

President's Message

Michael Harkins
President, Illinois AAUP



Last April, our Spring Conference at St. Augustine College in Chicago covered a number of important issues. Marty Kich of Wright State presented Corporatization and Online Education. Our current Board members noted the process of AAUP investigations and academic censure through a panel presentation. Many Chapter Chairs and members participated in this Conference. The response from our members attending the Conference was positive.

Over the next few months, we will consider re-offering the sessions to local Chapters or at regional meetings. This November the Officers and Board will meet to discuss and plan our Spring 2016 Conference. Since our last meeting the Officers, Board and Committees have been active in supporting higher education faculty in Illinois. Issues of shared governance, academic freedom and tenure continue to confront us at both public and private institutions.

I encourage faculty throughout the state to form AAUP Chapters at your institutions if one does not exist. For those with existing Chapters consider inviting state and national leaders to your campuses to discuss the issues we all face. Together as a collective our voices will be heard and contributions valued. Later this year and also next Spring, the Illinois Conference will offer a series of workshops for new and current Chapter leaders. These will be offered at different locations in Illinois. Alan Illiff of North Park University will be coordinating these workshops with the help of the current Board. Information about these workshops will be added to our website in the next few weeks.

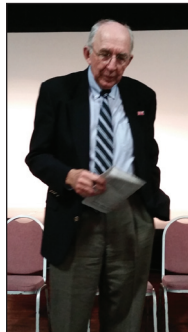
Our membership in Illinois continues to grow. Work to add new Chapters and service existing Chapters is ongoing. As we move forward with this academic year we need to confront the corporatization of our profession and academic institutions. Recent national publications have addressed this concern. In addition to corporatization, hiring issues abound. The recent issue of the Journal of Academic Freedom volume 6 covers the most recent cases with special reference to Illinois. I highly recommend this issue to all faculty. Consider using the information as a basis for a Chapter meeting or special program.

In closing, I want to thank our Officers, Board, Committee A and all the other Committees and Chapter Chairs. These individuals provide expertise on a daily basis to our faculty in higher education. These outstanding educators insure our academic freedom, guard our professional standards and protect our system of shared governance.



Illinois AAUP Annual Meeting

Speakers at the Illinois AAUP annual meeting featured Marty Kich (right) from the Ohio AAUP, Leo Welch (left), and a panel that included John K. Wilson, Diana Vallera, Peter N. Kirstein, Todd Alan Price, and Walter Kendall.



A Century of the AAUP



Hans-Joerg Tiede, a professor of computer science at Illinois Wesleyan University who will be joining the AAUP staff next year, has written a new book about the early history of the AAUP, *University Reform: The Founding of the American Association of University Professors* (Johns Hopkins University Press). John K. Wilson interviewed Tiede via email about his new book.

Illinois Academe: You found a fascinating quote from Arthur Lovejoy, arguably the most important founder of the AAUP, stating in the earliest exchange about the group in 1912 that he wanted the AAUP to be a "trade union" using a "big stick" militantly, but that goal needed to be secondary to prevent "excellent men" from avoiding the group. Was the early focus of the AAUP on academic freedom really an accident or just a secret scheme by Lovejoy? Or is it a mistake to try to understand the purpose of the AAUP from the sometimes contradictory and changing ideas of Lovejoy?

Hans-Joerg Tiede: There is no doubt that Lovejoy had a strong interest in the defense of academic freedom and in having the AAUP serve in that function. But I think it's important to recognize that even Lovejoy had other goals for the establishment of the AAUP, most notably to have it serve as an organized voice against coordinated

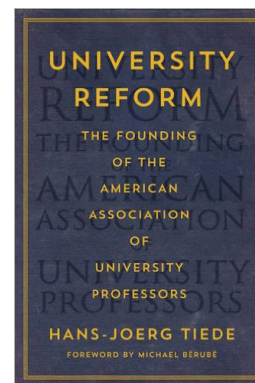
efforts to standardize higher education that did not include the professoriate. However, when you look at the activities of the AAUP in its first year, you can get the impression that the founders of the AAUP had come together specifically to create an organization with the sole or primary purpose of defending academic freedom. That is not what happened. Although the first call for the founding of the AAUP mentioned academic freedom, by the time of the founding meeting, the organizing committee decided not to propose academic freedom as one of the issues to take up. It was Seligman who proposed from the floor of the meeting for the issue to be taken up, and it was the case at the University of Utah a few months later that created the impetus to put that proposal into action. And so, to that extent, it was accidental.

I do think that it matters what goals Lovejoy had for the AAUP, because it was primarily through his efforts that the association was founded. I don't think that his views were so much contradictory as that the goals that Lovejoy had for the AAUP were at times in competition with one another. And so, rather than a "secret scheme," I think Lovejoy was trying to advance different goals at different times. For example, when Lovejoy served as AAUP president in 1919, a large portion of his efforts was directed toward negotiations with the Carnegie Foundation over the establishment of TIAA. It mattered a great deal to Lovejoy that the AAUP was being recognized as the voice of the professoriate, and he considered this an important achievement. And so, I read that quote you cite as an indication that Lovejoy was cognizant of the competition between different goals from the start.

Illinois Academe: The irony is that Lovejoy was writing about a "trade union" to James McKeen Cattell, a leftist professor later fired by Columbia for his criticism of World War I, and Cattell's case helped spark the AAUP's statement on academic freedom during wartime, largely written by Lovejoy. That report is attacked today for abandoning academic freedom, and because its ideas led the AAUP to largely ignore the Red Scare that followed. If the US had never joined in World War I, how might the AAUP's history and its approach to academic freedom have been different?

Tiede: I would argue that of primary importance here is the impact that World War I and the first Red Scare had on the AAUP's views on governance. While both Lovejoy and Cattell had proposed fairly radical changes to the prevailing mode of governance, the AAUP's committee on governance prepared its first report at the height of the 1919 Red Scare. The kinds of views that Lovejoy and Cattell had expressed, which advocated a much more significant reduction in the powers of governing boards than the AAUP would ever subsequently endorse, were now being labeled as "bolshevik." And so the 1920 report of the governance committee explicitly recognized the authority of governing boards, in my estimation so as to avoid being red baited. To get back to your question, had the AAUP been able to advance Lovejoy and Cattell's original ideas for reforming governance, the AAUP's approach to academic freedom arguably would have unfolded differently. A "self governing republic

UNIVERSITY REFORM continued on page 5



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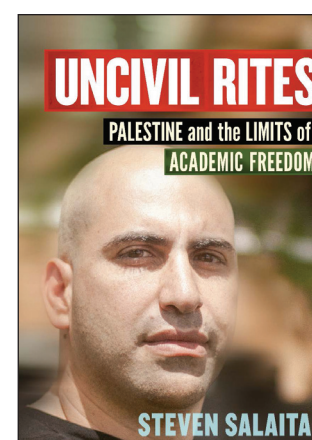
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Illinois Governor Bruce Rauner's War on Unions

By Leo Welch

Gov. Bruce Rauner is living up to a campaign promise of declaring a "war on unions." He is attempting to follow the footsteps of Scott Walker, the Governor of Wisconsin, until recently a presidential candidate. Walker succeeded in destroying collective bargaining rights of public employees in his state, and now Rauner is showing his true colors and attempting the same thing in Illinois.

As part of his pension plan introduced in the spring of 2015 he includes a section on prohibited subjects of collective bargaining and for good measure eliminates tenure rights. The following are the prohibited subjects of collective bargaining.

Prohibited subjects of bargaining.

A public employer and a labor organization may not bargain over, and no collective bargaining agreement entered into, renewed, or extended on or after the effective date of this amendatory Act of the 99th General Assembly may include, provisions related to the following prohibited subjects of collective bargaining:

(1) Employee pensions, including the impact or implementation of changes to employee pensions, including the Employee Consideration Pension Transition Program as set forth in Section 30 of the

Personnel Code.

(2) Wages, including any form of compensation including salaries, overtime compensation, vacations, holidays, and any fringe benefits, including the impact or implementation of changes to the same; except nothing in this Section 7.6 will prohibit the employer from electing to bargain collectively over employer-provided health insurance.

(3) Hours of work, including work schedules, shift schedules, overtime hours, compensatory time, and lunch periods, including the impact or implementation of changes to the same.

(4) Matters of employee tenure, including the impact of employee tenure or time in service on the employer's exercise of authority including, but not limited to, any consideration the employer must give to the tenure of employees adversely affected by the employer's exercise of management's right to conduct a layoff.

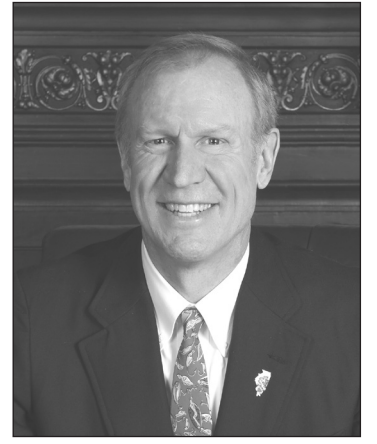
In case of any conflict between this Section and any other provisions of this Act or any other law, the provisions of this Section shall control; except that in case of any conflict between this Section and any other provisions of this Act as amended by this amendatory Act of the 99th General Assembly. The

changes made by this amendatory Act of the 99th General Assembly shall control.

