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Taking Israel to Task

MLA Delegate Assembly narrowly approves controversial measure criticizing Israeli decisions on trade and the West Bank. Should the meeting have been chaired by someone who backs boycott of Israel

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By [Scott Jaschik](#)

Note: This is an expanded version of an article published Saturday.

rights and academic freedom, while critics said that the association was singling out Israel based on bias against the nation. Some critics are now charging that the process was flawed because the association backed the boycott of Israel (more on this issue below).

The vote now goes forward for further review by MLA leaders, and then the membership, and so the association policy just yet. But the issue set off intense debate here. The meeting of the Delegate Assembly was interrupted by confusion over the rules -- and delegates on both sides of the issue expressed frustration. The meeting was run. Some parliamentary decisions were revisited, and there were numerous interruptions so MLA leaders could study the rules. One attendee on Twitter wrote of the Delegate Assembly meeting: "faculty mtg you ever attended, times 1 trillion."

Ostensibly, the vote was about a specific Israeli policy with regard to how some people are or are not treated in a country. Proponents said scholars were being blocked from visiting Palestinian universities, while critics said American and other scholars who travel to those institutions all the time.

But much of the debate went beyond that. Supporters of the resolution talked about their view of Palestinians' rights, and cited U.S. aid to Israel as a reason to justify a focus on that country. Critics, meanwhile, said that the MLA lacked the expertise to weigh in on these issues. Further, many felt the association risked its reputation by singling out Israel.

In a change made to the resolution before today's meeting that was cited by critics as an example of how Gaza were removed. Supporters said that they were trying to clarify the measure. But critics noted that the organization had no control much of the entry to Gaza, and that the change illustrated that supporters hadn't done their homework.

The vote here took place against the backdrop of [a recent vote by the American Studies Association to criticize Israeli universities](https://www.insidehighered.com/news/2013/12/17/american-studies-association-criticizes-israeli-universities). (<https://www.insidehighered.com/news/2013/12/17/american-studies-association-criticizes-israeli-universities>) But proponents of the measure denied repeatedly that this was a first step in a larger effort that the matters were not necessarily related.

At the end of the meeting Saturday, the Delegate Assembly declined to take up an "emergency resolution to criticize those who have criticized the American Studies Association. For such a resolution -- subject to a 75 percent deadline -- to be considered, 75 percent of the delegates would have to have approved it, and they did not do so. Many delegates were at that point, however, clearly anxious to see the nearly five-hour meeting end.

The MLA announced however, that the emergency resolution would be referred to the association for possible consideration. That was viewed as a victory by one of the supporters of the emergency resolution.

The debate about the main resolution was contentious from the start, with Richard Ohmann, an American Studies professor at Wesleyan University, calling for an apology from Cary Nelson, one of its leading critics, for saying the resolution was a step toward a boycott. "That statement is "false, insulting, damaging to our professional reputations," said Ohmann, professor at Wesleyan University. "I would like an apology." Ohmann called the resolution "narrow in scope."

Nelson, a professor at the University of Illinois at Urbana-Champaign and former president of the American Studies Association, responded to the apology request: "Not in this life."

Ohmann questioned why Israel was being singled out when there are complaints about scholars' access to academic freedom.

institutions" to refrain from those practices.

The chair of the meeting -- Margaret Ferguson of the University of California at Davis -- ruled the grounds that it was too similar to past MLA resolutions. That ruling outraged many here. But a substitute resolution should have been ruled out of order for not really being an amendment, but a resolution not related to the first one. Ferguson initially declined to let her ruling be challenged. It was challenged. And the delegates voted to sustain her original ruling, killing off the substitute proposal.

On Sunday, critics of the resolution learned that Ferguson is among those who has [endorsed a boycott](http://www.usacbi.org/endorsers/) (<http://www.usacbi.org/endorsers/>). To some, that suggested a clear conflict of interest, given the boycott as evidence of hostility to Israel. There were various points during Saturday's session that angered both sides of the debate over the resolution, and she did not once voice a substantive opinion before the Delegate Assembly.

But critics said that had she not ruled against the substitute resolution, it might have gathered principle that on a contentious issue such as the resolution, it only made sense to have someone not having a conflict.

Rosemary Feal, executive director of the MLA, noted that Ferguson is the first vice president of a person in that position is designated to preside over the Delegate Assembly. Feal said that she signed a statement of support for the boycott, but that this was before she became an MLA officer and that Ferguson should have recused herself or been passed over for leading the meeting. Many MLAs involved in various causes, and this should not disqualify them, she said.

Feal also questioned the motives of those who are raising questions about Ferguson. "By targeting the governance structure of the MLA, we think those who oppose the resolution are attempting to find anything possible with which to impugn the governance structure of the MLA," she said. Further she said that many of the groups opposing the resolution have made unfair and false statements (mischaracterizing the process for getting on the MLA program, for example) and their leaders have faced a barrage of hateful emails and phone calls because of the controversy.

Nelson, however, said that the relevant issue was a conflict of interest. Via email he said that "by the standards," Ferguson is "guilty of a conflict of interest."

He added: "This fundamental conflict was not acknowledged either before the meeting or during the Delegate Assembly members, except, presumably her fellow endorsers. Ferguson should certainly not be any member of the MLA staff or executive council knew, they should have compelled her to do so. She silenced resolution opponents at every opportunity and ruled an alternative resolution out of order. The vote should be voided and Ferguson should resign her position in the organization."

