHY

Dawson, Ashley, and Bill V. Mullen, eds. 2015. *Against Apartheid: The Case for Boycotting Israeli Universities*. Chicago: Haymarket. \$19.95 sc. 300 pp.

Nelson, Cary, and Gabriel Noah Brahm, eds. 2015. *The Case Against Academic Boycotts of Israel*. Chicago: MLA Members for Scholars' Rights. \$34.99 sc. 552 pp.

Lim, Audrea, ed. 2012. *The Case for Sanctions Against Israel*. London: Verso. \$14.95 sc. 244 pp.

Bilgrami, Akeel, and Jonathan Cole, eds. 2015. *Who's Afraid of Academic Freedom?* New York: Columbia University Press. \$35.00 hc. 448 pp.

I should begin this essay by declaring my own background in the discussion. I am a long-time activist in Palestine solidarity, having been a founding member of both the Ireland-Palestine Solidarity Campaign in 2001 and of Academics for Palestine, an Irish group working for the academic boycott,

in 2014. I have moved from a position of doubt and unease in regard to the academic boycott to one of commitment to it.

What is the history or background of the boycott movement? It is a subset of the wider campaign for “BDS” or “boycott, divestment and sanctions”—that is, in favor of boycotting Israeli institutions, divesting from Israeli companies, and sanctioning the state until it ceases the Occupation, accepts its obligations to the Palestinian people, and acknowledges its responsibilities vis-à-vis the refugees of 1948 and 1967.

Various ineffective and controversial attempts were made in the United Kingdom as far back as 2002 to instigate boycott of Israeli scholars or institutions. However, the modern BDS campaign has its origin in the call issued in 2005 by a wide array of organizations in Palestinian civil society. The broader context of the call was the collapse of the Oslo peace process of the 1990s and the second *intifada*, which began in September 2000. The recognition of Oslo’s flaws, and the awareness that these flaws stemmed in part from the corruption and failure of the Palestinian leadership (embodied in such senior figures in Fatah as Yasser Arafat and Mahmoud Abbas), was matched by the realization that violent action by guerrilla groups, secular or Islamist, was neither militarily effective nor politically sustainable in the face of Israeli civilian casualties. More specifically, the BDS call was deliberately issued exactly a year after the International Court of Justice’s Advisory Opinion on the West Bank Wall, or “separation barrier.” The Advisory Opinion placed obligations on the governments of third countries, but as soon as it became apparent that these governments were not going to take any action regarding the wall, the necessity of civil society action was clear.

In other words, the BDS campaign derives from the realization that politics traditionally conceived had failed Palestinian society and indeed—insofar as the Oslo process installed security apparatuses while not adding to the security of the Palestinian population, and insofar as it did not prevent the expansion of settlement activity and other iniquitous elements of the Occupation—that the “peace process” was actually functioning (as it does to this day) as a fig leaf for further Israeli conquest.

The new action was to come from “civil society” and to appeal to both the Palestinian people and international opinion over the heads of the outmoded, corrupt, and *comprador* Palestinian political elite. On July 9, 2005, the call went out from “representatives of Palestinian civil society” to “international civil society organizations and people of conscience all over the world to impose broad boycotts and implement divestment initiatives against Israel similar to those applied to South Africa in the apartheid era” (Lim 2012, 24). This pressure was to be maintained until Israel honored

its obligation to recognize “the Palestinian people’s inalienable right to self-determination,” and meet its obligations under international law by ceasing its occupation and colonization of Arab lands and by dismantling the Wall; by according Palestinian citizens of Israel full legal equality; and by respecting, protecting, and promoting the rights of Palestinian refugees under UN Resolution 194.

It would not be an exaggeration to say that the BDS initiative has been the most successful campaign regarding Palestine in the last decade or more. Where the Obama administration, with the support of the Quartet, has repeatedly tried to restart the “peace process” and been stymied largely by the stubbornness and arrogance of Israeli governments led by Benjamin Netanyahu, BDS has grown from being the marginal preserve of dedicated and committed activists to something much larger, wider, and more mainstream. That mainstreaming is evidenced, for example, when US Secretary of State John Kerry, in frustration as the latest talks initiative broke down in 2014, warned Israel that if it does not make concrete moves towards peace and a two state solution it might find itself subject to boycott.

Within the BDS movement, the academic boycott has attained increasing success, as well as eliciting frequently fierce and often unprincipled reaction from Israel’s “friends” in the American and European academy. These poles of success and controversy are best represented by the vote at the annual meeting of the Association for American Studies in 2013 in favor of the academic boycott, and by Steven Salaita’s loss of a position he had just been offered at the University of Illinois at Urbana-Champaign in 2014.