The above components of Rauner's "pension reform" clearly attempts to overturn provisions of the 1984 Educational Labor Relations Act. Included in the Act are mandatory subject of bargaining such as wages, hours and terms and conditions of employment, as well as the impact of these mandatory subjects.

The Tenure Act of 1980 which covers faculty in public community colleges would in effect be eliminated. There is no statute protecting public university faculty, except by policy and or contractual agreements.

The bright side of this picture is that the Democrats hold a veto proof majority in the House and Senate. Keep in mind that no one is safe when the General Assembly is in session.



Committee A Report

By Peter N. Kirstein, Chair

Committee A was well-represented at the AAUP national meeting last June. Our committee was the first to release a supportive statement on behalf of Steven Salaita, who was fired from the University of Illinois at Urbana-Champaign for his ideological position on the Israel/Gaza conflict last August, 2014. Several members of Ill. Committee spoke for a vote of censorship against the U. of I. that was adopted by the members at the annual meeting. Illinois Committee A was cited in the Chronicle and InsideHigherEd for its participation in the

censure-resolution adoption.

One of our Committee A on Academic Freedom and Tenure members, Loretta Capeheart, was a pioneer in litigating academic freedom violations at censured Northeastern Illinois University. She has left Chicago for Portland, Oregon to begin a new chapter in her life. Her dynamism, courage and advocacy for faculty will be sorely missed. She was one of the greatest colleagues ever to serve in any position in our conference. We are very pleased, however, to have such a capable replacement in Robin Meade, who was fired for her criticism of the Moraine Valley Community College administration. She was president of the adjunct union at MVCC. She

has won several rulings and received legal support from the national AAUP Legal Defense Fund. She is currently an adjunct at Triton College in River Grove.

Iymen Chehade is also a part-time faculty member who teaches primarily at Columbia College Chicago. Our committee can boast in having two adjuncts on the committee, reflecting the growing awareness of the plight of the adjunct-majority in the United States.

If any of you are having an academic freedom, shared governance or personnel issue on your campus, we are open for business. Just email me at kirstein@sxu.edu

The other members are Jerry Kendall. John Marshall Law and John Wilson, co-editor of AcademeBlog.org.

Illinois Legislative Report By Leo Welch

1. House Bill 821, (amended) Mussman (Hutchinson) PA 99-0426

Creates the Preventing Sexual Violence in Higher Education Act. Requires public universities, public community colleges, and independent, not-for-profit or for-profit higher education institutions to adopt a comprehensive policy to address student allegations of sexual violence, domestic violence, dating violence, and stalking.

2. House Bill 2657, (amended) Winger (Bertino-Tarrant) PA 99-0058

Makes changes in Illinois State Board of Education educator licensure, including removing the requirement that IBHE approves alternative licensure programs for teachers or principal preparation programs offered by not-for-profit entities.

3. House Bill 3197, (amended) Chapa LaVia (Collins) PA 99-0432

Creates the Attendance Commission within the State Board of Education to study chronic absenteeism and make recommendations for strategies to prevent chronic absenteeism. Includes representation from the Illinois Board of Higher Education and the Illinois Community College Board.

4. House Bill 3284, (amended) Flowers (Hutchinson) PA 99-0416

Creates the Opportunities for At-Risk Women Act. Provides that the Task Force on Opportunities for At-Risk Women shall assist at-risk women who are at increased risk of incarceration because of poverty, abuse, addiction, financial challenges, illiteracy, or other causes. Includes representation from the Illinois Community College Board.

5. House Bill 3428, (amended) Senate (McGuire) PA 99-0358

Amends the College and Career Success for All Students Act. Provides that a student who takes a College Board Advanced Placement examination and receives a score of three or higher is entitled to receive postsecondary level course credit at a public institution of higher education.

6. House Bill 3528, Hernandez, Referred to Rules Committee

Amends various Acts relating to the governance of state universities. Provides that notwithstanding any other provision of law to the contrary, a student who is not a citizen or permanent resident, but meets the requisite requirements, is eligible to apply or receive consideration for any student aid or benefit funded or administered by the State, state agencies, public institutions or the University, including but not limited to scholarships, grants, awards, stipends, room and board, tuition waivers, or other financial or in-kind assistance.

7. House Bill 3593, (amended) Ives (Connelly) PA 99-0482

Amends the Public Community Colleges Act. With respect to employment contracts, other than collective bargaining agreements, entered into with an employee of a community college district, provides that the initial term of a rolling contract may not exceed three years, and a rollover term or terms may not exceed on year. Provides that severance under the contract may not exceed one year salary and applicable benefits. Provides that a contract with a determinate start and end date may not exceed four years. Effective immediately.

8. HB 3599, (amended) Leitch (Koehler) PA 99-0278

Creates the Student Optional Disclosure of Private Mental Health Act. Provides that an institution of higher learning may disclose a student's mental information of a physician, clinical psychologist, or qualified examiner makes a determination that the student poses a clear danger to himself, herself, or another. Provides that the physician, clinical psychologist, or qualified examiner shall notify the designated person that the physician, clinical psychologist, or qualified examiner has made a determination that the student poses a clear, imminent danger (rather than a clear and present danger) to himself, herself, or others. Provides

that all institutions of higher learning shall create a policy and supporting procedures to ensure that every new student is given the opportunity to complete and submit the authorization form if he or she so desires.

9. House Bill 4113, (amended) Costello, II (Forby) Bill Dead

Amends the Southern Illinois University Management Act. Provides that the Board of Trustees shall include one voting student member chosen from each campus of the University. Amends the Illinois Procurement Code. Provides that it does not apply to contracts for the printing of a student-run newspaper at the Carbondale campus of Southern Illinois University.

10. House Resolution 55, (amended) Ives, Resolution Adopted

Directs the Auditor General to conduct a performance audit of the State moneys provided to the College of DuPage.

11. House Resolution 240, Chapa LaVia, Resolution Adopted

State the belief that a public or private postsecondary educational institution should include a student veteran on its governing board if the institution wished to call itself "veteran friendly".

12. House Resolution 333, Dunkin, Resolution Adopted

Urges all public and private colleges and universities in the State to work together to strengthen the Illinois Articulation Initiative to allow greater uniformity in community college transferable credit allowances. Calls upon the Illinois Board of Higher Education, the Illinois Community College Board, and the Illinois State Board of Education to work together to make changes to the Illinois Articulation Initiative to create a more uniform set to transfer credit allowances between community colleges and public and private four-year colleges and universities.

13. House Resolution 460, Conroy, Resolution Adopted

Urges the College of DuPage to report all administrative expenses for Fiscal

Year 2015 and all forthcoming years to the General Assembly; urges Trustees of the College of DuPage to participate in professional board development training to enhance their knowledge of board governance and duties of Trustees; and urges the College of DuPage Board of Trustees to establish a finance committee to evaluate and implement best practices in accounting, transparency, and budgeting.

14. Senate Bill 221 (amended) McGuire, Placed on 3rd Reading

Creates the Political Events on College Campuses Act. Provides that first priority for the use of campus facilities shall be given to regularly scheduled public university or community college activities and that, in reviewing conflicting requests to use public university or community college facilities, primary consideration shall be given to activities specifically related to the public university or community college's mission. Specifies the activities for which public university and community college facilities may be used. Sets forth provisions concerning the restrictions of the use of public university and community college facilities for political activities.

15. Senate Bill 760, (amended) Clayborne (Dunkin) PA 99-0468

Creates the Career and Workforce Transition Act. Requires a public community college to accept up to 30 credit hours transferred from an institution approved by the Private Business and Vocational School Act, for certain completed programs. The Illinois Community College Board must review the credit requests.

16. Senate Bill 806, (amended) Kotowski (Crespo) PA 99-0316

Creates the Student Transfer Achievement Reform Act. Provides that a public community college student who earns an associate degree for transfer receives junior status for transfer into the baccalaureate program of a state university, meeting certain requirements.

UIUC AAUP Statement on Criminal Background Checks

American Association of University Professors (AAUP) University of Illinois at Urbana-Champaign (UIUC) Chapter

October 19, 2015

Whereas, the Board of Trustees (BoT) of the University of Illinois (University) recently adopted a new policy for criminal background checks of all new hires,

Whereas, the said policy states "Commencing on October 5, 2015, offers of employment to prospective new hires, as well as offers to current employees who are seeking to transition into a position that requires a background check, will be made contingent upon the results of the criminal background check and other pre-employment assessments,"

Whereas the policy further states, "The University may revoke any conditional offer of employment to an individual who refuses to consent to a background check and individuals whose criminal record or history creates an unacceptable level of risk to (1) maintaining a safe and

secure University environment, or (2) the University's reputation, property or resources,"

Whereas the said BoT policy was established without due regard for shared governance as no faculty participation took place during its formulation,

Whereas the UIUC Chapter of the American Association of University Professors (UIUC-AAUP) believes that the said policy will most likely lead to discrimination and discourage certain groups from applying for positions at the University,

Whereas the National AAUP has recommended that criminal background checks of university employees be limited and be proportionately and fairly conducted (AAUP Policy Documents and Reports, 11th Edition, 2015); these principles (limited scope, proportionality and fairness) are expanded to state that such background checks be performed "only as necessary in order to secure information that may ensure that applicants are qualified to meet the particular obligations of specific positions"

and not as a general policy for all applicants of all faculty positions, and that the University specify the information sought and explain the reasons it is thought to be necessary,

Be it resolved that we ask the University to rescind the said policy immediately and instead adhere to the principles established by the national AAUP on the subject and return to the previous UI policy of limiting background checks to applicants in only well defined sensitive areas,

Be it also resolved that we ask the University to adhere to the principles of shared governance in its future efforts to establish important policies,

Be it further resolved that the President of the UIUC-AAUP Chapter shall communicate this statement to the appropriate University officials as well as interested groups and individuals immediately.