Via email Ferguson said the following: "The resolution was not about a boycott, but about the nature of previous MLA resolutions have been. Finding someone in our profession who has not commented on the boycott, and who therefore would be qualified to chair this meeting in the opinion of some critics, was difficult if not impossible. I conducted the meeting carefully, in accordance with Robert's Rules, and with the advice of MLA experts in those procedures who have advised presiding officers for years. When I ruled a resolution out of order, that decision was put to the Delegate Assembly members for a vote -- which I welcomed. The chair's ruling was 88 yay and 25 nay. At no time did I offer any opinion on the resolution because it was not my role to do so."

that all of the complaints about whether the MLA is qualified to take a stand on the issue amount to "I know enough to speak out. It is an oppressive rhetoric to make us feel too ignorant," he said. "It is stupid to decide for yourself."

Others supporting the resolution said that just because other countries have problems is no reason to criticize Israel. They compared Israel to apartheid South Africa and said that by the standards cited by the resolution, they could have spoken out about South Africa.

After the vote, Rachel Harris, head of the Hebrew division of the MLA, said she was upset by the resolution. She is a professor of Israeli literature and culture at Illinois-Urbana-Champaign, and she studies Palestinian literature in Hebrew. She said she was "deeply sympathetic" to many of the concerns of proponents of the resolution but was "appalled by the lack of critical evidence" in the debate and the singling out of Israel.

She said that "motions of this kind are part of a broader movement to delegitimize the study of

How Much Impact?

The MLA no doubt has influence over many things, and its reports on subjects such as tenure and curriculum have prompted considerable campus discussion. Updates of its style guide are much discussed. Many sessions at its annual meeting attract full houses of academics anxious to share ideas about the state of the profession. To many scholars, the MLA provides an opportunity they have may find in a room full of academics who share their research specialties and their literary passions.

But for all the debate here on the Middle East, the influence of MLA resolutions (whether on high school or political issues) may be hard to demonstrate. The Delegate Assembly has voted to support [resolutions](http://www.mla.org/governance/mla_resolutions/2003_resolutions) (2003), to [grant tenure](http://www.mla.org/governance/mla_resolutions/2009_resolutions) (2009) and to urge the [adoption of solutions to gun violence](http://www.mla.org/governance/mla_resolutions/2013_resolutions) (2013). There have been some MLA members who object to the association taking political stands. But on issues such as the resolution on Israel, most members who spoke at the Delegate Assembly agreed (and quite likely most members who didn't speak) -- and thus the votes didn't attract a lot of attention.

Saturday's vote, in contrast, attracted MLA members who normally ignore the Delegate Assembly. The vote was covered critically [in the Israeli press](http://www.jpost.com/News/Resolution-critical-of-Israel-passes-preliminary-Modern-Language-Association-vote-337) and [the Iranian press](http://en.alalam.ir/news/1553982).

With the resolution that passed now moving to the MLA's Executive Council (and, if approved there, to the MLA itself), some of the lobbying over the issue will shift as well. Critics of the resolution vowed to continue to lobby against the measure, while also noting the relatively narrow margin by which it passed. Some posted comments that the MLA has in the past approved resolutions seen by some as more critical of Israel than the current resolution.

In 2008, the Delegate Assembly passed a resolution that expressed "solidarity with scholars of the Middle East" and the resolution specifically said that "education at all levels in the occupied territories is being stifled."

But in other years, the MLA has resisted efforts to specifically criticize Israel. In 2007, the MLA passed a resolution that called on the MLA to "defend the academic freedom and the freedom of speech

The next big issue for the MLA (after considering the resolution on travel by scholars) will be the stand on the reaction to the American Studies Association's boycott vote.

Supporters said that they were pleased that the MLA's Executive Council will be taking up the issue. Professor of English at Rutgers University at Newark, said that in taking up the issue, the Executive Council "takes seriously the attacks on academic freedom." She said that the MLA should stand up for the ASA and various politicians."

And indeed some politicians have been getting involved in the boycott debate in ways that some (opposed to the boycott) find troublesome. Sheldon Silver, speaker of the New York Assembly, <http://assembly.state.ny.us/Press/20140110/> Friday that would bar public colleges from using groups that favor boycotts, or to pay membership dues or travel expenses related to such groups.

But to some critics of the boycott, language in the emergency resolution would seem to criticize the ASA's boycott vote, not just politicians who are threatening to cut off funds. The resolution states "the right of academic organizations and individuals, free from intimidation, to take positions in the struggle against racism. Be it further resolved that the MLA encourage robust discussion of issues of academic freedom of Palestinians."

Roz Rothstein, CEO of StandWithUs, a group that supports Israel, issued a statement saying this: "This resolution was a backhanded effort to silence criticism of anti-Israel measures by denouncing the ASA – or anyone else – has every right to make statement or enact resolutions, no matter how dishonest they are. But the MLA Delegate Assembly confirmed that opponents have the same right to make such measures."



[\(/print/news/2014/01/13/mla-delegate-assembly-narrowly-votes-criticize-israel?width=775&height=500&iframe=true\)](http://www.insidehighered.com/news/2014/01/13/mla-delegate-assembly-narrowly-votes-criticize-israel?width=775&height=500&iframe=true)

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