The politics of universities, no matter how closeted, always sits in some dynamic, occasionally belated, relationship with ideas and politics in the “real world.” Of course in this case, the matter of boycott has intruded directly into the realm of higher learning itself. There it encounters various conceptions of the role of the university, of the functions and responsibilities of pedagogy and research in both civil and political society. Unsurprisingly, this has produced an increasing flow of writing both academic and political, insofar as one can distinguish between the two. In hand here are four volumes which represent various elements of the debate: *The Case for Sanctions Against Israel*, edited by Audrea Lim and published by Verso in 2012; *The Case Against Academic Boycotts of Israel*, edited by Cary Nelson and Gabriel Noah Brahm, published by MLA Members for Scholars’ Rights in 2015; *Who’s Afraid of Academic Freedom?* edited by Akeel Bilgrami and Jonathan Cole, also published this year by Columbia University Press; and most recently, *Against Apartheid: The*

*Case for Boycotting Israeli Universities*, edited by Ashley Dawson and Bill V. Mullen, and published this fall by Haymarket. Space prevents me from commenting on or describing every element of each book, so I will be selective but also as fair as I can.

Articles in these volumes seem to me to comprise two broad types. Firstly, there are those that analyze the Israeli machinery of domination—colonization, militarization, checkpoints, Jews-only roads, settlement construction, the Wall, military operations (Cast Lead, Protective Edge), resource appropriation (water, land), and so on, on the critical side; and those that make the case for Israel’s democracy, embattlement, liberal values, its history of alleged persecution and invasion by its neighbors, by those (mostly in the Nelson and Brahm volume) who seek to “defend” the Jewish state. Secondly, there are those that address boycott *as such*. To this reviewer, it is the latter essays that are of the greatest interest here.

To say this may seem heartless; or blind to the “discipline of detail” (in Edward Said’s Foucauldian idiom) that is the operation of the Occupation; or blind to the long history of anti-Semitism of which the boycott is, in the eyes of Israel’s “defenders,” the culmination. But it seems to me that those arguments, important and content-rich as they may be, are in this context a sideline. For the fact is that the analysis of Israeli settler-colonialism, or the argument for the central status of the long history of Jew-hatred, operate as sufficient but not necessary occasions for the debate about boycott. These arguments are important, but they would take place irrespective of the argument about the boycott.

The Verso volume is the earliest and it contains twenty-six essays, as well as a chronology and a section on “resources”: links to activist movements (Jewish Voices for Peace), sources of news on Palestine (*Electronic Intifada*), and a battery of boycott or BDS movements and campaigns. As its title suggests, its arguments are addressed more widely than simply to the academic boycott. Importantly and valuably, it includes the text of the original 2005 call for boycott. Contributors include artists such as the great English filmmaker Ken Loach and the novelist and critic John Berger. Most useful, as I’ve been saying, are those contributions which confront the boycott issue straight up. One such is that by radical journalist and writer Naomi Klein. She simply sets out what she reckons are the four most frequently invoked arguments against BDS, and then, since “they simply aren’t good enough,” places beside them the counter-arguments (Lim 2012, 175). So, to the idea that punitive measures will alienate rather than persuade Israelis, Klein points out that “constructive engagement” has been tried with Israel and has abjectly failed (176). In spite of the continuation and deepening of the occupation in the last decade, Israel’s

economic and trading ties with various parts of the world have increased enormously. To the point that Israel “is not South Africa,” Klein agrees that—of course—Israel indeed is not South Africa, but the South African example shows the power of BDS tactics. Not merely that, but many anti-apartheid campaigners—Klein cites Ronnie Kasrils—believe that the situation of Palestinians under occupation is markedly worse than that of black South Africans under apartheid (176). To the argument that BDS unfairly “singles Israel out,” Klein simply and correctly points out that BDS is a tactic, not a high principle or dogma. Israel is a globalized trading economy: in such a situation, boycott is quite likely to be effective. And to the point that boycotts sever communication whereas what is needed is greater communication, Klein responds with a story: when she published *The Shock Doctrine* in Israel, she used a small Arabic-language publisher, Andalus, and made sure that all profits went to that company, not to herself. The effect of this was to create an array of networks of communication between Canada, Israel, Palestine, and France, so it created new links rather than severing them. She found ways to boycott the mainstream Israeli economy, not Israelis (177). Working with the boycott created new affiliative connections and did not simply impose silence on Israelis. The straightforward character of Klein’s essay is very refreshing.