Approved by UIUC AAUP Policy Committee on October 18, 2015.

Steven Salaita Returns to Illinois

By John K. Wilson

Steven Salaita spoke on Oct. 12, 2015 at the University of Illinois at Chicago before a supportive crowd of 150 about his new book, *Uncivil Rites: Palestine and the Limits of Academic Freedom*, which Aaron Barlow reviewed and I also reviewed last week. Salaita will be speaking on Oct. 13 in Urbana.



He wondered about the controversy that got him fired, "Why was it such a big deal?" As Salaita noted, "it is absolutely remarkable to me that so many people got together to discuss behind closed doors an associate professor who was tweeting criticism of the war crimes of a foreign government."

Salaita said, "I don't consider myself to be an angry person," and added, "I'm terribly shy and introverted." He was shocked at the "angry and maniacal" version of him painted by critics who didn't know him. Salaita was also surprised at how angry his enemies were: "These folks got me fired, they took away my livelihood, ...and then they acted like I had done something to them."

But he decided, "I'm going to own the anger." As he put it, "When I see 521 children bombed to death" and "toddlers blown to smithereens" that response is appropriate: "Yes, I was angry. Yes, I was offensive."

I asked Salaita about how he would view an angry pro-Israel professor, and the possible desire of some leftists to fire a professor like that.

Salaita noted, "free speech is an easy concept to problematize." But he said, "I take a pretty traditional view that whatever problems that exist with the inconsistency of its practice....It's the most useful tool we have available to us to do this organizing work"

Salaita said about the idea of free speech, "I find in it a sort of indispensibility." He noted, "I don't like the idea of someone with a differing political view facing some kind of censure."

As Salaita said, "I'm deeply skeptical of administrators reacting to a public outrage using the discourse of student well-being as their rationale. I think we should all be suspicious of that structure." Although he is not an absolutist, Salaita said: "I would tend toward more free speech absolutism."

But Salaita said, "notions of American exceptionalism around academic freedom and free speech are nonsense." As he put it, "I went to the Arab world to get free speech."

In Memoriam: Paul L. DeVito

Dr Paul L. DeVito died suddenly and unexpectedly over the weekend of August 22-23, 2015. He had been provost at Saint Xavier University for two years. During his tenure, many witnessed a recrudescence of morale on campus, and an extraordinary commitment to academic freedom, shared governance and faculty activism. He was the greatest administrator I ever had the pleasure to serve with, on this or any other campus.

He was a member of the American Association of University Professors for thirty-five years, and retained his commitment as an associate member after he arrived from St. Joseph's University in Philadelphia. He was a strong supporter of the A.A.U.P. chapter. We had an annual wine and pizza get together with Dr DeVito that was spontaneous, without pre-submitted questions and extremely valuable in building a collaborative relationship between faculty and administration.

The provost described himself, accurately, as the "champion of the faculty." I noticed that job announcements for various positions including deans contained a similar phrase, and I believe he played a role in this stunning component of a job description. Under his caring and effective academic leadership, A.A.U.P. principles gathered momentum throughout campus. For the first time, the A.A.U.P. chapter was allowed to host a session during the New Faculty Orientation: a two-day blitz when new faculty are introduced to faculty life.

I always wanted to make sure that it was not new-faculty indoctrination, and that the A.A.U.P. would have an opportunity to recruit new members and share our principles. Dr DeVito was the first provost to provide the chapter an opportunity to participate at this venue. At our session, that I co-presented with Professor Jacqueline Battalora, I used a PowerPoint slide with a range of ideologically suggestive images ranging from Donald Trump, to a peace sign and a symbol of the Irish Communist Party: a hammer and sickle over a rising sun on a red background. Above appeared: "Teaching is a moral act for some. SXU Mission Statement certainly suggests it: "to search for truth, to think critically...in support of human dignity and the common good." Provost DeVito was in the audience and interjected: "Teaching is a moral act, and you have the academic freedom to pursue it." That was the last time I saw him.

He frequently affirmed his commitment to the A.A.U.P., publicly praised our chapter and the work it performed to defend academic freedom on campus. He was the first administrator that I heard use the words, "academic freedom," at a general faculty meeting, much less openly affirm and extol the chapter for its commitment to the basic principles of the Association.

Faculty activism did not threaten Provost DeVito; he welcomed it and embraced its adherents' commitment to the institution. Marginalised faculty, who had grown weary from the struggle for academic freedom, progressive values and shared governance, were particularly energised and validated for their commitment to ideals that make a university. He did not construe a dean's sphere as sovereign, nor did he assume they were infallible in personnel matters. He would not hesitate to side with vulnerable faculty, in his gentle and amiable manner, if he felt a complaint had merit. He exercised soft power with aplomb and grace.

He was courageous, bold, kind and a uniter of

disparate factions on campus. During his brief tenure as provost, adjuncts received a modest per-course increase in remuneration. He even forwarded an A.A.U.P. chapter letter to the president, calling for the university to accept the latest N.L.R.B. ruling that protected adjunct efforts to form a union. He is confirmation of the value in hiring senior administrators that are recruited from off campus. Paul introduced new thinking that changed the face of the university.



Saint Xavier has an independent faculty union, the Faculty Affairs Committee. It is not affiliated with any national union, and was formed in 1979. We have an advocacy A.A.U.P. chapter, that was established before full-time faculty became unionised. The union, the chapter and the faculty senate sent

a letter to the DeVito family expressing our sorrow and condolences over this devastating loss to his family and our community.

At a reception for parents of new students in July, Dr DeVito said: "Don't worry; we will take care of them. We will educate them. They can then go out and change the world!" For many of us, he changed our world.

The faculty of Saint Xavier University extends our deepest sympathy:

In a short amount of time, Paul profoundly changed and dramatically improved the atmosphere, the environment, and the dynamics between faculty and administration. Upon entering these halls he has been candid and kind, wise and generous. We are not an easy crowd to impress or align but we cautiously watched as Paul supported A.A.U.P. principles in word and action. We sat across the negotiations table that was at times contentious, and over which differing perspectives were fiercely advocated, and we left those negotiations knowing what a special and genuine individual we had as our provost. Paul was fearless in a gentle way and deeply committed to critical thinking and the pursuit of truth.

Paul was the consummate administrator. He was, as he put it, "the champion of the faculty." He approached faculty as colleagues to be respected, mentored and validated. He enthusiastically greeted and welcomed us; he made sure that our efforts on behalf of the university and in the pursuit of truth were recognized and celebrated.

In the midst of our grief, we will go forward as a faculty made better by having had Paul DeVito as our Provost. His values and vision continue in the fabric of who we are today as the Saint Xavier University community. Not only was Paul this faculty's champion, but also he was our friend. He was beloved.

With deepest sympathies,
Jacqueline Battalora, FAC Assoc. Chair (Union) & A.A.U.P., at-large representative
Arunas Dagys, FAC Chair (Union)
Peter N. Kirstein, A.A.U.P. Chapter President
Peter Hilton, Senate President
Gina Rossetti, Senate Vice President & A.A.U.P., at-large representative

Write to Illinois Academe

Illinois Academe is seeking articles, opinion pieces, chapter news, and letters to the editor. Email Illinois Academe editor John K. Wilson at collegefreedom@yahoo.com.

I Won! A Victory for Academic Freedom

By Robin Meade

I won!

On September 17, the Illinois Education Labor Relations Board (IELRB) made its final ruling in my case against Moraine Valley Community College (MVCC).

It all started in August of 2013, when I was fired by the administration at Moraine Valley Community College in Illinois for writing a letter to the League of Innovation in the Community Colleges decrying MVCC's lack of innovation toward adjuncts. I sent the letter as president of the adjunct bargaining unit. My termination letter specifically stated "your letter goes far beyond what could be considered responsible advocacy on behalf of the Moraine Valley Adjunct Faculty association", meaning I was fired for my activities as union president and not my teaching position. This situation began the workings of two legal efforts; one with the labor board (IELRB) and one in federal court defending my freedom of speech.

I must say that with many decades of precedent supporting me for both legal efforts, I did not anticipate losing. However, I did not anticipate the MVCC administration and presumably the board fighting so hard. This is the final ruling from the IELRB. An administrative law judge ruled in my favor early this year. The college chose to pursue an appeal and I suspect they will appeal this ruling at the state appellate court which is their right. The federal case was initially dismissed but the US Court of Appeals for the Seventh Circuit resoundingly trounced that ruling. This IELRB ruling came in just in time for my attorney to use it for his summary judgment in the federal case. The IELRB cited the college's own testimony and evidence as a reason for ruling in my favor.

These ongoing court proceedings have



been a learning experience and the curve is sharp. During the depositions for the members of the college administration, I came to full realization of the arrogance and group think that plagues the college administration and board. There was a refusal to accept that the contract I signed to teach was actually a contract and that the Seventh Circuit court determined it to be so. The administrators and the board agreed to fire me with absolutely no consideration for the contract I had signed or the adjuncts I represented.

