

ILLINOIS ACADEMIE

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PRESIDENT'S CORNER

Expanding the Illinois AAUP's Membership

By Walter Kendall

President,
AAUP-Illinois



This is my first opportunity to introduce myself to the membership and to outline my agenda for the coming year.

During law school, I was an associate editor of the *St. John's Law Review* and *The Catholic Lawyer*. After graduation, I served as a trial attorney at the Federal Power Commission, as house counsel at Baxter Laboratories, and as Assistant to the Director of the Illinois Department of Public Aid. I am currently an advisor to many community and citizen groups. I've served as chair of Access Living, an advocacy group for people with disabilities, and as co-chair of Illinois Peace Action. Currently, he is on the boards of those organizations as well as Illinois Citizen Action. I am a past chair of the ISBA's Administrative Law Section Council, and have served as an arbitrator for the National Futures Association. I've lectured at universities in Beijing, Hangzhou, Shanghai, and Taipei. Way back I was elected to my local school board and as a committeeman of the Cook County Democratic Party. My teaching focus has been public law, teaching courses in Administrative Law, Constitutional Law, Economics and the Law, Public International Law, and Regulation of Business. This past summer I was a participant along with 18 other law and history professors in the two week long Silverman Seminar at the Holocaust Museum in DC discussing the impact of the Holocaust on the law.

My major goal for the coming year is to significantly increase the total membership of the Illinois Council, and to increase the number of campuses with active Chapters. I plan to visit campuses this fall and spring to discuss with chapter leaders and members what problems related to academic freedom, tenure, and governance they face; and what we as a State Council can do to help. The State Council can help you in your organizing efforts in a number of ways. We maintain a speakers list of experienced and expert speakers on academic freedom and other AAUP topics. We also can offer grants, up to \$300 per year per chapter, and up to \$500 to start a chapter.

Please do let me know who your current Chapter leaders are; and for those without active chapters send me an e-mail and we can discuss how we can help get one up and running

I am looking forward to meeting many of you in the next year; and to working with all of you as we strive to protect and enhance academic freedom, tenure, and governance; in order to improve the quality of the education we provide our students.

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The DePaul Dismissals

A major symposium on academic freedom at the University of Chicago on October 12 drew a crowd of nearly 2,000 people to an event which lasted over four hours (audio of the speakers is available at academicfreedomchicago.org).

Moderator Tariq Ali began by noting that the event was inspired by the denial of tenure to Norman Finkelstein, and declared that the event was meant to say, "There is where we stand, and this is what are going to defend."

Noam Chomsky called Finkelstein a scholar "whose work has received the highest praise by some of the most distinguished scholars in the field where he has worked." Chomsky argued that "truth poses a serious barrier to the policies carried out by state power." For that reason, "The assault on academic freedom has deep roots and ominous portent."

Akeel Bilgrami, philosophy professor at Columbia, noted that Finkelstein's "academic career has been completely ruined...unless some university decides to make its reputation in the most honorable way" by hiring him. He declared that Finkelstein "has produced brilliant and painstaking research."

Tony Judd of NYU noted that for Norman Finkelstein, without tenure, "the act of speaking out...took very significant courage and has exacted a very significant price." Judd said he is so alarmed by "the nature of university cowardice in our time."

John Mearshimer of the University of Chicago expressed alarm that "outside forces have intervened in academia in hiring and tenure decisions," cancelled speeches, and "they have put pressure on university presses not to publish controversial books." According to Mearshimer, "the case for his tenure was open-and-shut."

Evan Lorendo, a DePaul student, called the student protests a "transformative experience." Lorendo noted, "We run the risk of a self-censoring faculty who are not publishing or saying what they believe....What kind of environment is this?" He said a faculty member came up to them and said, "After seeing what they did to Mehrene, the fear is rising."