The Verso volume also contains Neve Gordon’s call for boycott, a notable example of boycott being called down on Israel “from within,” since Gordon is a political scientist at Ben-Gurion University. Gordon’s essay, originally published in the *Los Angeles Times* on August 20, 2009, simply recognizes the tendency towards apartheid now firmly lodged in Israeli policy, law, activity, and social ideology. He reckons that a “one-state” solution is unfeasible, being rejected by the overwhelming majority of Israelis, and by a substantial majority of Palestinians. And he recognizes that only massive international pressure will cause Israel to change its positions, and that this pressure is not coming from the “international community” of diplomacy and high politics. So, by a process of elimination, he arrives at advocacy of boycott.

Michael Warschawski tells us that BDS has touched Israeli public opinion and that it has potential for great effect. His piece, originally a reply to Uri Avnery published in 2010, argues that BDS is precisely the mechanism to address the Israelis (Avnery thinks it will alienate Israelis), since it operates both on the level of international institutions (putting pressure on governments and corporations to rethink links with Israel) and of civil society and grassroots activism. As he says, Israel must be approached in two ways, which BDS can do: a hand of friendship must be extended, but no slackening can be allowed in regard to Palestinian rights

and justice. This dual aspect of BDS is precisely the locus of its efficacy. Boycott challenges Israel's international standing and reminds the Israeli people that that occupation comes at a price—a price in ideological and cultural terms as well as economically (196).

Warschawski concludes his essay noting enthusiastically and optimistically how much progress BDS has made—this, before the motions passed at various American academic organizations. In the five years since his essay, boycott has come a long way, and is making real progress. This headway is illustrated in various ways. Most obviously it is evidenced in the effort Israeli politicians and officials make to address it, counter it, and condemn it. In 2011, the Knesset passed the “Law for Prevention of Damage to the State of Israel through Boycott,” which makes it possible to sue a person or institution that calls for boycott of persons or institutions associated with Israel. It has been condemned by Gush Shalom, Physicians for Peace, Adalah, and other Israeli and Palestinian civil society groups.

The publication last year by Cary Nelson and Gabriel Noah Brahm of their collection of essays against boycott is also an inverse measure of the strength of the boycott movement. This volume, whose cover image is a photograph of an Ireland-Palestine Solidarity Campaign protest featuring pro-boycott posters, is a useful dossier of anti-boycott materials. It includes essays published before the BDS campaign had attained its present prominence, such as Martha Nussbaum's influential “Against Academic Boycotts,” which originally appeared in *Dissent* in 2007 (Nelson and Brahm 2015, 39–48). It contains a section devoted to essays focused on the American Studies Association motion of December 2013 and offers a handy listing of academic association resolutions and motions and of reactions from American university presidents. Rather more oddly, it offers a “Concise History of Israel,” authored by Cary Nelson, Rachel Harris, and Kenneth Stein, a distinctly Whiggish narrative of Jewish and more primarily Zionist and Israeli history (385–440). This felt need to return to origins is matched by Paul Berman's introduction to the volume, which casts the current boycott of Israel as only the latest in a lineage that dates to the early days of Zionism and *aliya* (5–6). Both narratives are insidiously structured. Berman's is of such a sweeping character as to link together the history of Palestinian protest at Jewish immigration, Nazi persecution of European Jews, and the boycotts of the Arab states and the Arab League, with anti-colonial forces in the Middle East and the current BDS movement. Needless to say, this linkage is to the detriment of all. The essay on the history of Israel, on the other hand, reaches back to the tenth century BCE, but its primary concern is the twentieth century and the modern state of Israel. Its tendentious character is revealed

particularly in its account of the birth of the state and the flight of the Palestinian refugees—old canards of exculpation are revived shamelessly, and Israeli-Zionist responsibility is disavowed in a manner that would make many Israelis today either laugh or blush.

Sections like this might seem to delegitimize the Nelson and Brahm volume, removing it from scholarly respectability. It must be noted that while it is published by a collective known as “MLA Members for Scholars’ Rights,” this grouping has, as far as can be ascertained, no relationship to the Modern Language Association itself, and its publication is marked as “distributed by Wayne State University Press.” In other words, the invocation of “MLA” is a matter of freeloading on an obvious “brand,” and the group has not been able to find an academic publisher willing to stand squarely behind its efforts.

Narratives of Israeli history suggest too a move away from the matter of boycott as such, and much of the volume also follows this trend, widening the debate to matters of anti-Semitism, Islamist politics, Judith Butler’s critique of elements of the Jewish philosophical tradition, attempted rebuttals of the analogy between Zionism and colonialism, and so on. These may be debates worth having in themselves, but they don’t advance the argument for or against boycott particularly. The argument against boycott here is repeatedly that it is a new iteration of some older anti-Semitic or reactionary position.

