The ISA Academic Freedom Committee (AFC) met at the ISA annual meetings in San Diego on 1 April 2012. The Chair scheduled the meeting improperly in his calendar, and thus arrived three hours late, missing the meeting. Harvey Starr was kindly stepped into the breach and chaired the meeting. At that meeting, the committee discussed a range of issues, focusing on agenda items: Two issues were discussed at the meeting: (1) how to handle requests about the committee's decisions on cases, and (2) whether the committee can become more active.

Requests for Committee's Decisions

It was decided that the AFC Chair can respond to requests by communicating "this is what we recommended to ISA Executive Committee," and also let the inquirer know the people to whom we recommended ISA ExComm send the letter.

Committee Activity

Per her agenda request Alison Brysk led a discussion of proactive monitoring, and whether the committee can or should do more. It was agreed that referrals have been low, even if the mandate of the committee is limited to taking them, and that lack of knowledge of the committee is a factor. So we discussed putting a simple paragraph about who we are and what we do on the web site and/or newsletter, and the Chair of the committee followed up, and this was done.

It was further noted that Both Brysk and Marchand had previously proposed to periodically monitor and regularly brief the committee. Each offered to help the AFC to monitor more actively, that is, keeping track of academic freedom cases that would affect our members from other organizations without waiting for referrals. Specifically, they would be willing to resume monitoring and brief the AFC on behalf of the Human Rights Section, and/or communicate with the Human Rights Section (or Mark Gibney) and ask that someone else be designated to do so.

Two members completed their service, Alison Brysk and Marianne H. Marchand. Each played a key role in getting the committee on its feet and up and running. Two new members, Zhu Feng and Evelyn Goh joined the committee.

The other major event of the year involved the Ben Gurion University case. ISA member James Ron wrote to the committee chair in mid September to request that the AFC investigate a threat to academic freedom at Ben Gurion University (Israel). Professor Ron provided attachments of several documents and links to a number of press reports about the case. The Chair reviewed these materials and decided that the case likely fell within the AFC's purview, and as such wrote an email to the committee members providing them the materials and asking them to vote on whether they agreed with his view regarding the case. The committee unanimously agreed that the case fell within the AFC's charge,
so the Chair asked each committee member to reach a judgment on the case (specifically, whether the AFC should recommend to the ISA Executive Committee that the ISA President) using the materials at hand and any additional material they were able to obtain. The Chair further offered to write a draft of a letter to be submitted to the Executive Committee for the ISA President’s signature, but said he would happily defer to any committee member who cared to write the others and offer to write such a draft. Professor Ron continued to forward a number of additional materials (primarily letters of concern from other academic associations), and the Chair distributed those to the committee.

On 4 October the AFC Chair sent a draft of a letter to the AFC members, asking for comments and approval. Committee members unanimously approved the letter draft, making a handful of suggested revisions. On 5 October the AFC Chair forwarded the draft letter to the Executive Committee, asking it to deliberate on whether the ISA President should send the letter (as is, or as amended by ExComm) or reject the AFC’s recommendation.

Upon receiving the email from the AFC Chair’s the ISA Executive Director wrote back an email expressing confusion and uncertainty about what was being asked. Something of a row ensued via email between the Executive Director and the AFC Chair, the former of whom expressed concern to the Executive Committee about ISA’s potential legal liability and exposure to threat of loss of its 501c3 status with the US Internal Revenue Service should the Executive Committee approve the AFC’s recommendation that the ISA President write a letter of concern regarding the case. The Executive Director then recommended via email that ExComm effectively table the issue and take it up at its annual meeting in April 2013. ExComm agreed.

The Chair of the AFC found this decision unsatisfying, believing that it effectively neutered the committee, which has as its sole function, marshaling the Association’s stature to bear public witness, via letters from the President, to threats to academic freedom. The Ben Gurion case would be decided in October of 2012, so tabling a decision until April 2013 was a decision not to take action. While the AFC Chair took no position on the outcome of ExComm’s deliberation—

which are clearly ExComm's domain—a precedent that deliberation of AFC recommendations could be put off until an annual meeting struck the Chair as sufficiently threatening to the AFC’s integrity, that he wrote the ExComm and explained that he would publicly resign his post unless they reversed their decision and met ASAP to vote on the recommendation.

It turned out that while the AFC Chair, ISA Executive Director, and ExComm were exchanging emails during late September and early October ISA President Etel Solingen was quietly building support to hold an unprecedented ExComm conference call to address the AFC’s recommendation. Indeed, earlier on the day that the AFC Chair sent his resignation threat President Solingen had persuaded the Executive Director to begin scheduling such a meeting. In that regard, the AFC Chair unwittingly produced unnecessary stress for the President and Executive Director. President Solingen's leadership in this situation is greatly appreciated by the AFC.

The Executive Director asked the AFC to resubmit the request to ExComm providing more clear direction. The AFC Chair shared this information with the committee, and asked whether any felt that the letter should be revised, given new information (e.g., news reports, other associations’ letters) that had been produced since we had written our initial draft. A few members offered revisions, they were voted on and unanimously accepted. On 16 October the AFC Chair submitted the revised draft letter to ExComm. On 19 October ExComm held the first teleconference in its history, deliberated and voted on the recommendation. Per AFC policy, we do not discuss either the contents of our recommendations to ExComm, nor upon ExComm’s decisions, but instead refer any queries about such to the Executive Director.