Where do things go from here? According to the IELRB ruling, MVCC must offer me full and unconditional reinstatement of my position without prejudice, pay me with interest the wages I have lost since being terminated, wipe away any reference

of the termination from my record and, my personal favorite, post the IELRB notice prominently on the employee boards all over campus for 60 days. The college also has to report to the IELRB what actions they have taken to comply with the order within 35 days. Their other choice is to appeal to the state appellate court. I haven't heard anything as of yet, so I'm assuming the latter.

I'm encouraged by Governor Rauner signing into law a limit on severance packages and automatic renewals for contracts for college presidents. Perhaps the next law will be to limit administrator salaries, which have risen ridiculously along with tuition. Community colleges should be about educating the community. Education is about helping people grow. Academic Freedom is essential to providing meaningful education. Professors must feel free to speak out on issues that affect the community, including the college that serves it.

World War I and the Tarnished Legacy of Arthur Lovejoy

By Peter N. Kirstein

Christmas Day, 1921, the prison gates opened and Eugene Victor Debs was free at last! Warren Gamaliel Harding, one of America's most underrated presidents, displayed rare political courage in commuting Debs' sentence to time served. He was liberated as a persecuted political prisoner from the American gulag that included the federal penitentiary in Atlanta. His "crime" was opposing the draft during The Great War (1914-1918). Debs was a five-time presidential candidate of the Socialist Party and while "campaigning" from prison in 1920, received his largest vote total of 914,191 votes. He garnered 3.41% of the vote, which is an impressive number for any third-party candidate much less one imprisoned by corporate, militaristic America. Debs' denunciation of war, his leadership in the rise of the labour movement during the epic Pullman Strike (1894) and his opposition to unfettered capitalism established him as one of America's greatest figures in the late nineteenth and early twentieth centuries.

Oliver Wendell Holmes, the Supreme Court justice that so-called liberal court historians revere, was the grand inquisitor during and after World War I. For a unanimous Supreme Court, Justice Holmes wrote the opinion that Debs' anti-draft advocacy was an obstruction of the war effort and was excluded from First Amendment protection. As with the Charles Schenck case, Holmes frequently ignored the constitution and conducted these Supreme Court inquests to suppress brutally any expression of dissent that challenged the war-making authority of the government.

Examples abound of Debs' riveting oratory that resulted in his 32-month incarceration as a prisoner of conscience during the Wilsonian "War to make the world safe for democracy":

I have been accused of obstructing the war. I admit it. Gentlemen, I abhor war. I would oppose war if I stood alone.... I have sympathy with the suffering, struggling people everywhere. It does not make any difference under what flag they were born, or where they live. . . . Wars throughout history have been waged for conquest and plunder. . . . And that is war in a nutshell. The master class has always declared the wars; the subject class has always fought the battles.

They tell us that we live in a great free republic; that our institutions are democratic; that we are a free and self-governing people. That is too much, even for a joke... Your honor, years ago I recognized my kinship within all living beings, and I made up my mind that I was not one bit better than the meanest on earth. I said then, and I say now, that while there is a lower class, I am in it; while there is a criminal element, I am of it; while there is a soul in prison, I am not free.

The American Association of University Professors was founded a century ago in 1915 during World War I, but two years before the United States entered the war in April, 1917. If Mr. Debs were a professor, the American Association of University Professors most assuredly would have declared his direct-action, civil disobedience did not merit academic-freedom protection. The A.A.U.P., in only its third year, released in 1918 a Report of Committee on Academic Freedom in Wartime. The report was chilling in its nationalistic deference to the U.S. government's suppression of antiwar activism and protest. In particular the

A.A.U.P. displayed an ethnocentric xenophobia when it proclaimed it "probable" that German or Austro-Hungarian born professors "desire the victory...and by implication the defeat of the United States and its allies." It ordered them "to refrain from public discussion of the war," and not to discuss with students or colleagues any "hostile or offensive expressions concerning the United States or its government." It is a disgrace that the A.A.U.P. would so cravenly assault the academic freedom of academicians on the basis of national origin.

Arthur Oncken Lovejoy, along with John Dewey, were co-founders of the Association. Professor Lovejoy chaired the A.A.U.P. committee that wrote the Academic Freedom in Wartime report. Professor Lovejoy was born in Berlin, Germany in 1873. He was brought as an infant to the United States in 1875 at the age of two. His mother was German and his father was American. Yet the esteemed philosopher and intellectual historian, in a display of glaring hypocrisy, did not include himself as a potential security risk who might challenge the draft and the efficacy of marching off to war.

During World War I, Americans of German descent were hounded and persecuted either by draconian state action such as in Montana or by the national government. One can only speculate whether Professor Lovejoy's pro-war militarism was intended to escape any association with other German-born Americans that could lead to his loss of academic freedom or privileged social standing as an "elite intellectual." Yet it is arguable that Lovejoy's Germanic origins and his crusade against German-born academicians fueled the A.A.U.P. war against academic freedom. The A.A.U.P. co-founder joined the National Security League, a boisterous "preparedness group," determined to get the U.S. into war and attenuate any internationalist opposition to the conflict.

The *Nation* magazine's March 7, 1918 issue contained a courageous denunciation of the A.A.U.P. report as an assault on academic freedom. Titled, "The Professors in Battle Array," it blasted the Association for delineating areas when a university could fire an antiwar professor without an initial government charge of disloyalty or disruption of the war effort. The *Nation*, a progressive beacon of independent judgment, charged the A.A.U.P. for undermining "the very conception of a university...The university method is freedom to discuss, freedom to differ, freedom to be in a minority."

Professor Lovejoy responded to the magazine's criticism in a letter to the editor on April 4, 1918. It is stunning that the A.A.U.P. co-founder attacked The *Nation* for supporting "complete academic anarchism." He stated if the American university would allow unfettered speech during The Great War, it would essentially promote the spread of communism and bring to America, "the Lenines (sic) and the Trotskys." This is almost 35 years before McCarthyism! Despite the persecution of professors who challenged the American entrance into an utterly senseless war, which led to 116,000 U.S. combat deaths and over 200,000 wounded, Professor Lovejoy claimed he sought limits to university dismissals related to pacifist extramural utterances.

The A.A.U.P. report episodically cautions against university dismissals during a period of almost Stalinist-type repression under the Espionage and Sedition Acts, even while refusing to challenge governmental repression of

speech. Professor Lovejoy defended one professor who was fired during the war. The Report of Committee on Academic Freedom in Wartime defended an unnamed "distinguished man of science" from "an important university" who was fired after twenty-five years of service for "seditious or treasonable acts." He had written a letter to his Congressperson challenging the draft and advocating that the army restrict its recruitment to an all-volunteer force. The A.A.U.P. described the professor's removal as "a grave abuse of the power of dismissal." It demanded a "trial" with academic due process and asserted that procedural safeguards are even more important during war than under "normal conditions." Apparently professors from elite universities might qualify for academic freedom protection but not German or Austrian-Hungarian born professors or lesser lights who would take to the streets, much less the classroom, and challenge war and imperialism.

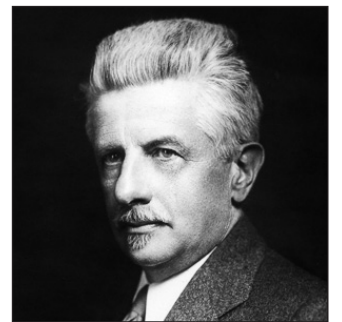
The report expresses a preference that the government and not the university sanction extramural utterances opposed to the barbaric slaughter then soaking the trenches from the English Channel down to Switzerland. Of course the A.A.U.P. should denounce, regardless of its source, any persecution of academicians resisting the barbarity and evil of war. No sanctions should be levied against antiwar protest, whether they are imposed by university administrations or the government.

While Sami Al-Arian was subjected to both governmental and university persecution that included imprisonment, the latter is more common. From Finkelstein to Chehade to Salaita, the bar has been lowered to monitor and punish research, teaching and social-media musings that criticize not only the United States but also the conduct of other nations such as the State of Israel for its treatment of the Palestinians in Gaza and the West Bank. Fine: remove the university from viewpoint cleansing, and the result will be far fewer academicians who are hounded, fired, suspended and abused for exercising an irenic denunciation of war and the baby-killing tactics of collateral damage.

Many countries have truth and reconciliation commissions to recognize past wrongs. In many ways, the World War I A.A.U.P. report is a stain on the reputation of the American Association of University Professors that should be publicly acknowledged during its centennial with a reaffirmation of "never again." The A.A.U.P.'s early years reveal strict limits to its purported dedication to academic freedom. Lovejoy, an iconic, revered co-founder, leaves at best a mixed if not poisoned legacy. On the one hand there are the intrepid beginnings of codifying the parameters of academic freedom, and establishing the tenure system. There is also an intolerant, reactionary nationalism that silenced, with few exceptions, university professors who opposed the war.

The *Nation* challenged the A.A.U.P.'s failure to respect academic freedom in time of war. We need to remember the past, thereby constructing a future with a more consistent ethic that rejects imposing a wartime exemption to academic freedom, the pursuit of the truth and the right of professors to demand peace and justice. As Debs walked free, so should professors now and forever.