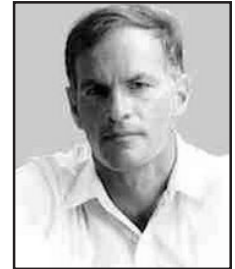
Mehrene Larudee said, "Those of us who care most about academic freedom are those who believe there is some specific truth that will be snuffed out. Most often, it is some kind of truth about injustice." She added, "If the truth about the Israel/Palestine conflict is lost, there will never be peace and justice." Larudee said, "If we only defend the academic freedom of those with whom we agree, it may not be there for us."

Norman Finkelstein argued that in "the search for truth, a fundamental prerequisite is liberty" and "Outside the university, outside the classroom, you should be free to speak your mind like any other citizen in our society." Finkelstein asked, "What are the proper limits of civility, which any professor has to respect?" He declared, "Inside the classroom, as my students know, I am quite conservative and old-fashioned. It is not a soapbox, it is not a lectern for indoctrination and toeing the party line. In the classroom, your responsibility as a professor is to stimulate. At a public lecture, it's quite different. It's to convince." He observed, "In my personal case, the issue of my conduct in the classroom never arose."

Finkelstein added, "there is a time honored tradition for shouting the emperor is naked." Finkelstein concluded, "Emily Post's rules of etiquette, however real the question, is a meaningless sideshow, or a transparent pretext for denying a professor the right the teach on the basis of his or her political beliefs."

For the complete summary of the academic freedom symposium, go to collegefreedom.blogspot.com.

READ THE EXCHANGE OF LETTERS BETWEEN THE
ILLINOIS AAUP AND DEPAUL ON PAGE 6



This summer's denial of tenure by DePaul University to Norman Finkelstein (above) and Mehrene Larudee (below) sparked outrage and protests, including an October 12, 2007 conference at the University of Chicago. John K. Wilson reports on the event.



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The Campus Mental Health Crisis

By Keith Burton

Most college faculty members are aware of the growing problem of mental illness on our campuses, but in my experience this is rarely a “front-burner” type of topic that occupies the attention of faculty, administrators, or even students for long. Indeed, it seems that this long-neglected concern tends to receive serious attention primarily when tragedies occur that involve mental illness, as happened at Virginia Tech earlier this year. It is my view that this concern must not be allowed to fall to the “back-burner” again, and must be addressed comprehensively by state policy makers, the IBHE, college and university administrators, faculty, and students. I have recently had the opportunity to help promote this discussion in Illinois, and wish to share my perspectives on the role that faculty can play in furthering this discussion and in helping those students with mental illness.

But first, I’d like to provide some background on how I came to be involved with the campus mental health crisis and to summarize what I have learned so far. Earlier this year I volunteered to help author a position paper regarding the campus mental health crisis for the Illinois Board of Higher Education’s Faculty Advisory Council (FAC, on which I serve). That document, coauthored with the IBHE’s Student Advisory Committee, was intended to describe the extent of the crisis and to provide policy recommendations for the IBHE (it can be found at <http://otel.uis.edu/ibhefac/>). In addition, I have been serving as the FAC representative to the State of Illinois Campus Security Task Force. On that Task Force I am helping to assess the gaps in mental health service offerings on our college campuses. Below I will share with you what I have learned while working on these projects, and provide recommendations for how faculty can help.

The Magnitude of the Crisis

If you are skeptical of the existence of a mental health crisis, please consider the following. Several sources have suggested that our students are experiencing significant emotional distress, and that their distress is growing. Take, for example, the American College Health Association’s (ACHA) survey of college students, which features questions on mental and emotional health. Their most recently published data, based on over 94,000 students surveyed in the spring semester of 2006, indicate that 67% of women and 55% of men reported feeling hopeless at times over the last school year, that 47% of women and 38% of men reported feeling so depressed on at least one occasion that they could not function, and that 10% of women and 8% of men seriously considered suicide. Stress was cited as the single greatest impediment to academic progress by both genders, with depression and anxiety also ranked among the top 10 academic impediments.

