

Academia's moral entanglements in the face of a racist regime

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Introduction

Many academic societies with large, international memberships are based in the United States and host annual meetings that are focal points for their respective fields. Changing rules and norms with respect to border control threaten to impact large groups of scholars, many of them trainees, who will be effectively prevented from full participation in their field and their scholarly community. Here, we call on scholarly societies to defend the interests of all of their members and to ensure that their events and operations do not reproduce or reinforce discriminatory policies of the U.S. government.

Donald Trump's January 2017 executive order banned all citizens of seven Muslim-majority countries (Syria, Iran, Libya, Somalia, Yemen, Sudan, and Iraq, which was subsequently removed in the revised ban) from entering the United States. Hyperbolically called "Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States," it was the first line of an attack orchestrated by the Trump administration on racialized migrants, asylum seekers, and refugees. More commonly referred to as "the travel ban", the order was hastily designed and implemented, with flaws that led to uneven and inconsistent application largely left up to the discretion of local Customs and Border Protection (CBP) officers. When the travel ban was active, a number of Canadian passport holders, some of whom were born in Canada, were denied entry with no explanation (Banerjee 2017; Montpetit 2017; Lowrie 2017; Rukavina 2017). These included a teenager traveling with his team for a sports competition and various people visiting family and doing cross-border shopping.

Additional changes to policy (both implemented and proposed by the current administration) aim to seal the land border between the U.S. and Mexico, dramatically increase immigrant detention, limit the presence of immigrants from racialized groups in the country (both aspiring to settle in the U.S. as well as legal permanent residents), deport those residing in U.S. territory without a proper visa, and put the processing of refugee applications on hold indefinitely (Cook 2017; Cruz-Torres 2017; Hiemstra 2016 and 2017). The executive order and related measures are illegal (American Civil Liberties Union 2017) and constitute a violation of international commitments assumed by the U.S. (such as the Geneva Convention). By disproportionately targeting nationals of Arab and Latin American countries, the order also has an unquestionable racist intent.

Moreover, there is a remarkable incongruence between the countries targeted in the ban and those whose nationals have been involved in previous terrorist attacks on U.S. soil, or which are known to be currently a source of jihadist terrorism (Neier 2017). This begs the question of whether the travel ban is misinformed, misguided, or supports a larger white supremacist agenda – or all of the above.

Impeding academia, one travel ban at a time

The impact of these anti-immigration measures has been felt far and wide. Vulnerable migrants continue to be affected by these policies and decades of similar anti-immigration policies supported by previous administrations: Latino mothers crossing the southern border with their children, who will likely be separated and detained upon arrival, with parents charged with human smuggling (Gordon 2017, Hiemstra 2016 and 2017); and refugees fleeing war, whose selection process will be protracted and perhaps never completed (Harvard Immigration and Refugee Clinical Program 2017). Those racialized and vulnerable migrants were the original target of the executive order and the associated anti-immigration measures that followed Trump's inauguration. Due to its flaws and lacking clarity, the "travel ban" has also affected people who clearly do not fall under its scope, such as Canadian-born citizens who have been barred from entry based on presumed religious affiliation. The nature of the ban and the rhetoric leading up to it, combined with the wide latitude and lack of accountability enjoyed by CBP officers, have legitimized already widespread racial profiling at the border, and created an arbitrary mechanism for excluding individuals based not on nationality but on ethnic and religious judgements made on the spot.

Academics could be considered a fairly privileged bunch in the current global context of international human mobility: travel is not only expected, but encouraged for the purposes of both data collection and knowledge dissemination. Doing international fieldwork and attending international conferences is the bread and butter of our profession. The relative privileges scholars enjoy mask the great diversity of the international academic class, which includes tenured professors as well as poorly salaried temporary teaching staff and students, and of course scholars from different racial and religious backgrounds from all over the world. The "travel ban" has sent shockwaves throughout this high-flying tribe of ours.

Academics from the listed countries who reside in the United States, no matter their status (green card holders, those on work visas, or others), have had to put all personal and professional travel outside the country on hold for fear of being refused entry upon returning. Researchers in this group who were outside the country when the executive order was passed found themselves stranded overseas – unable to return to their offices, their homes, and their families (Redden 2017). Moreover, while previous attempts to implement the ban were deemed illegal, on June 26, 2017 the Supreme Court partially reinstated it, effectively barring most travellers from the six Muslim majority countries included in the original order from travelling to the U.S. (Shear and Liptak 2017). Scholars who are passport holders from the blacklisted countries face insecurity about being banned suddenly in the future with no recourse.

