

BDS MLA

ACADEMIC FREEDOM AT THE MLA

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A Moderate MLA

The Modern Language Association frequently helps out its critics with provocative session titles and left-leaning political stands offered by its members. At this year's annual meeting, in Chicago, some MLA members have worried that the association was poised to take stances that would have sent David Horowitz's fund raising through the roof with resolutions that appeared to be anti-Israel and pro-Ward Churchill.

But in moves that infuriated the MLA's Radical Caucus, the association's Delegate Assembly refused to pass those resolutions and instead adopted much narrower measures. The association acknowledged tensions over the Middle East on campus, but in a resolution that did not single out pro-Israel groups for criticism. And the association criticized the University of Colorado for the way it started its investigation of Ward Churchill, but took no stand on whether the outcome (his firing) was appropriate.

The votes by the MLA's largest governing council came in an at-times-surreal five-hour meeting. Cary Nelson, author of *Manifesto of a Tenured Radical*, was in the position of being the leading moderate, offering alternative language to defeat Radical Caucus proposals. Critics of Israel repeatedly talked about "facts on the ground" to refer to the treatment of Israel's critics on campuses today, and it was unclear whether the term was being used ironically in light of the phrase's use to describe Israel's settlement policy on the West Bank and a recent book at the center of a Barnard College tenure controversy.

While material distributed by those seeking to condemn Churchill's firing portrayed him favorably, and as a victim of the right wing, some of those who criticized the pro-Churchill effort at the meeting are long-time experts in Native American studies and decidedly not conservative. Many attendees were confused by the parliamentary procedure, and at least one proposed amendment that appeared to have significant backing (in theory) fell apart when questions were raised about its syntax.

After one vote that his side lost, Grover Furr, a Radical Caucus leader who teaches at New Jersey's Montclair State University, called the meeting "a perversion of parliamentary procedures."

THE MIDDLE EAST AND ACADEMIC FREEDOM

Compiled by the Faculty Action Network

Furr was the author of the original resolution on the campus climate for critics of Israel. The resolution as he wrote it said that some who criticize Zionism and Israel have been “denied tenure, disinvited to speak ... [or] fraudulently called ‘anti-Semitic.’” The resolution called this a “serious danger to academic study and discussion in the USA today” and then resolved that “the MLA defend the academic freedom and the freedom of speech of faculty and invited speakers to criticize Zionism and Israel.” The resolution made no mention of the right of others on campus to embrace Zionism or Israel or to hold middle-of-the-road views or any views other than being critical of Israel and Zionism.

Nelson offered a substitute — which was approved to replace the original by a vote of 63 to 30 — after heated debate. Nelson’s substitute noted that the “Middle East is a subject of intense debate,” said it was “essential that colleges and universities protect faculty rights to speak forthrightly on all sides of the issue,” and urged colleges to “resist” pressure from outside groups about tenure reviews and speakers and to instead uphold academic freedom. Nelson’s resolution did not identify one side or the other as victim or villain in the campus debates over the Middle East and said that academic freedom must apply to people “to address the issue of the Middle East in the manner they choose.”

In arguing for his version, Nelson — a professor of English at the University of Illinois at Urbana-Champaign and also president of the American Association of University Professors — said that the original version would be “incredibly divisive and quite destructive” to the MLA. Defenders of the original version faulted Nelson’s version for being even-handed.

Barbara Foley, a professor of English at Rutgers University at Newark, said that “it’s not a 50-50 situation” and that the focus of criticism needs to be on Israel’s supporters because of Israel’s role as a recipient of U.S. aid, and the way “powerful supporters” of Israel meddle on campuses. “Let’s talk about what’s real here. It’s not anti-Semitic to focus on this particular set of academics who really need our support.”

Katie L. Kain of the University of Montana said that the MLA needs to take a stand against pro-Israel groups because of their role in campus debates. She compared the situation today to the McCarthy era. “The substitute resolution does not acknowledge the facts on the ground,” she said. Kain said that guest lecturers to her campus had been unfairly tagged as anti-Semitic. Other speakers cited examples of what they said were outside attempts by pro-Israel groups to influence hiring decisions. Susan O’Malley, a professor of English at Kingsborough Community College of the City University of New York, said that CUNY’s trustees tried to prevent an adjunct at her campus from

teaching the novel *The Scar of David*. CUNY officials could not be reached for comment, but press accounts suggest that the book was in fact taught.