The Mullen and Dawson volume, which is a pro-boycott publication, also offers a wide variety of material around the BDS campaign. Many of the essays it contains are very interesting. It is opened very briskly and effectively by Mullen and Dawson’s introduction, which is very strong on the legal parallels—and differences—between South Africa and Israel (2015, 3–8). Dawson and Mullen stress the importance of the rising generation of Palestinian activists, both in Palestine and in exile, for whom BDS is the primary political focus (11–12). They are rather severe on Noam Chomsky, as many BDS activists are—Chomsky has been skeptical and critical of BDS, but it must be said that his long history of critique of Israel, at times when such positions were arguably harder to take, perhaps warrants a different approach (11).

Certain other articles stand out for their direct confrontation with the matter of boycott, and the academic boycott specifically. David Lloyd and Malini Schueller’s essay is an important piece, and very strongly argued. They make the point that boycott is non-violent. This is so basic as often to be overlooked, more especially when one notes the sometimes hysterical reaction to the suggestion of boycott. They suggest a number of conditions for the efficacy and applicability of boycott: the entity to be boycotted must

be susceptible to it; the entity or polity must have some semblance of a public or civic sphere internally, and must wish to be part of such a sphere externally and internationally—this hardly applies to Saudi Arabia, say; boycott must be supported by the oppressed population in whose name it is enacted, as they may be the ones to suffer most; and lastly, boycott must make realizable demands. The academic boycott of Israel matches all of these requirements (66–67). Schueller and Lloyd also offer a strong critique of the American Association of University Professors and its criticism of the academic boycott. Academic freedom, as advocated by the AAUP, is a geopolitical privilege they demonstrate, not a universal value. By making an exception of Israel, the AAUP eliminates the rights of Palestinians from its consideration. The AAUP likes to point to its history of “censure” (as advocated by Nussbaum as an alternative to boycott) of oppressive regimes: it censured apartheid South Africa and argued for divestment in that country, but it will not even censure Israel. In fact, the AAUP supports not only a partial notion of academic freedom but also refuses to take account of the material conditions that enable the right to and pursuit of that freedom. So it seems to have little to say in *support* of Palestinian academics, universities, and students, while also denying itself the capacity to see the iniquity of an academic venture like that of the campus of Bar-Ilan University located in the West Bank settlement of Ariel, which offers education only to Jewish students (69). Interestingly, 165 Israeli academics announced their intention in 2011 to boycott this university because of its location in an illegal settlement outside the Green Line.

Rima Najjar Kapitan makes a particularly important contribution, to my mind. She argues—in a manner that anticipates ideas of Judith Butler’s which we shall encounter shortly—that “academic freedom” is not some transcendent or Platonic ideal, but operates by way of practice in determinate situations and institutions (145). Making a distinction between “academic freedom” and “academic entitlement,” Kapitan notes that critics of the academic boycott assume that it simply attacks academic freedom *tout court*, and in this they assume a “selectively expansive understanding” of academic freedom. As she writes, “Israeli professors do not need forced academic cooperation in order to exercise their academic freedom.” (146) For Kapitan, Cary Nelson (an exemplar of academic rejection of boycott) “broadens the definition of academic freedom to encompass anything that maximizes academic cooperation between Americans and Israelis, but restricts it when addressing Israeli actions that paralyze the educational system in the occupied territories.” (146) This seems to me an exceptionally powerful and thoughtful set of formulations, which makes the Mullen and Dawson volume valuable for this essay alone.

Akeel Bilgrami and Jonathan Cole edit a collection that is not focused on the matter of BDS or boycott of Israeli universities as such, but which, though meditating on academic freedom generally, is clearly occasioned by recent controversy regarding Israel. The roster of contributors is exceptionally distinguished, with major scholars weighing in on both sides (assuming two sides) of the argument. Geoffrey Stone opens the proceedings with an excellent and useful short history of academic freedom. This is in part reprised but also developed in Joan Scott's excellent essay (Scott also contributes to the Mullen and Dawson volume a short essay on her own coming to espouse the academic boycott). Stanley Fish's characteristically clear and punchy essay offers a typology of degrees of political advocacy in academic work that move, in his words, from "professionalism" to "revolution." (Bolgrami and Cole 2015, 276–77) For Fish, to move beyond the profession's being its own justification, even in the mild manner of relating scholarship to democratic values (say), is already to set out on the slippery slope to the open politicization of the classroom and the end of literary studies or literary criticism as he understands it. Thus, Fish's position on the academic boycott of Israel is simply a fitting of the question of Israel/Palestine into this preexisting framework with which he's been working for some time, and which precludes relating scholarship to any political question outside of the classroom and the teaching and research job.