The implications of this far-reaching travel ban were clear at a number of conferences held in the U.S. in early 2017, where an unknown number of researchers decided to cancel their travel plans out of fear of being turned away at

the border. The “travel ban” prompted others to reconsider their professional commitments more broadly. The uncertainty and chaos caused by capricious executive orders means that many people from countries beyond the six or seven listed have increasingly been turned away at the border by CBP officers with no explanation, and there is reason to fear that this will continue. For example, an MIT professor originally from Niger scheduled to present his work at McGill University in Montreal soon after the executive order was announced cancelled his trip due to the uncertainty posed, despite not being from a listed country. Many geographers decided not to attend this year's American Association of Geographers (AAG) conference not only out of solidarity with targeted scholars, but also out of uncertainty about their or their trainees' chances to successfully cross the border.

Geographers have documented the emergence of a new global border regime and how it targets racialized migrants and those from Muslim countries disproportionately (Burridge et al 2016, Dünwald 2011, Johnson et al 2011, Kaytaz 2016, Mainwaring and Brigden 2016, Minca and Rijke 2016, van Houtum 2010, Walters 2016, among others). However, anti-immigration policies as impulsive, sweeping, inconsistent, and racially charged as Trump's executive orders are new terrain for residents of and visitors to the United States.

Perhaps more than other disciplines, critical geographers are uniquely positioned to contribute to conversations advancing ideas about space, borders, geographies of exclusion, bodies, and justice, among others, and to tease out the implications of Trump's anti-immigration efforts. As members of the international academic community, we feel compelled to bring attention to the consequences that these policy decisions have had and will continue to have on the future of scientific knowledge. And, as members of the AAG and professionals whose work is primarily funded through taxpayer money, we are outraged at finding ourselves in a position in which we are compelled to choose between either not attending conferences or leaving racialized students and colleagues behind, despite the impact that will have on their careers.

Roles and responsibilities of professional societies

American academic institutions, associations, and conference organizers have responded in a variety of ways that reflect the confusion surrounding the executive order and the ethical questions it raises. Some scholarly societies have made no statement at all on the executive order to date, while others have made general statements promoting diversity, inclusion, and the international nature of academic research. At the Society for Neuroscience (SfN) annual meeting held in November 2016, a week after Trump was elected, one of the authors attended an advocacy event where the audience was advised “not to get caught up in partisan politics,” with the implication that it may jeopardize national research funding under a new administration that has already proven itself to embrace pseudoscience and science denialism.

The AAG's initial response to the ban was, to some, inappropriately lukewarm, given the gravity of the situation. In a public letter, the association's president argued that the discipline has a central role as a "fountainhead of actionable and policy relevant knowledge" and that "[i]t is critical that the United States continues to welcome geographers and others of all backgrounds and nationalities" (MacDonald 2017). But the association failed to follow through with actions to support this statement. The AAG's commitment to materially assist registrants for their annual conference in April who were affected by the executive order was minimal, despite claims that they are "supporting" their members (AAG Staff 2017). In response to the ban, or "travel restrictions" as the AAG calls it, the organization's leadership initially stated that it would fully reimburse without penalty only conference attendees who are passport holders of the seven listed countries, and only if they were based outside of the United States. This meant that a boycott in solidarity by passport holders of the seven listed countries based at US institutions would not be supported, nor would a boycott by any others. The AAG offered to provide registrants from the seven countries with the option of presenting via teleconference or through a surrogate presenter so they could remain in the conference program. After the circulation of an online petition and over six weeks of outcry among members, the AAG leadership agreed to reimburse without penalty those affected on a case-by-case basis.

In contrast to the AAG, the International Studies Association (ISA) issued a stronger statement within just a few days, also in response to criticism of their bland initial response by their membership, stating that they would fully refund registration fees and waive withdrawal penalties for their upcoming annual conference to those "personally and morally affected" (Tweet from Jen Fontanella, Director of Operations, January 31, 2017: <https://twitter.com/isanet/status/826510850131447808>). The ISA also issued a statement that "scholars negatively affected by this executive order are strongly encouraged to contact the committee through its dedicated email address." This response better reflects the vast network of people affected by the ban, far beyond just nationals of the seven listed countries.

An independent petition, signed by over 43,000 academics to date (<https://notoimmigrationban.com/> as of June 29, 2017) was less circumspect than most society statements on these issues, declaring the executive order overtly discriminatory. Other direct actions and statements from academics, such as the March for Science or ACME's first AAG annual protest (unequivocally named "Geographers against Trump"), directly challenge the fascist and anti-intellectual characteristics of the current administration in a way that our institutions – universities and professional societies – are not.

Part of the reason that scholarly societies such as SfN and the AAG are unable to respond more effectively to such executive orders and to Trump in general is that they are financially dependent on large annual meetings or have relinquished control of these conferences to event management companies. The

question then becomes whether scholarly societies exist primarily to serve the organizational interests of the societies themselves or the interests and values of a diverse and international membership.