Supporters of the switch to Nelson's version said that they didn't doubt that some critics of Israel have been attacked — in a number of instances unfairly. But they argued that the MLA shouldn't be picking sides, and that the principles behind defending Israel's critics should apply to its supporters as well. One professor said: "Academic freedom is meaningless unless it applies to all points of view." Another said that even if 95 percent of disputes over academic freedom and the Middle East relate to one side of the argument, the principle of academic freedom should be paramount, not helping those 95 percent over the 5 percent.

THE WARD CHURCHILL SAGA

The case of Ward Churchill also led to a long debate. Churchill was fired in July from his tenured position teaching ethnic studies at the University of Colorado at Boulder for multiple instances of research misconduct, including plagiarism and misrepresenting the work of other scholars — charges he has denied. Several faculty panels reached the conclusions that Churchill had committed research misconduct, but they investigated him in the wake of a furor over his controversial comments in which he had labeled some of the victims of 9/11 as "little Eichmanns."

The original resolution before the MLA Delegate Assembly condemned the University of Colorado for firing Churchill and for undertaking an investigation of him as "retribution" for his 9/11 comments. Many politicians in Colorado wanted Churchill fired for those comments, but the university said that to do so would violate his First Amendment rights and never punished him for those remarks. As they entered the meeting, MLA delegates received a letter to the MLA from Hank Brown, president of the University of Colorado, and a copy of one of the faculty reports finding Churchill to have committed scholarly misconduct.

In the letter, Brown said of Churchill: "His comments about 9/11 are in our view protected free speech and were not at issue. What was at issue was Professor Churchill's academic work.... I recommended dismissal to the Board of Regents because he fabricated his research. Please read the faculty report carefully before you mischaracterize his dismissal."

The day before the MLA vote, A. LaVonne Brown Ruoff, a professor emerita of English at the University of Illinois at Chicago, spoke out at a hearing against the original resolution. Ruoff, who has written and taught about Native American literature and culture, said that she was concerned about the process under which the university started its probe of Churchill. But

she said that the university appeared to have conducted “careful deliberations” into the allegations against Churchill, and that the MLA wasn’t in a position to conduct an investigation that might lead to other conclusions. Groups like the AAUP are better suited to investigating allegations of academic freedom violations, Ruoff said. (The MLA’s Delegate Assembly also voted Saturday to consider a number of issues in updating the group’s statement on academic freedom and some members urged that one of those changes be to find ways to conduct such investigations.)

Nelson, of the AAUP, noted that some professors believe Churchill received due process and that the faculty role was respected at Colorado. He proposed an amendment — a version of which eventually passed — that criticized Colorado for starting the investigation as it did, but that offered no opinion on the decision to fire Churchill. “We are not set up to judge the character and quality of that investigation,” he said.

Several professors said that they were uncomfortable backing even the watered down resolution, fearing it would show support for Churchill. Ruoff asked the group why it couldn’t just indicate its opposition to politically motivated investigations and leave Churchill out of it. Charles Rzepka, a professor of English at Boston University, said during the meeting that he was startled to read some of the pro-Churchill material distributed by supporters of the original resolution, and that he was wondering if the MLA would be seen as backing the wrong side. In an interview after the meeting, he said that the MLA’s reputation would take a hit for any perception that it was backing Churchill. “I support speaking truth to power,” said Rzepka, but that requires truth, he added. (He said he was among the 15 people who voted No on the revised resolution, which passed with 57 votes in favor.) Others dismissed the idea that the MLA should worry about whether Churchill’s record made him worthy of support. One professor cited the history of the civil rights movement, in which some women prior to Rosa Parks were not defended because they weren’t seen as perfect from a PR perspective — an attitude this professor criticized.

Foley of Rutgers said that it was true that Churchill had a “flawed history,” adding, “I don’t think anyone is saying he is the perfect scholar.” But she said the relevant fact was that Churchill was under attack unfairly. “We are condemning the university for its politically motivated investigation. They would not have undertaken that investigation unless they wanted to get rid of him,” she said. “If we can’t support this individual then everything we say about academic freedom is bullshit,” she said. Finley C. Campbell, a retired English instructor at DeVry University, said that Churchill was being punished for being the “uppity” minority person whom the powerful could not tolerate. He said there was no way the MLA could pretend there was not an individual at the center of this issue. “Crucifixions are

always personal,” he said.

— Scott Jaschik