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Alice Dreger Resigns from Northwestern University

Monday, August 24, 2015
Provost Daniel Linzer
Northwestern University

Dear Dan, It is with a sense of deep sadness and frustration that I write to resign my position as Professor of Clinical Medical Humanities and Bioethics, effective August 31, 2015. I have enjoyed a memorable and productive decade at Northwestern University. So much good has come from this position, for me and for the people I have tried to help through my work. I will always be grateful to my students and colleagues at Northwestern as well as to the librarians and administrators (including you) who for many years supported my work.

When in early 2014 I learned that my dean, Eric Neilson, had given the order to censor Bill Peace's article in the issue of *Atrium* that I edited, it seemed like a cosmic joke, or perhaps a publicity stunt being arranged by Penguin Press. I was doing the final fact-checking, lawyering, and page-proofing of *Galileo's Middle Finger: Heretics, Activists, and the Search for Justice in Science*, which, as you know, is a book about academic freedom that focuses particularly on researchers who get in trouble for putting forth challenging ideas about sex. I could not believe my own dean would censor an article because it recounted a consensual blowjob between a nurse and a patient in 1978.

Compounding this abuse was the subsequent institution of what we in the program called "the censorship committee"—a new "editorial" committee formed to thereafter approve all content of *Atrium*, a committee including representatives of the dean's office and the PR department. Katie Watson, editor-in-chief of *Atrium*, had one meeting with this group and appropriately decided "no more."

Although remaining publicly silent on a serious case of censorship made me feel like an abject hypocrite, I stayed quiet about the censorship and the formation of the censorship committee for as long as I did out of fear for my program colleagues' jobs. None ever told me that she or he was afraid for her or his own job, but they frequently mentioned being worried for the jobs of others in the program, and suggested we had better not anger Dean Neilson further.

Nevertheless, when Kristi Kirschner moved to resign over this issue in late 2014, I found myself distraught at the thought of losing her. At that point, in December of 2014, I met with Vice Dean for Education Diane Wayne and Vice Dean for Academic Affairs Bill Lowe. The meeting was positively Orwellian, and I gave up and left after only 20 minutes. After I explained to them that I had a major book coming out on academic freedom, and that I was being put in an untenable position with respect to the censorship of *Atrium*, their only response was "congratulations on your book." I made clear that if they restored *Atrium* in full, I would stay quiet about the censorship, but that otherwise I could not stay quiet forever. They made clear they intended to "monitor" *Atrium*. They said that work they paid for was work they could control, but had no answer to my follow-up questions about whether that meant I should run all of my journal article manuscripts, book manuscripts, op-ed manuscripts, and even potential blogs and tweets past them.

In April of this year, you kindly invited me to meet with you to talk about my book, which had been published the month before. I took the opportunity to discuss the censorship of *Atrium* with you, and we had a follow-up email

exchange. But nothing changed. A month later, Bill Peace and I had had enough, and I told Diane Wayne we were going public. She responded, "At the current time we have no objection to Katie reposting the prior published *Atrium* issues on the humanities and bioethics website." Disgusted that the fear of bad publicity was apparently the only thing that could move this institution to stop censorship, and wondering what "at the current time" was supposed to mean, Bill Peace and I finally decided to go public.

Thereafter, on May 26, 2015, the Foundation for Individual Rights in Education (FIRE) wrote to President Morton Schapiro and Dean Neilson to object to what had happened. FIRE told me that universities almost always respond to their letters, but I predicted Northwestern would not. Sadly, I was right.

In recent weeks, I have appealed to you to acknowledge the censorship and to assure me it will not happen again. What I got in response from you on August 12 was this statement:

I have discussed academic freedom, in general, and *Atrium*, specifically, with the Dean of the Medical School. Both he and I assure you of the importance of academic freedom, and that the University and the Medical School take very seriously our commitment to academic freedom in terms of the publication of a journal that we have agreed to publish. Indeed, when the editor of *Atrium* requested that the back issues be made available again online, reversing that editor's previous decision, those issues were immediately restored to the web site.

The ongoing publication of any journal depends on a number of factors that are quite distinct from academic freedom. The approval and support of the Medical School or the University for publication of a journal that bears the institution's name would depend on the publication making a significant contribution to our educational and scholarly mission. Other considerations are if faculty are actively involved as editors and writers so that the journal really represents the efforts of the University, and if the journal's readership and impact are substantial enough to justify the expense and effort of production and distribution. The decision of an institution whether or not to publish a particular journal in no way restricts individual faculty from publishing their academic work in other suitable journals.

I found this very disappointing. In point of fact, the suggestion that Katie Watson was to blame for the censorship of the journal—when she clearly acted in fear in response to Dean Neilson's order—is misleading, unfair, and insulting. It places responsibility on the wrong person and evades the institution's responsibility for the censorship.

What happened here had nothing to do with an institutional decision whether to fund some new proposed journal in the future. In this instance, Dean Neilson gave the order to censor an already-published article in an ongoing journal, an article that had been peer-reviewed, prior to publication, by multiple Medical Humanities and Bioethics faculty members, including Kristi Kirschner, Kathryn Montgomery, and me.

The plain and simple fact is that Dean Neilson acted impulsively and wrongly in this situation. We all make mistakes, but this was a profound mistake that cut to the very heart of academic freedom. It should have been acknowledged and corrected immediately. That is most definitely not what happened.



Instead, what happened was denial, avoidance, blame-shifting, and evasion. To this day, the university has not admitted its mistake, and it has not affirmed its commitment to academic freedom in a way that makes clear that similar incidents will not occur in the future. This failure should be embarrassing to an otherwise great university.

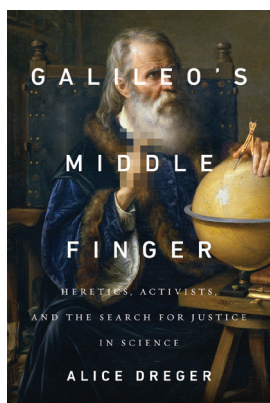
As a consequence, I now find myself in the painful position of having to choose between the work I do—which has been and presumably always will be high-risk and controversial—and loyalty to my colleagues, who are reasonably afraid that my work might further irritate the dean in the future, with unpredictable consequences for them and for our program. I cannot continue to work in such circumstances and in such an institution. Vague statements of commitment to the principle of academic freedom mean little when the institution's apparent understanding of academic freedom in concrete circumstances means so little. Hence, my resignation.

As you know, because you were kind enough to read it, my most recent book, on academic freedom, was made possible because I came to Northwestern University. It happened because, as I took on one controversial issue after another—first the Bailey transsexualism controversy, then the Chagnon/Tierney fiasco in American anthropology, then the prenatal dexamethasone intervention disaster—university leaders defended my academic freedom when they received often sharp criticisms of my work. Time and again, my academic freedom was protected by Northwestern University. Northwestern University enabled me to work effectively and confidently, for a full decade, in the service of the disempowered and the wronged. For that, I am deeply grateful.

But I no longer work at that institution. I no longer work at a university that fearlessly defends academic freedom in the face of criticism, controversy, and calls for censorship. Now, I work at a university at which my own dean thinks he has the authority to censor my work. An institution in which the faculty are afraid to offend the dean is not an institution where I can in good conscience do my work. Such an institution is not a "university," in the truest sense of that word.

Thank you for engaging with me about this matter. I do appreciate that, as well as the support you gave me over the years. I will miss working for the real Northwestern University very much.

Sincerely, Alice D. Dreger, Ph.D., Professor of Clinical Medical Humanities and Bioethics



UNIVERSITY REFORM continued from page 1

of scholars," for which Lovejoy had advocated in 1914, would have provided a firmer foundation for academic freedom than the governance structure of today's corporate university.

Illinois AcadeME: It's remarkable how often you write about how the early AAUP was anxious to appease conservatives, from making sure that a conservative was typically included in investigative committees to being careful not to seem too radical in its statements and reports. You quote an exasperated Lovejoy responding to complaints that the AAUP was ultra-conservative. How important was this attention to conservatives, and did it enhance the credibility of the AAUP, or did it lead to compromises that made it easier for universities to justify violations of academic freedom?

Tiede: Deference to conservative views certainly a factor in many of the activities of the AAUP, although perhaps the biggest defeat of conservatives was the adoption of the 1915 Declaration of Principles on Academic Free-

dom and Academic Tenure, the founding document of the AAUP, at the second annual meeting, which almost did not happen because of the significant conservative opposition it faced. Immediately thereafter, the AAUP compromised its own views with the 1917 report on Academic Freedom in Wartime, which not only reflected conservative views among the members but also the jingoism that prevailed throughout the entire country. It is important to note, however, how widespread those views were: Academic Freedom in Wartime was adopted by the 1917 annual meeting with a single dissenting vote. Moreover, even though the AAUP did not defend academic freedom during the war or the Red Scare, membership increased throughout the 1920s. And so, it appears that the AAUP's credibility was enhanced by these compromises, at least among the professoriate, even though it justified violations of academic freedom. While it may seem remarkable, I see this as further evidence that the defense of academic freedom was just one among many competing goals.

Illinois AcadeME: What was the most surprising thing you found in your research, that contradicted the conven-

tional views about the founding of the AAUP?