Further, the International Association of Counseling Services conducts an annual survey of college counseling center directors. Their 2006 survey found that 92% of those directors believe that psychopathology severity has increased in recent years. They reported that 40% of their clients have severe psychopathology, with 8% being so severe they cannot continue their studies. They also noted a disturbing trend in that 25% of student clients were on psychiatric medications (up from 20% in 2003, 17% in 2000 and 9% in 1994). The college counseling center directors clearly feel that mental illness is on the rise.

Their perceptions have been supported by a recent study conducted by the counseling center at Kansas State University. They found that, over a period of 13 years, their student body showed dramatic increases in the rates of many forms of mental illness, including depression, bipolar disorder, substance abuse, and anxiety disorders.

Why Is This Happening?

The causes of the campus mental health crisis likely include a wide variety of factors. Part of the explanation for this rise is probably due to the fact that rates of mental illness at colleges and universities were held artificially low for a long time. It was once the case that colleges and universities were shielded from the prevalence of mental illness due to the simple fact that many who suffered from mental illness would go their entire lives without proper assessment or treatment, severely limiting their ability to thrive academically. There have since been considerable advances in early detection and treatment of mental illness, and coupling this phenomenon with the increasing emphasis on accessibility of higher education has resulted in dramatically improved opportunities for the mentally ill to maximize their academic potential. This is, of course, a wonderful change. But not all of the reasons for this rise in mental illness are so happy.

A variety of scholars have suggested similar arrays of causal factors behind the mental health crisis. Dr. Richard Kadison, chief of mental health at Harvard University Health Services, has provided a summary of these in his book *Col-*

lege of the Overwhelmed. These causes include the massive social and academic upheaval that accompanies the transition to college, the rapidly increasing financial burden of attending college, increased exposure to cultural diversity (which creates positive overall growth via a frequently stressful process), coming from broken families, poorly developed familial bonds due to excessive high school extracurricular activity involvement, rising substance abuse, excessive focus on grades, the downplaying of symptom severity by both the student and the student’s family, and academic preparedness. Clearly, many of these causal factors cannot be directly addressed by policy makers, institutions, or individual faculty, but some can be.

What Can We Do?

Faculty members are directly impacted by the rise in mental illness on our campuses. As such we owe it to ourselves to be well-equipped to identify and address mental illness when it appears in our classrooms, and to further the broader mental illness policy discussions amongst college administrators, the IBHE, and state legislators. Toward that end, I recommend that faculty consider the following:

1) **Get educated:** Be proactive! Become familiar with the major types of mental illnesses that our students are likely to bring to campus or to develop while here. Spotting the signs and symptoms of mental illness early, and making appropriate referrals, can help to avert a protracted disaster in the student’s life (and potentially considerable distress for their instructors). Thus, if your counseling center offers workshops on mental illness, avail yourself of them. If they don’t offer such workshops, ask them if they would consider doing so. In my dealings with counseling center directors I have gotten the clear impression that most of them would be very receptive to having faculty helping as “eyes and ears” for mental illness detection on campus.

2) **Become a knowledgeable friend of your counseling center:** it has been my experience that many faculty members have a limited understanding of the capabilities of their campus’ counseling center. If you have not already done so, familiarize yourself with the services they offer and stand ready to inform your students of these services. It is important to keep in mind that counseling centers usually have multiple missions. Many centers are charged with addressing the broad array of academic, career, and mental health counseling, and their resources are limited. Thus, knowing what centers can and cannot offer can also help faculty to identify counseling center needs (especially with regard to mental health treatment), and allow for meaningful advocacy on their behalf. For example, many counseling centers do not have trained substance abuse counselors or ready access to psychiatric services. These are both areas of increasing demand, and it would be a boon to many students if we assisted counseling centers however we can in obtaining such services. We can remind those in administration, for example, that good counseling services can help to improve student retention.

