

For Immediate Release

Public Interest Lawsuit Reveals Plot by BDS Activists to Takeover Academic Associations

Washington, D.C., November 9 – Leaders of the controversial Boycott, Divestment, and Sanctions (BDS) movement conducted a covert campaign to take over academic associations, without disclosing their political agenda, and then to use their influence to impose boycotts on the State of Israel, according to newly discovered documents. BDS activists were forced to reveal this secret agenda, as well as the unsavory means used to advance it, in the course of the cutting-edge anti-boycott litigation brought against the American Studies Association by Professors Simon Bronner, Michael Rockland, Michael Barton, and Charles Kupfer in 2016 (*Bronner et al v. Duggan et al* (1:16-cv-00740), District of Columbia District Court). The professors’ success in partially defeating the ASA’s motion to dismiss in April 2017 set the stage for the dramatic new revelations.

“The evidence shows that members of the U.S. Campaign for the Academic and Cultural Boycott of Israel [USACBI], a movement which promotes BDS in the United States, have sought to take over the ASA and similar associations,” stated Jerome Marcus, of Marcus & Auerbach LLC, lead counsel for the plaintiffs. Five of the proposed amended complaint’s defendants are USACBI leaders: Sunaina Maira, Neferti Tadiar, J. Kehaulani Kauanui, Jasbir Puar, and Steven Salaita.

“This case is about the illegal, hostile takeover of a non-profit, academic association by leaders of an anti-Israel group,” added Louis D. Brandeis Center for Human Rights Under Law’s Jennifer Gross, another attorney for the plaintiffs. “Through a series of misrepresentations and breaches of duty, USACBI activists obtained positions of trust in the ASA, and then abused those positions in order to capture and exploit the assets of the ASA to advance the agenda of the BDS movement.”

As detailed in the lawsuit, USACBI is an anti-Israel political activist group that seeks to delegitimize the State of Israel in the world community. It proscribes any academic involvement with Israeli universities, including intellectual discourse, collaboration on research, and even study abroad programs. Newly-revealed emails show how USACBI activists took over the ASA in order to use the academic association as a tool for advancing their anti-Israel political agenda.

The lawsuit reveals that they plotted to take-over the ASA by stealth, because most scholars opposed any form of academic boycott, and many considered the USACBI’s anti-Israel boycott to be anti-Semitic. The lawsuit shows that the plot was concocted in part by controversial BDS activist Jasbir Puar, who has suggested that Israel had mined for organs of Palestinians for scientific research.

Explicit emails between and amongst various defendants show how Puar promoted the USACBI agenda by packing the ASA leadership with BDS advocates. BDS activist Sunaina Maira wrote in an email: “Jasbir is nominating me ... for the Council and she suggests populating it with as many [USACBI] supporters as possible.” Another BDS

supporter explains: “In my conversations with Jasbir it’s clear that the intent of her nominations was to bring more people who do work in, and are politically committed to . . . the question of Palestine . . . we were nominated in order to build momentum for BDS even though the question of BDS in American Studies Association may or may not emerge while we’re on the council.”

Emails amongst candidates for ASA leadership positions explicitly agree that they would *not* disclose their plan to advance BDS to ASA members. The one candidate who disagreed, saying the issue was material and disclosed his support for BDS, lost. Those who kept it secret were elected.

These same BDS activists, once elected, manipulated ASA procedures to suppress voting for the Boycott Resolution by ASA members who disagreed with them. In an email, ASA Executive Director John Stephens explained that those academics who would pay their dues after the announcement of the vote would likely vote against the BDS resolution. By artificially freezing the cut-off date for dues payment, the BDS activists succeeded in preventing some long-time dues-paying ASA members from voting. The complaint further alleges, in spite of these manipulations, BDS activists never actually obtained the number of votes necessary to impose a boycott but manipulated the association to impose one anyhow.

“The email paper trails reveal nothing less than a focused campaign to capture a society of academics with no relationship to Israel, its Arab neighbors, or the Arab/Israeli conflict,” added Aviva Vogelstein, the Brandeis Center’s Director of Legal Initiatives. “The ASA’s boycott campaign was conducted by activists who are focused on only one thing: using organizations of scholars – including but not limited to the ASA – and their resources, including good will, to attack Israel.”

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The Louis D. Brandeis Center for Human Rights Under Law is a non-profit organization designed to protect the civil and human rights of the Jewish people, and promote justice for all. Specifically, LDB combats anti-Semitism on college and university campuses through legal advocacy, public policy education and research. It is not affiliated with the Massachusetts University, the Kentucky law school, or any of the other institutions that share the name and honor the memory of the late U.S. Supreme Court justice. For more information, contact Jennifer Gross at jenniegross@brandeiscenter.com.