Tiede: On the one hand, the most surprising finding to me was that what I called "the founding myth" of the AAUP is really a myth: there is little evidence that the AAUP was founded in response to the Ross case at Stanford with the main purpose of defending academic freedom. But more importantly, I was surprised by the programmatic statements of the founders—Lovejoy, Cattell, and Dewey, in particular—on how to reform the system of governance. Dewey's speech at the founding meeting (which was reprinted in *Science*: <http://www.jstor.org/stable/1640600>) called that system "a heritage from colonial days and provincial habits." Just as other reform movements of the Progressive Era advocated changes to a political system that they viewed as outdated, Lovejoy, Cattell, and Dewey were advocating changes to a system of governance that they did not see as adequate for the modern university. As we currently see advances to shared governance made over the course of the last 100 years be eroded, I think it's centrally important to remember the program that marked the beginning of the AAUP.

Among School Children: A Review of Steven Salaita's *Uncivil Rites*

By Aaron Barlow

From dead infants in Gaza to Israeli students killed on the West Bank, from fragile undergraduates to childish administrators and trustees, from his own early years to the those of his son, Steven Salaita, in *Uncivil Rites: Palestine and the Limits of Academic Freedom* (Chicago: Haymarket Books, 2015), touches on the devastation of armed conflict, American academic infantilism and his own ongoing, sometimes uneven attempt to maintain maturity of thought and action. It makes for an unsettling book; it should.

As I read it, I felt a familiar dissonance, one bringing to mind the last line of W. B. Yeats's "Among School Children": "How can we know the dancer from the dance?" Salaita and his topic are so intertwined that they meld into one—though this is not really a memoir nor an autobiography. Instead, they fit squarely into a pattern I have long applauded, one of affirming the connection between academic and personal activity—a pattern that also led to Salaita's troubles in the first place and that is, today, leading to an important reassessment of the limits of academic freedom.

This is not to say that I always agree with Salaita. I do not. His defense of the American Studies Association boycott of Israeli academic institutions, for example, is relatively unconvincing, as is his list of factors contributing to his firing from a tenured position at the University of Illinois at Urbana-Champaign (UIUC) even before he had taught his first class.

I think the reasons are far simpler, though no less pernicious. As Salaita himself writes later in the book, "It would be a great mistake to conceptualize my termination as having much to do with me beyond the unpredictability of chance. I and UIUC are merely antagonists in a broader contest about how universities will function in the future" (105-106).

No, the firing was not about Salaita personally, nor did it involve Cary Nelson, a UIUC professor and former president of the American Association of University Professors. Nor did it involve failed Israeli propaganda. It was done simply because administrators and trustees felt they could. Trustee Christopher Kennedy, using an understandable (but misplaced and, frankly, childish) resentment toward Palestinians stemming from the assassination of his father Robert, had already established a pattern of successful meddling in faculty concerns. Chancellor Phyllis Wise, aware of this, used it as an opportunity to extend administrative control further into the faculty-hiring process. Salaita was only a pawn in their game.

But he was a pawn who soon reached the other end of the board. Today, he is a knight who has toppled a queen (Wise resigned earlier this year). The game is not yet over, but the forces behind administrative overreach have suffered a significant loss.

The rest of the pawns, however, have yet to start their march. Through this book, Salaita is trying to parlay his new-found celebrity status into something that shows the way to the other side to the rest of us on the faculty, the rest of the pawns.

Though it is not that simple.

He's also trying to justify his actions and ideas—his tweets, a Salon article, his academic books, his views on colonialism connecting Palestine to Native American Studies, his vision of academe and more—and to make it all make sense. He does it well, setting an example for future works mixing scholarship, politics and personal lives, a genre deserving its own designation and a vigorous presence in the humanities and beyond. It's more than academic autobiography or a foray from the ivory tower into the public sphere. It details the process of scholarship from the personal to the public and back, even to the point of gainsaying the idea of objective research. As it gains momentum and academic acceptance, this kind of scholarship could fundamentally change the way we in academia view the records of our work—and even the limits of academic freedom. It can make moot the distinction posited by Nelson and quoted by Salaita, "I believe this [the Salaita firing] was an academic, not a political decision" (126).

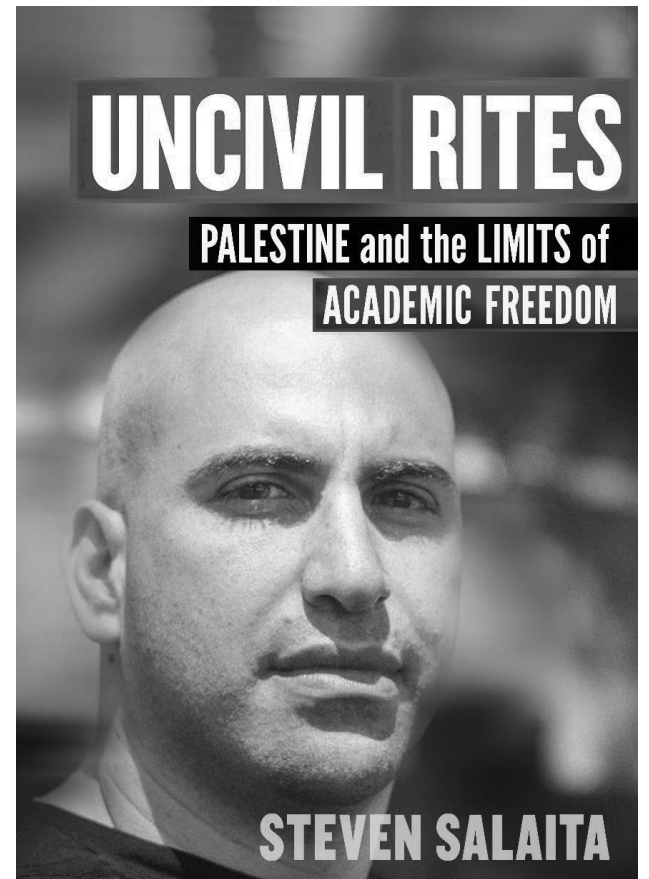
This is also a book about the means that American intellectual culture uses to stifle dissent, from the actual firing of a dissident (Salaita) to calls for "collegiality" or, today, "civility." These, of course, can be smokescreens—and often are. As Salaita writes, "Administrators love the word [civility]: it means anything they want it to mean and implies something sinister without its user having to justify or explain. The term encapsulates the sheer force of panic that pervades the elite when they need to find an effortless way to hamper debate, which is usually inimical to their interests" (54). He sweeps it away: "You tell me which is worse: cussing in condemnation of the murder of children or using impeccable manners to justify their murder" (44). Furthermore, "Civility exists in the lexicon of conquest.... It is the discourse of educated racism. It is the sanctimony of the authoritarian. It is the pretext of the oppressor" (105).

On "collegiality," he writes:

Collegiality largely performs two functions: it can be used as a pretext to punish somebody whose work is stellar but who doesn't connect with colleagues {here the problems of race, class, gender, sexuality, and culture should be obvious}; and it can name unconventional scholarship as inferior because it doesn't recycle established ideas and methodologies.

Collegiality is the etiquette of submission. It's impossible to be collegial when challenging the common sense of corporate dominion, no matter how politely you state the criticism. (61)

This is a book about refusal to submit. Naturally enough, given what happened to him, Salaita also takes on the corporatization of academia: "People from the business or political world take charge of governing boards and pretend that campus is a Fortune 500 company, with no regard for the customs and practices of academe. They intervene in matters in which they have no experience, relying on the protocols of the private sector" (58). Taking as their model the way businesses more and more frequently view their employees, "Upper administrators aren't swell-



ing the ranks of contingent faculty just to save money, they desire a workforce that can be expendable and easily punished if that's what the political winds demand" (106). Though corporatization has been something of concern to academics ever since the end of World War II, it sometimes seems as though we are close to reaching a point of no return, beyond which there will be no distinct academic institutional culture, certainly nothing like the one that made American higher education the best in the world throughout the 20th century.

All of this, and what may seem a disjointed structure of the book itself (as reflected in its subtitle), combines to form a cohesive discussion and a demonstration of what the limits of academic freedom are and what they should be. By melding professional and political discourse, Salaita makes us consider that, today, we should no longer even try to separate the two, either for evaluation of professional competence or for plumbing the depths of academic freedom. By doing so, he shows the weaknesses of academic freedom as it is most frequently envisioned. He writes, "we shouldn't trust 'academic freedom.' We do better to apply to the term the same scrutiny we direct to the phenomena we study, a process academic freedom supposedly insulates from recrimination. Only when academic freedom is sufficiently anatomized can it perform its inherent promise" (91).

"I walk through the long schoolroom questioning," writes Yeats at the start of "Among School Children." Later in the stanza: "In the best modern way—the children's eyes/In momentary wonder stare upon/A... smiling public man." We need more of such questioning and such stares.

Steven Salaita's Statement to the AAUP Annual Meeting, June 13, 2015

By Steven Salaita

I wish to thank the AAUP leadership for its advocacy on behalf of academic freedom, shared governance, and fair labor practices, work that seems more and more pressing in our current environment. I am grateful for your efforts.

I have no compunction to urge anybody to vote a certain way on the matter before you. Do as your conscience impels. I simply wish to contribute two points for your consideration.

First: despite the consensus view—effectively conceded by the administration—that the university's actions contravened principles of academic freedom, due process and faculty governance, university officials have consistently refused to entertain the just remedy in this situation: my reinstatement.