3) **Advocate for YOUR STUDENTS’ pocketbooks:** One of the oft-cited sources of distress for students is the rapidly growing financial burden of obtaining higher education. Many students feel that they must work full-time while attending classes full-time, or they must take on enormous debt to finance their education. Reductions in funding for higher education have been a major contributor to this phenomenon, and consequently our institutions have had to rely on tuition increases to pay for basic services and long-neglected needs. Thus it seems sensible to advocate for improved support from the state, provided that we do so carefully: as we all know, faculty who ask for more resources from the state are often perceived as self-serving and end up being ignored by policy makers. When we advocate for improved funding for higher education in the context of mental illness, we must make clear that doing so will be a benefit first and foremost for students. We should be careful to emphasize that increased financial support is needed to fully staff counseling centers, and to reduce the crushing and distress-inducing debt burden many students carry. In my view, faculty asking for resources that will not directly benefit them will be more likely to be heard.

4) **Promote social support for students:** Individuals who feel that they have insufficient support from friends, family members, and others to cope with their stressors are at a significantly increased risk for mental illness when stressors arise. One of the difficulties students encounter when transitioning to college is a massive shift in their social landscape, and this often entails a distancing between the student and their established support network. Thus, whenever possible faculty should use this knowledge to inform their colleagues or policy-making administrators. For example, there is a growing trend to build dormitories with single-occupancy rooms. Students want them as they value privacy. However there is a hidden cost to offering these

kinds of rooms: students lose out on a built-in source of social support in a roommate. Likewise, integrative experiences for first-year and transfer students could help them to establish a protective social support network.

5) **Get involved with teacher education reform:** One need look no further than the enormous rise in remedial classes offered at our colleges to see that many students are not being adequately prepared for college-level work by their high schools. This, too, can be a significant source of distress to students who arrive on our campuses with a history of perfect grades in high school and the erroneous belief that their academic skills are sufficient for college work. The FAC has previously written about the need for changes in teacher preparation (see <http://otel.uis.edu/ibhefac/> for that paper), which will hopefully reduce this source of distress. Advocating for this kind of change, and for the development of such entities as the new P-20 Council, will help in this regard.

Summary

The campus mental health crisis is underway, and the overall picture of student mental health looks bleak and worsening. Thus, we must act to alleviate the suffering of our students, to reduce the distress we experience when faced with mentally ill students, and to improve the learning environment for all. I have outlined a handful of steps faculty members can take to improve their abilities to navigate this situation, and described policies for which we can advocate to improve student conditions. I am under no illusions, however, that I have provided an exhaustive list of suggestions. My intention here is to begin a discussion, and provide my ideas as a starting point for discussion. There are doubtless many other things faculty could be doing to address the campus mental health crisis, and I invite all who read this to join with this discussion and exchange ideas that will lead us to an improved, comprehensive approach to addressing this crisis.

Keith Burton is an Assistant Professor of Psychology at the University of Illinois at Springfield and a Licensed Clinical Psychologist. He can be reached at kburt2@uis.edu.

Illinois AAUP News

Join an Illinois AAUP Committee

The Illinois AAUP is seeking volunteers and nominations to serve on state AAUP committees:

Committee A (Academic Freedom and Tenure): contact John Wilson at collegefreedom@yahoo.com.

Committee on Membership and Chapters, contact Lee Maltby at Lmaltby@staugustine.edu.

Committee on the Status of Women and Minorities in the Academic Profession, contact Lisa Townsley at ltownsley@ben.edu.

Committee on College and University Government, contact Pan Papacosta at ppapacosta@colum.edu.

National Academic Freedom Conferences

A national conference on academic freedom will be held April 11-12, 2008 near Philadelphia. Information available at <http://www.dccc.edu/acadfree>. Contact collegefreedom@yahoo.com ASAP if you’re interested in submitting a proposal to speak at the conference.

