



**Jewish Voice for Peace Academic Council's\***  
**PRELIMINARY STATEMENT ON COLLEGE AND UNIVERSITY BOARDS**  
**OF TRUSTEES IN OUR MOMENT OF CAMPUS REPRESSION AND EMERGENT**  
**FASCISM**

Almost all colleges and universities in the United States, whether public or private, have a *Board of Trustees* that, legally, is the institution's highest decision-making or governance body.<sup>1</sup> Though the composition of boards varies, their members are typically persons of great wealth and/or political influence who work outside the institution; the board is a body distinct from the institution's faculty, staff, students, and administration.<sup>2</sup> In almost all cases, the board appoints the president, who then serves "at the pleasure" of the board.<sup>3</sup>

Over the course of the twentieth century, as U.S. higher education institutions (i) enrolled increasingly larger and broader segments of society and (ii) took on a central role in social reproduction, boards generally adopted a practice, or at least a public posture, of self-restraint in the exercise of their final decision-making powers for their institution, especially over scholarly and scientific research, the curriculum, and faculty personnel matters.

Importantly, board self-restraint was understood and promoted as crucial for academic freedom.<sup>4</sup> Academic freedom was, in turn, seemingly accepted by boards—and educated elites more broadly—as foundational to (i) the value of higher education and higher education credentials and (ii) American democracy, that is, to the U.S. being "a free society," especially in the context of the Cold War.<sup>5</sup>

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<sup>1</sup> T. Kaufman-Osborn, *The Autocratic Academy: Reenvisioning Rule Within America's Universities* (2023).

<sup>2</sup> There are cases where the Board includes a small number of students, faculty, and/or alums, purportedly as representatives (or "voices") of these identified stakeholder groups, but as exceptions—and without breaking down, or even eroding the fact, that the Board remains a body apart from those carrying out or participating in the institution's defining activities of education, learning, and the production of knowledge (or creative works).

<sup>3</sup> It thus often becomes a key task of the president to seek and maintain Board support.

<sup>4</sup> See this AAUP statement: <https://www.aaup.org/report/statement-government-colleges-and-universities>

<sup>5</sup> Along with "academic freedom" having played a role in framing the U.S. as exemplary of "democracy," the promise of "academic freedom" also provided an incentive for leading scientists and scholars from European universities to relocate in the United States, serving as a "brain magnet," as it were.



During extended periods of self-restraint by boards in the past, it might seem as if university and college boards were primarily philanthropic bodies whose members' main role was to make donations and support fundraising. This is especially true because at many institutions one of the few public expectations of board members was that they would make a specified and considerable annual donation.<sup>6</sup> It was never really the case, however, that college and university boards were merely philanthropic. For one thing, presidents regularly consulted with their board (or a subset of it) on major decisions they faced, if only because presidents served at the pleasure of an institution's board. And importantly, even when boards took a hands-off or restrained approach to curricular and faculty personnel decisions, they retained control over financial decisions, notably the investment of institutional "endowments" (the accumulated financial capital of a given institution) and large capital expenses. The investment role has been particularly important, moreover, in recent decades, as (i) state legislatures greatly diminished their financial support for public universities and (ii) endowments at the most "elite" institutions soared—both occurring in the broader context of privatization of public goods and steep "growth" of finance capital and wealth inequality.<sup>7</sup>

Looking back at the history of U.S. higher education, we might say that higher education faculty and boards had struck an unspoken and largely unrecognized implicit compact. For its part, the faculty was, to various degrees, granted notable autonomy in regard to the curriculum and faculty hiring decisions (the faculty domain), while boards, for their part, established great autonomy (generally veiled by confidentiality or a lack of disclosure) in regard to the handling of their institutions' endowments or financial capital (the board domain). And if boards rarely inserted themselves into the faculty domain, the faculty across institutions generally averted their eyes from the investment decisions boards made, even as those decisions tied higher education institutions to, for instance, fossil-fueled planetary destruction, the U.S. prison complex, the global arms trade, and U.S. neo-imperialism.

Many faculty—or more precisely, many tenured faculty—experienced this implicit compact as a good deal: they got to teach and research what they wanted with remarkably little hassle or interference and—again, at least for those who were tenured—received a level of compensation that allowed them to live comfortable lives. For faculty at elite institutions—and among them, those who were treated as "academic stars"—all of this was especially true.