Professors who wish to bring their Muslim (or “Muslim-looking” or otherwise deemed suspicious to a border agent emboldened by Trump rhetoric) trainees to the United States to attend conferences and other training opportunities are now faced with a dilemma. If they attempt to bring these students to conferences, the students risk being denied entry and the stress of racially-motivated harassment and questioning. The current language of grant bodies' reimbursement policies is clear: funds spent on registration fees, hotels, and transportation cannot be reimbursed if participation is cancelled. It is doubtful that airlines and hotels would refund students in this position, and as noted above it is unclear if conference organizers would reimburse registration fees. Groups travelling together might all have to choose between turning back or stranding one person at the border. One of the authors was faced with this prospect when she realized that carpooling with her graduate students, one of whom is Yemeni-Indonesian, from Montreal to the AAG in Boston put the entire group at risk. These concerns can compel students (or their advisors) to avoid the financial risk of attending U.S.-based conferences. However, this then puts professors in the position of deciding whether to leave at-risk trainees behind while bringing other students.

This means that, inadvertently, both professional associations such as the AAG as well as supervisors are using public funds to effectively discriminate against researchers based on the anticipated assessment of their national and religious background by border agents. There may be no ill intent in these decisions: the AAG may or may not be able to assume the financial impact of reimbursing scholars affected by the ban, and supervisors and students alike are simply making a rational decision in the context of existing institutional reimbursement policies. But the result is the same. Segregation and allocation of federal grant money based on race or religion is both deeply unfair and raises serious ethical and legal concerns regarding the use of public funds. More explicit policies are required to guide fair decision-making about funding and make explicit what the shared responsibilities are when spending tax-payer-funded grants.

Universities and scholarly societies are accustomed to interacting with the government based on a set of norms respecting the central role and value of higher education, academic research, and the free movement of ideas and people in the context of the global research and academic ecosystem¹. The sooner we realize that

¹ While a Trump presidency poses new challenges, we acknowledge that there are on-going and systemic inequalities and obstacles for many in the scholarly community, particularly undocumented students, a situation that illustrates that despite the novelty and chaos of the travel ban, many experience a high degree of continuity across administrations (Muñoz and Espino 2017; Person and Gutierrez Keeton 2017).

those norms no longer hold, the more effective our organizations will be in truly promoting the public good in the long term.

Complexities and entanglements: Moving forward

We write this brief piece to spark a dialogue and in the hopes that professional associations and granting agencies will recognize the complexities and entanglements of scholars in the context of increasingly globalized higher education, and the unprecedented and dangerous circumstances presented by the Trump administration. We hope that members of professional associations will demand and help to develop nuanced policies that truly protect and are sensitive to the needs of their domestic and international members. Moving forward, each professional association should hold sessions at annual meetings to discuss and refine their stance and future responses regarding the new political reality and how best to support members. It is not enough for scholarly societies to issue well-meaning but vague statements in support of their members and their general commitment to diversity; specific policies need to be clearly articulated, codified, and enforced to make clear what is acceptable. For example, the California Assembly Bill 1887, which became effective on January 1, 2017, officially prohibits the use of state funds to travel to states with discriminatory laws.² Other countries, provinces, and states have similar laws and funding bodies and professional societies need to be not only in closer alignment with these, but play a more active leadership role in crafting and supporting them.

The prominence of U.S.-based scholarly societies and the role their annual meetings play in many disciplines complicate outright boycotts or funding restrictions on U.S. travel. However, the fact that these organizations are central to their fields depends to a significant extent on having a lot of international, dues-paying members. American scholarly societies should consider hosting annual meetings outside the U.S. at least some of the time. For example, the Society for Neuroscience has held its annual meeting in Toronto twice, though not in recent years.

While this article was being revised, the U.S. Supreme Court issued a ruling that upheld some provisions of the travel ban while also imposing limits on its enforcement. These limits include exempting those with a valid work, study, or residency status in the U.S., which should mitigate some of the risk for those currently in the U.S. when trying to re-enter after travelling abroad. That said, the Court's ruling is unlikely to clarify or harmonize how the ban is enforced by individual border agents empowered to act at their own discretion and with little or no accountability. This fuzzy enforcement means that, for the foreseeable future,

² The travel restrictions originally applied to Kansas, Mississippi, and North Carolina, and Alabama, Kentucky, South Dakota, and Texas have subsequently been added.

those who are similar in terms of religious, ethnic, or regional origin to those explicitly targeted by the ban are at risk when travelling to the United States.

The scholarly community needs to closely examine their ethical responsibilities in supporting and advocating for their members, and for science more broadly, and the varied ways in which Trump's presidency affects us all. Channels of communication between members and leadership of professional societies should be open and should better represent graduate students, junior faculty, minorities, and others most vulnerable to exclusionary policies such as the travel ban. While Twitter and online petitions have shown efficacy in prompting change within professional society leadership, ideally expanded representation of the membership in decision-making will stem the need for such tactics. Finally, we must ensure that our societies advocate for their academic mission and the long term priorities of their membership and not just short-term organizational self-interest.

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