DePaul University students will be holding a conference on academic freedom, February 2-3, 2008. Watch www.academicfreedomchicago.org for further updates on the event.

Statements on Academic Freedom

The AAUP this fall issued a new statement on politics in the classroom. See www.aaup.org for the statement and send in comments to the AAUP and *Illinois Academe* (collegefreedom@yahoo.com) with your views.

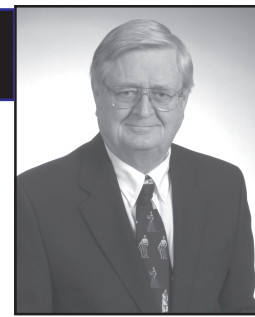
An online petition by the Ad Hoc Committee to Defend the University is available at: <http://defend.university.googlepages.com/home>

The American Federation of Teachers has issued a new statement on “Academic Freedom in the 21st Century,” http://www.aft.org/higher_ed/pubs-reports/AcademicFreedomStatement.pdf.

Bring an AAUP Speaker to Campus

Bring an Illinois AAUP speaker to your campus to talk about important academic issues. See the list of speakers on page 8.

The AAUP Collective Bargaining Congress has also started a lecture series: <http://www.aaup.org/AAUP/newsroom/highlightscurrent/TSB.htm>.



Two Hobgoblins: High Tuition and Student Debt

Halloween is over. But Illinois faces both the short and long term impact of high tuition and student debt. While these are national problems, they are a greater problem in and for Illinois with great significance for the state's future.

Student Debt

Last year the Faculty Advisory Council to the Illinois Board of Higher Education provided a useful examination of the impact of student debt. Nationally, debt levels for graduating seniors increased 109% over the last ten years (2005 data) with the biggest borrowers students of modest means. In Illinois, the state scholarship program (3.7% increase fy02 to fy07) has not kept pace with the increases in tuition. The debts of Illinois graduating seniors in 2005 averaged \$17,089 at public institutions; \$18,431 at private ones. But averages mask the debt level of many graduates.

The impact of student debt or the effort to avoid debt is felt in various ways. Students with debts report they delay buying a home, getting married, having children. Many shun low-paying public or social service positions given the need to repay the education loans. But, how many students take longer to graduate or drop out trying to minimize the debt they carry? How many delay going to college or do not attend college because they think it is out of their reach financially? Given the increase in headlines such as *USA Today's* "Sticker Shock on Campus" and increasing public concern about high tuition and limitations on aid, many families do not see college in their children's future. We have data (limited and inadequate though it may be) for those who enter higher education but we don't have much data on the rationale for the choice not to attend.

High Tuition

In 2000 Illinois earned an A on affordability in the Measuring Up report of the National Center for Public Policy and Higher Education. In 2006 it earned an F. At my Urbana-Champaign Campus tuition and room and board rose 12% from 05-06 to 06-07. In the last four years tuition and fees more than doubled.

Why High Tuition? The State's Choice

Since 2000, Illinois has lagged far behind the national average of increases in state resources devoted to higher education, according to Carrie Hightman, IBHE Executive Director. Adjusted for inflation, the state's support for higher education is \$97 million or 6% less this year than in fiscal 1993. In 1985 the state provided UIUC with 40% of its operating funds in 1985, 18% in 2007. Tuition was 9% of that budget in 1985, 23% in 2007. Across Illinois, the cuts in state support meant larger classes, fewer tenure-track faculty, more adjuncts and part-timers, significant cost-cutting. But that couldn't overcome the decline in state support. Sharply increased tuition and fees were the answer. Cost shifting from the state to students and parents is the reality.

Who loses?

Students: Although no administrator trying to attract students will admit it, larger classes and fewer tenured/tenure-track faculty, poorer facilities mean educational quality suffers. As individuals carry more debt, slow degree completion or do not enroll, they suffer.