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<sup>6</sup> Given this "price" of serving as a trustee, we should ask what the "return" was for the trustee? Prestige of course, but also and more materially, networking and connections that could "pay off."

<sup>7</sup> Pickety, T. *Capital in the Twenty-First Century* (2017).



In the current moment, however, this implicit compact has broken down. In the context of campus protests in support of Palestinian freedom and equality, and especially in response to demands for divestment from the Israeli genocide in Gaza, boards have increasingly abandoned both the practice and public posture of self-restraint.<sup>8</sup> To us, this makes clear that faculty acceptance of board autonomy in regard to institutional finances, and specifically in regard to decisions about the investment of the institution's endowment, was always problematic, if not a bargain with the devil.

The poster child for the collapse of the decades-long compact between boards and faculties is Columbia University—even if we cannot yet know how prevalent this will become in U.S. higher education. After the president and then the interim president resigned in a span of seven months, the board installed its own co-chair as interim president. And under what is now a fully visible board-controlled administration of the university, academic programs and departments are being re-made to squash if not eliminate the production, circulation, and teaching of knowledge the board finds objectionable, starting with knowledge about the Israeli state's denial of Palestinian freedom and equality and the key role of the U.S. state in this systemic oppression. In addition, in concert with this extraordinary assault on academic freedom, the direct and fully visible board takeover of Columbia is also choking long-practiced freedoms of speech, assembly, and dissent on the Columbia campus.

But it is not just at Columbia and other elite schools where boards have abandoned self-restraint in what, until recently, was the faculty's domain. It defies credulity to think that the firing of tenured faculty member Maura Finkelstein by Muhlenberg College occurred without, at a minimum, consultation with and even prior approval from the Muhlenberg College Board, given the potential for reputational harm to the college of what—at the moments when Finkelstein was suspended and then fired—was a radical breach of faculty autonomy over faculty personnel matters.<sup>9</sup>

In addition, at several institutions, we have seen boards impose on faculty policies that effectively limit the capacity of the faculty in academic departments and programs to adopt and then publicly report their collective judgments about matters of public concern. These restrictions go far beyond the reasonable principle that the positions of a given department or program should not be misrepresented as those of their institution. These board-imposed rules about department or program statements are, in short, not rules requiring transparency about what specific faculty body is speaking—which would be entirely reasonable, if almost

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<sup>8</sup> Appadurai, A. and Pollock, S. "Who Actually Runs Columbia University," *The Guardian*, 1 April 2025.

<sup>9</sup> For a mainstream journalistic account of this case, see:

<https://www.nytimes.com/2025/06/06/magazine/academic-freedom-politics.html>



always superfluous—but rules stifling the faculty of a department or program from speaking as a body, even when they are fully clear about who they are (“x department”) and even on matters clearly related to their collective expertise and mission (e.g., a physics or earth sciences department commenting on the reality of anthropogenic climate change due to carbon emissions from the use of fossil fuels).<sup>10</sup>

As for the reality that the implicit compact between faculty and boards was always a threat to the educational mission of higher education, we quote here the former Columbia graduate student Mahmoud Khalil, speaking in the 2025 documentary, *The Encampments*: “What university in the world would want to invest in weapons manufacturers? Why would you do that? You are concerned with education.”<sup>11</sup> *Why indeed?*<sup>12</sup> It was, in fact, naive of faculty to fail to see that the funding, or material base, of the university would shape the university as an educational institution, both in the classroom and in the university’s public sphere.

Having made these two claims, we conclude with a call for and commitment to three action items:<sup>13</sup>

First, as this is a preliminary statement—an outline that must be filled in and given careful documentation—we call for and commit to producing a fuller report on boards of trustees in regards to the questions and issues we have identified here.<sup>14</sup>

Second, inspired in part by the [Genocide Gentry](#) project, we call for and commit to researching, identifying, and pursuing campaigns targeting trustees on university and college boards whose other activities, in business and/or politics, pose notable conflicts with their obligations to serve the educational mission of the institution whose board they serve on. These obligations include but are not limited to their supporting academic freedom protections

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<sup>10</sup> For examples, see (i)

<https://www.startribune.com/university-of-minnesotas-board-of-regents-approves-controversial-policy-on-faculty-speech/> and (ii)

<https://www.duluthnewtribune.com/news/minnesota/u-of-m-board-of-regents-says-departments-cannot-speak-on-matters-of-public-concern>

<sup>11</sup> These comments start roughly 32 minutes into the film.