Not only does Committee A's investigation reveal wide-ranging violations of academic freedom, but so does the report produced by the University of Illinois Urbana-Champaign's (UIUC) Committee for Academic Freedom and Tenure (CAFT), whose recommendations the administration disregarded, despite having followed CAFT recommendations in previous cases. The UIUC administration has likewise

disregarded the will of the faculty senate, which voted in February to call on the administration to promptly implement the CAFT findings. Sixteen departments remain without confidence in the chancellor, system president, and Board of Trustees. Dozens of scholarly associations, including the Modern Language Association and the American Studies Association, have condemned my termination. Students and faculty at UIUC have been organizing relentlessly, pleading with decision-makers to reverse course and rectify their mistakes rather than merely admitting to many of them. Ultimately, absent reinstatement, the university's proclamations of fixing the problems their actions caused ring hollow.

Second: enough time has passed that the university's initial rationale for firing me—that I would be unfit to teach, that I would not be tolerant of the views of students, that I threaten the norms of respectable discourse—has lost any remaining shred of plausibility. Perhaps because of this, the university, through its lawyers, has since appeared to abandon the notion that they were enforcing a code of civility. Instead, they have defended their actions by claiming my presence on campus would cause "undue disruption." They do not point to

any disruption I would create, other than possibly intense objection to my views—including objections from donors. In any event, their version of supposed "disruption" is just the other side of the civility coin; it, too, has no place in an academic institution that takes ideas and debate seriously.

And, just as with the claim of incivility, the claim of potential disruption has no basis in fact. In the past ten months, I've visited over fifty different campuses, delivering lectures, interacting with students and employees, meeting with unions and community groups. Thousands of people have witnessed me interacting with ideological and political opponents with respect, patience, and dignity. They have also witnessed a great amount of insult and vitriol directed at me, to which I responded, as I always do, with calmness and composure. Anybody paying attention during the past

year cannot in good faith say I'm averse to, or incapable of handling, disagreement. And, of course, had the administration respected the judgment of the faculty in the College of Liberal Arts and Sciences, who fully vetted my scholarship and teaching record, they would have known the same.

One can disagree with my viewpoints and still see that the UIUC administration made a grave mistake it refuses to redress, based on outside interference and a host of assumptions about my pedagogical capabilities entirely bereft of—indeed, contrary to—evidence.

In fact, even if one deplores my viewpoints, that person cannot reasonably support the conduct of the UIUC leadership. As you all well know, the University's malfeasance—and your considered response—have a lasting effect far beyond this individual academic.

Illinois AAUP Speakers Bureau

The Illinois AAUP offers speakers to AAUP chapters and other groups, and the Illinois AAUP can cover most expenses for AAUP chapters. Speakers include Michael Harkins, Peter N. Kirstein, Leo Welch, and John K. Wilson. For more information, email collegefreedom@yahoo.com.

41 Executive Officers at UIUC Call for the Reinstatement of Steven Salaita

August 23, 2015

Dear President Killeen and Acting Chancellor Wilson,

We the forty-one undersigned Executive Officers and campus leaders from departments and academic units across the University of Illinois at Urbana-Champaign urge you to help end the crisis that has plagued our university for more than a year. It has increasingly become clear that the decision to rescind Dr. Steven Salaita's appointment as an associate professor with indefinite tenure in the American Indian Studies Program violated the principles of shared faculty governance and may also be legally liable. The decision has also inflicted harm upon the reputation and standing of our university.

The AAUP has censured the Urbana-Champaign campus for the violation of academic freedom. An ongoing academic boycott against our campus continues to adversely affect an important dimension of our intellectual livelihood. More than 5,000 scholars around the world, many of them prominent intellectuals, refuse to participate in talks or conferences at the University of Illinois. Such events are part of the exchange of ideas for which our campus has always been known, and their cancellation impoverishes the conversation on campus to the detriment of students and faculty alike. Over the long term, it threatens our competitiveness in bringing in external funding and recruiting distinguished scholars.

We are therefore asking you to use the authority of your offices to recommend to the Board of Trustees that they reverse their previous decision and reinstate Dr. Salaita at the next board meeting in September. We firmly believe that this step will help put the university on track toward ending AAUP censure and regaining its place among the most respected public institutions of higher education in the country. The decision to reinstate Dr. Salaita will also make it easier to resolve pending litigation and save the

university community and state taxpayers from the high costs of defending a wrong decision in the court of law.

We ask for a meeting to discuss our request to restore the rightful stature of the University of Illinois.

Sincerely,

James Anderson, Head, Department of Education Policy, Organization and Leadership

Matthew Ando, Chair, Department of Mathematics

Antoinette Burton, Interim Director, Illinois Program for Research in the Humanities

C.L. Cole, Head, Department of Media and Cinema Studies

David Cooper, Director, Russian, East European, and Eurasian Center

Clare Crowston, Chair, Department of History

Jerry Dávila, Director, Lemann Institute for Brazilian Studies

Anna Maria Escobar, Director, Center for Latin American and Caribbean Studies

Michael Finke, Head, Slavic Languages and Literatures

Stephanie Foote, Chair, Department of Gender and Women's Studies

Behrooz Ghamari-Tabrizi, Interim Director, Center for South Asian and Middle Eastern Studies

Greg Girolami, Head, Department of Chemistry

Wa'il Hassan, Director, Center for Translation Studies

Stephanie Hilger, Head, Department of Germanic Languages and Literatures

Valerie Hoffman, Head, Department of Religion

Valerie Hotchkiss, Director, Rare Book and Manuscript Library

Jonathan X. Inda, Head, Department of Latina/Latino Studies

Jeffrey Eric Jenkins, Head, Department of Theatre

Lilya Kaganovsky, Director, Program in Comparative

and World Literature

Brett Kaplan, Director, Program in Jewish and Culture and Society

Marcus Keller, Head, Department of French and Italian

Edward Kolodziej, Director, Center for Global Studies

Susan Koshy, Director, Unit for Criticism and Interpretive Theory

Soo Ah Kwon, Head, Department of Asian American Studies

Jean-Philippe Mathy, Director, School of Literatures, Cultures, and Linguistics

David O'Brien, Chair, Art History Program

Robert B. Olshansky, Head, Department of Urban and Regional Planning

Andrew Orta, Head, Department of Anthropology

Jesse Ribot, Director, Social Dimensions of Environmental Policy Program

Michael Rothberg, Head, Department of English

Kirk Sanders, Chair, Department of Philosophy

Spencer Schaffner, Director, Center for Writing Studies

Douglas Simpson, Chair, Department of Statistics

Anna W. Stenport, Director, European Union Center

Eleonora Stoppino, Director, Program in Medieval Studies

Andrew Suarez, Head, Department of Animal Biology

William Sullivan, Head, Department of Landscape Architecture

Jonathan V. Sweedler, Director, School of Chemical Sciences

Ariana Traill, Head, Department of the Classics

Robert Warrior, Director, Program in American Indian Studies

Assata Zerai, Director, Center for African Studies

University of Illinois at Urbana-Champaign Censured at AAUP Annual Meeting

On June 13, 2015, members of the AAUP at its annual meeting voted overwhelmingly to censure the administration at the University of Illinois at Urbana-Champaign because of the dismissal of Steven Salaita.

Harry Hilton, president of the UIUC AAUP chapter (and who was also president of the chapter in 1963 when UIUC

was censured for the firing of Leo Koch) declared: "We firmly believe that if censure is voted, it will be instrumental in improving the statutes so that this does not happen again." He noted that a poll of the AAUP chapter members found that a majority of those voting supported censure.

Past president Cary Nelson was the only speaker out of about a dozen at the meet-

ing to oppose censure, and only a handful of members opposed censure in the voice vote. Nelson argued about Salaita that "the appointment was based more on political than on scholarly criteria." He said that "the rush to censure has been compromised by anti-Israel sentiment," a claim that AAUP Vice President Henry Reichman sharply rejected.

UIUC professor Bruce Levine noted, "You can't miss the fact that this was a political firing."

The AAUP also voted to censure the administrations of the University of Southern Maine, Felician College, and the University of Texas MD Anderson Cancer Center, and to remove Yeshiva University from the censure list.

Letter from Harry Hilton to the University of Illinois Trustees

September 8, 2015

Dear Chairman McMillan and Members of The University of Illinois Board of Trustees

I had originally asked to address the Board September 10, 2015 meeting in a non-confrontational and helpful manner about steps that needed to be taken by the BoT and the UI and UIUC administrations for them to be removed from the National AAUP's list of Censured Administrations. The request was denied by your Board secretary because of pending litigations. I next indicated I would remove any reference to Dr. Salaita and possible settlement leaving only such University items as academic freedom, shared governance and certain procedural matters that needed attention and appealed the denial. The appeal was also denied for the same reasons.

If you wish I am prepared to share these items with you in executive session that I would attend only for the length of time pertinent to the presentation and possible discussion. Permit me to state that I believe we have reached a sad state of affairs when a faculty representative of a responsible faculty organization is not permitted to address the Board on matters of mutual interest, such as academic freedom, shared governance and certain procedural items. We fully acknowledge that the UI BoT is the ultimate legal governing body of the University and we will of course abide by your rules. I simply question the efficacy of refusing to entertain what has been billed as a potentially helpful presentation for censure removal.