John J. Mearsheimer, one of the most distinguished American scholars of international relations, cuts an interesting figure in a volume whose contributors mostly come from the humanities. Mearsheimer is best known for the book he coauthored with another notable international relations academic, Stephen Walt, some years ago on the "Israel lobby." Mearsheimer and Walt's position in that book was to argue that one of the chief reasons that American foreign policy in the Middle East seems so often to stray from the "realist" precepts (argued most famously by Kenneth Waltz, among whose legatees are Walt and Mearsheimer themselves) that would hew purely to American interests in the region is the political power of the pro-Israel lobby—that array of forces including the America-Israel Public Affairs Committee, the Anti-Defamation League, and a whole rake of neoconservative foreign policy think tanks. The "lobby," that is, deflects American policy away from US interests and towards Israeli interests. This work, both in its initial form of a long essay commissioned and then rejected by the *Atlantic* but published by the *London Review of Books* in 2006, and the later much-extended book, remains controversial, but this does not take away from the value of Mearsheimer's essay here. Unlike most interventions on the academic boycott, his essay argues that the "lobby" actually does great damage to academic freedom in the United

States: herding academic opinion towards conclusions that suit Israel and intimidating tenured and junior researchers alike (325); waging “lawfare” (322); threatening academic funding (325); and smearing researchers, journals, conferences, even professional associations (319).

Judith Butler’s history of writing about Israel long predates her recent important book *Parting Ways* (2013), and she has also contributed frequently and importantly to debates about academic freedom. So it’s entirely appropriate that her essay here, on “exercising rights,” should fold these two areas of interest into each other. Butler considers the principle of rights and lucidly and powerfully argues for the necessity of looking at the conditions of possibility for the exercise of a particular right for it to be fully understood (Bolgrami and Cole 2015, 293–94). In this she follows Hannah Arendt, who suggested that a right has little meaning without instantiation in a shared world (299). To put her argument in reductive capsule, Butler exposes the fallacy of talking only in abstract or idealist terms about academic freedom in Israel and Palestine, and shows the need to look at the often-desperate compromises under which Palestinian academic freedom can be said to be “exercised—if at all.” In this, she enriches philosophically Rima Najjar Kapitan’s point noted earlier: that academic freedom must be seen in contextual terms, and that writers such as Fish and Nelson tend to think academic freedom in a vacuum. So Butler’s argument—crucially that the right to academic freedom must be seen in relation to the right to an education—has the effect of bringing Israeli and Palestinian academic freedom into direct relation to each other (313). When one considers the extent of militarization of the Israeli academy, one is drawn to the potential conclusion that Israeli academic freedom is, ultimately, exercised at the expense of Palestinian academic freedom.

Perhaps the most passionate contribution to this volume is that by the distinguished Romanticist and biographer of Edmund Burke, David Bromwich. Arguing for the value and necessity of what he calls “angry knowledge,” he sees academic freedom as a “tributary right of the public good in democracy.” (28) This right must include the defense of the possibility of error or even ideology in the classroom—to suggest that human beings need to be protected from error or ideology is condescending and finally deceitful. The Fishian argument for the self-justifying academy may be attractive to university administrators and the donors and funders to whom they appeal, but it executes an unacceptable and undemocratic foreclosure on public discussion of and in education (36).

To conclude, these four books contain a wealth of ideas and information and a range of opinion that will enlighten anyone with even a passing interest in the matters of academic freedom and the politics of education

relating to Israel and Palestine. Equally, it must also be said that the sheer bulk of such material must not be allowed to obscure some facts so basic as to be too often overlooked: boycott is a tactic not a principle; it is non-violent; it has the potential to frustrate academic researchers, their careers and projects, and their institutions, but it can in no way be said to do serious practical damage to them; and its earlier usage should be an encouragement—it is true that the Nazis instigated a boycott of Jewish businesses in Germany in the 1930s, but boycott was also used by Jewish Americans against Henry Ford in the 1920s and against German goods in America, Britain, Palestine, Lithuania, and Poland in 1933. A boycott of British goods was organized by Gandhi in India. Boycott was deployed against South Africa in the apartheid era, and contributed considerably to the symbolic delegitimation of that racist regime. Ultimately, Americans need to remember that the “Boston Tea Party” was, after all, a powerful and important instance of boycott. In the context of the failure and discrediting of the Middle East “peace process” and the political elites (Palestinian, Israeli, American) involved in it, and of the unrelenting Israeli assault on Palestinian rights, land, economy, and life, boycott and BDS offer a firm but civilized form of pressure on Israel and of support for the Palestinians.

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