<sup>12</sup> From March 8th until June 20th of this year, Khalil was held in detention by the U.S. government because of his role in the Columbia encampment and his advocacy of Columbia’s divestment from the Israeli genocide and occupation—quite plausibly, moreover, with support from Columbia’s administration and trustees given that the government took him into custody from university housing.

<sup>13</sup> We note and are pleased that the “Who Rules the Academy (and How to Fight Back)” caucus of the Coalition for Action in Higher Education (CAHE) is pursuing [a similar initiative](#) and we look forward to working in solidarity with that caucus. In addition, the AAUP has a longstanding and important concern with college and university governance that also must be central to our work moving forward.

<sup>14</sup> As we proceed, we will have to grapple with the issue of how much board interference with academic freedom and the faculty’s role in shared governance overlaps with and is part of a broader phenomenon that includes non-trustee donors.



and rights of speech and assembly at those institutions. We should be concerned, for example, about the prospects for academic freedom protections for honest teaching about Palestine and Israel at an institution where Miriam Adelson serves as a trustee (the University of Southern California).<sup>15</sup> Other cases may involve conflicts of interest with fulfilling the fiduciary responsibilities of trustees, as when making investment decisions: can a trustee who is an oil industry executive, or who is heavily invested in fracking, make an independent judgment about the financial, much less the social, risks of investing an institution's endowment in the extraction of fossil fuels?<sup>16</sup>

Third, at the same time as we research and expose the most egregious cases of individual trustees whose other activities involve serious conflicts of interest with their role as a trustee, we also call for and commit to rethinking the role, composition, and possibly even the existence of college and university boards of trustees. In this pursuit, the defining goal should be to transform higher education institutions into public goods that are democratically accountable to the plural communities they serve, locally and beyond, rather than to wealth and power, as is the case with boards today, or to academia apart from the wider world.

Finally, we invite participation in and collaboration with these three action-items from other movement organizations that share JVP's commitment to a future of collective liberation that includes Palestine; this includes both organizations that share JVP's focus on Palestine and others that do not, such as those that focus on such issues as protecting academic freedom and educational excellence, climate justice, or reining in US militarism and the global arms trade. The problematic of Boards is urgent for all of these issues and more.

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<sup>15</sup> One of, if not the, largest donors to Donald Trump's election campaigns, Adelson also runs the Adelson Foundation, which gives some 200 million dollars per year to support the Zionist state, which is likely the largest single private funding of world Zionism.

<sup>16</sup> On this, listen to the incisive comments of Columbia student Sueda Polat, as heard in *The Encampments*, from roughly 4:55 to 6:55: "...The board of trustees make the important decisions about the direction of the university. They get the final say on the investments and on whether divestment happens. People on the board of trustees are people like Jeh Johnson, who is simultaneously on the Board of Trustees of Lockheed Martin. If you are on the board of trustees of a weapons manufacturer, then you care that that weapons manufacturer makes a profit; you care that there is war enough, deaths enough, enough killing that you can use your weapons."



*\*The Jewish Voice for Peace Academic Council is a network of scholars dedicated to furthering JVP's vision and values <https://www.jewishvoiceforpeace.org>. Drawing upon our shared commitment to both progressive Jewish values and Palestinian liberation, we organize in solidarity with the Palestinian freedom struggle on our campus communities, in our scholarly associations, and in educational and academic settings. We draw upon our skills as scholars, educators, and writers to develop critical analysis of contemporary censorship, especially the suppression and criminalization of dissenting views on Palestine. We oppose the deployment of the charge of anti-semitism to censor or criminalize speech critical of the State of Israel's treatment of Palestinians. We defend employment rights, academic freedom, including extra-mural speech freedoms, and rights of association within higher education and oppose employment discrimination and termination on the basis of protected expressive freedoms.*