The Report recommending censure of the UI and UIUC administrations and the UI BoT does not offer specific remedies leading to censure removal, it points to conditions and events of past administrative actions. Furthermore, it is not the place of the local AAUP Chapter to recommend detailed cures. True shared governance demands that these be implemented by academic senates and ultimately by the BoT. Consequently, I will only speak to broad areas that need attention.

At a minimum, the following topics should, in our view, be addressed forth with:

Academic freedom

An official policy statement by the chancellors, president and Board of Trustees reaffirming their individual

and institutional support of the AAUP principles of academic freedom, shared governance and of responsibility and civility as spelled out in the AAUP Redbook.

Shared governance

Answers to the 2013 UIUC SEC faculty questionnaire indicated a disturbing number of shared governance aberrations. The UIUC Senate and/or SEC need to follow up with the appointment of an ad hoc committee to address these issues and propose additional campus wide uniform codification of shared governance procedures to be followed by all the various units.

Hiring procedures

Hiring procedures need to be further strengthened and clarified. UIUC Senate resolution RS.15.06 (approved 2/16/2015) points to a number of problem areas. Immediate implementation of proposed remedies should be initiated.

Before disapproval of a proposed tenured or tenured track individual appointment is announced by the provost, chancellor and/or president proper consultations should take place with the committees and unit heads that forwarded the recommendation.

A speedy approval process of a potential hiring offer with proper deadlines at all levels and a check off list should be formulated.

BoT dismissal appeal procedures

BoT has not formulated or published any procedures for dismissal appeal hearings. During the Wozniak appeal BoT allocated four (4) hours to the hearing with no witnesses allowed. However, a number of university administrators were allowed to testify. The pertinent statute articles need to be augmented to include BoT procedures



Harry Hilton (right) spoke at the AAUP annual meeting, as did Cary Nelson (left).

in a manner similar to the enumerations of the CAFT dismissal hearing procedures.

Implementations

A number of these proposed changes and improvements to existing procedures will need strengthening by appropriate wording of the UI Statutes and Provost Communication documents.

Potential financial settlement with Dr. Salaita

With or without the legal court case developments, a speedy settlement should be achieved with Dr. Salaita. In censure cases, the National AAUP does not call for specific items only for a resolution agreed to by both parties or mandated by court action.

Other items that may surface with time

Other items may come to light as UIUC and UI proceed to take corrective measures.

Timing for removal of censure

The earliest time at which censure could be removed is at the next annual AAUP meeting in June 2016. This would mean the University would have to have completed and in place by December 31, 2015 all necessary changes including complete approval of statute revisions by the three Senates. This would allow the national Committee A and its investigating committee to prepare their reports. From a practical point this does not seem doable. Therefore, June 2017 would appear to be a more plausible earliest target date.

In conclusion, we would like to offer the help of the Chapter officers, Policy Committee and membership in the UI censure removal process.

Sincerely,

Harry H. Hilton

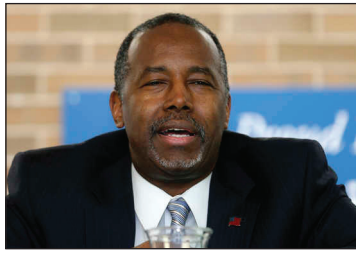
UIUC AAUP Chapter President

Professor Emeritus of Aerospace Engineering

Ben Carson Demands Monitoring of Colleges for “Political Bias”

By John K. Wilson

Ben Carson, who has surged to a lead in the race for the Republican presidential nomination, has called for the Department of Education to monitor all colleges for “political bias” and eliminate federal funding for any college deemed guilty of “political bias.”



In an interview on Oct. 21 with Glenn Beck, Carson declared: “I actually have something I would use the Department of Education to do. It would be to monitor our institutions of higher education for extreme political bias and deny federal funding on that basis.”

This would be one of the most dramatic expansions of federal power in the history of education, to have the government “monitor” political bias at all private and public colleges and then threaten federal funding.

On Oct. 25, Carson appeared on “Meet the Press” and defended his idea when host Chuck Todd questioned him about it:

CARSON: This is not just spouting off, I’ve thought about this. The way that works is you invite students at the universities to send in their complaints, and then you investigate. For instance, there was a university – I’m sure you’ve heard of the situation – where, you know, the professor told everybody, “Take out a piece of paper and write the name ‘Jesus’ on it. Put in on the floor and stomp on it.” And one student refused to do that and was disciplined severely. You know, he subsequently was able to be reinstated—

TODD: We’re not violating the First Amendment? How is what you’re advocating not a violation of the First Amendment?

CARSON: It’s not a violation of the First Amendment, because all I’m saying is taxpayer funding should not be used for propaganda. It shouldn’t be.

TODD: Your definition of propaganda could be what somebody else views as free speech.

CARSON: Well that’s why I said, we’re going to have the students send in, and we will investigate.

The sole example of “political bias” mentioned by Carson wasn’t political bias at all. The student at Florida Atlantic University was not disciplined for refusing to step on the paper that said “Jesus” on it. Most students refused, which was the point of the exercise. The student was disciplined for making violent threats against the professor because the student felt the assignment was offensive to his religion. The professor, a Christian, was denounced by conservative politicians and pundits seeking his dismissal, and received so many death threats that the university put him on leave and banned him from teaching for the rest of the semester.

This is an extraordinarily disturbing attack on academic freedom. Carson is calling for the government to investigate “political bias” and presumably eliminate federal funds for that college if even one professor is guilty of this bias. Carson goes even further when he states that not only “political bias” but also “propaganda” would be grounds for removing all federal funding from the university.

NLRB Rejects Northwestern Football Players and the Right to Unionize

By John K. Wilson

This National Labor Relations Board issued a ruling overturning a decision last year by a Chicago district official that had supported the right of Northwestern’s football players to unionize. The NLRB ruled that the case “would not promote stability in labor relations.” They wrote, “Our decision is primarily premised on a finding” that the NCAA and conference exert control over individual teams, and most college football teams are public colleges not covered by the NLRB.

By that kind of logic, all private college faculty could be denied the right to unionize on the grounds that most college professors work in public colleges. And even though the NCAA has enormous power over athletic programs, there are plenty of issues that could be negotiated. The Northwestern players declared that they were not seeking to get paid salaries for their work, something which the NCAA bans.

The NLRB cited “the absence of any controlling precedent” as the reason for their ruling, which did not prohibit campus athletic unions in the future, but simply refused to enforce them as required at this time. The NLRB ruled that “recent changes, as well as calls for additional reforms” indicated that “the situation of scholarship players may well change in the near future.” That may be true, but how many unions could be shut down on the grounds that the employer promised to make some things better in the future?

The NLRB’s misguided decision follows a long line of anti-union rulings afflicting academia, most notably the Yeshiva case in 1980, where the Supreme Court ruled tenured professors could be “managers” and therefore the university was allowed to ban a union. As a result of Yeshiva, faculty unionizing at private colleges has been largely destroyed in recent decades.

What’s missing in these debates is the fundamental right to unionize that’s part of the First Amendment right of assembly. Just as academic freedom should be protected at private colleges even if the courts don’t enforce it, so too should be the right to unionize.

Every single college should have an established policy protecting the rights of anyone at the college to unionize, just as they should protect freedom of speech and academic freedom. And even in those repressive states that ban the right to unionize at public colleges, colleges always have the power to voluntarily recognize a union, or a union-like association of employees.

Northwestern is free to oppose a union, and to persuade their students that benign paternalism is preferable. But they shouldn’t suppress the rights of their students or employees, even when they imagine it to be for their own good.

Join the AAUP!

The Greater Our Numbers, the Stronger Our Voice

If you care enough about the future of higher education, we hope you’ll now take the next step and encourage your colleagues to join the AAUP at www.aaup.org.



A Petition to Protect Higher Education in Illinois

In response to the ongoing crisis in Illinois politics that threatens funding of public colleges and universities as well as state aid to students, a petition has been started at change.org, titled “Protect Higher Education in Illinois.” The petition reads:

To our duly elected officials in state government:

We, the undersigned, have a direct interest in the state’s prioritization of public higher education within the ongoing state budget debate. On the heels of a 13 year divestment in funding for state higher education, we now find ourselves months into a budgetary standoff that has required universities to operate in a complete absence of state funds. State budget inaction will directly impact time-to-degree for students who cannot complete expected and required coursework due to scaled back course offerings or lack of access to financial aid. It is time for the state to fulfill its promise to public university students and their families with a rapid and adequate infusion of state funds. Moreover, it is time to recommit to investing in our public universities as engines of progress for our state.

Do not shut out the lights on public higher education.

AAUP Seeks Proposals to Annual Conference, Submissions to Journal of Academic Freedom

The AAUP Annual Conference on the State of Higher Education will be held June 15-19, 2016, in conjunction with the AAUP Annual Meeting in Washington, DC. Presentation proposals on all topics of interest to a diverse, multidisciplinary higher education audience are welcome, but special consideration will be given to those that reflect on racial, social, and labor justice in higher education. Proposals will be accepted through December 7, 2015.

The *Journal of Academic Freedom* is seeking submissions for the 2016 edition, and will consider any essay that helps us develop a better understanding of academic freedom in today’s circumstances. Electronic submissions should go to jaf@aaup.org by January 30, 2016 and must include an abstract of about 150 words.

State University Inc.



By CFAIllinois.org, illustrated by Damian Duffy (damianduffy.net)

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Visit Illinois AAUP online for more news, and learn how to get involved.