Universities: Universities compete for students, faculty, and research funding. To the degree that salaries lag, facilities are not upgraded, labs lack cutting edge equipment, or students do not enroll, a university's ability to fulfill its mission of teaching, research, and service suffers.

The tendency for the public—and legislators—is to hold the universities responsible for the high tuition levels. The ability to continue to raise tuition is limited and universities increasingly will be targets of public and legislative dissatisfaction. A potent analogy: although retirees made every payment required of them while the state did not, the public tends to blame the retirees for the pension shortfall, not the legislators. The public/legislative backlash against higher tuition is growing and colleges, I predict, will pay a penalty.

The state and its citizens: When potential students do not enroll, students delay completion or drop out, the state

and its citizens suffer.

IBHE Executive Director Hightman cited these three facts in her October 22 speech at Loyola University:

- A person holding a bachelor's degree will earn 73% more than a person without one.
- A person holding a master's degree will earn twice what a high school graduate will.
- A doctorate or professional degree magnifies earning power two or three times.

Completion of one or more degrees means:

- Increased tax revenues
- A higher quality workforce
- More civic involvement
- Lower social costs for prisons, welfare, rehabilitation
- Enhanced community cultural activities and participation.

These are social goods where the entire society benefits rather than such personal goods as better health and enhanced career choices, quality of life, self-esteem, etc.

The unplanned social experiment, the GI Bill, revolutionized the life of many, many individuals, thus significantly enhancing the quality of life in the nation. Individuals who never thought of going to college did so resulting in tremendous societal and personal benefits. We should ensure the opportunity for our citizenry—young and not so young—to have access to higher education for the benefit of all.

A Personal Addendum: In 1951, at age 17, against my father's wishes, I set out for college with a little over \$200 saved and a partial tuition scholarship, meaning my tuition was \$100 a year. (It was \$105 a semester for my doctorate.) With a job in the food service, later a graduate assistantship, and no financial aid from my family, four years later in August, 1955, I had an M.A., \$200 saved, and a job as an instructor at the University of Colorado. I could not do that in today's college environment. That would be Ken Andersen's loss, **but not just my loss!**

Illegitimi non Corborundum

An Advice Column by Ken Andersen

A rough English translation of the possibly misspelled Latin words is: "Don't let the _____ get you down!" I invoke this thought almost daily about actions in Springfield and in DC. I commend the advice to you.

Springfield! Every legislator I have heard comment on the current legislative session—yes it is still going on—has used such terms as "dysfunctional, a travesty, unbelievable, a disaster, a clash of egos," and those are the words used when children may be present.

The Chicago Tribune, Sunday, October 28, called for a constitutional amendment permitting the recall of the governor. The public response recorded by the *Tribune* on October 30 showed a majority in favor of such a recall with some wanting to include one or more of the legislative leadership. More than one legislator is now calling for term limits on serving in the legislative leadership.

Between the legislature and the governor they have as of October 31:

- Failed to address the structural deficit of the state.
- Failed to resolve the transportation crisis that may cripple metropolitan Chicago mass transit.
- Repeatedly played the blame game.
- Held numerous special sessions to no effect without taking any action.
- Failed to pass and fund a capital bill after going 5 years without one.
- Failed to achieve a compromise agreement on a host of other issues.

On the positive side they deserve plaudits for

- Fully funding the pension systems this year. (But remember the ramp up for SURS alone next year is \$110 million and the following year another \$115 million above this year's appropriation. Where is that money going to be found?)
- Modestly increasing funding for higher education after years of cutting or freezing funding.
- Passing a bill to establish a P-20 Council.
- Passing although not funding a master planning effort for higher education.

Reason to worry: One state senator says we haven't seen anything yet: "Wait until next year."

Washington:

- Both the President and Congress have approval ratings at historic lows.
- Democrats gained control of Congress only to be frustrated by the threat of vetoes and fear of "not supporting the troops."
- Public sentiment increasingly opposes the Iraq war and wants our troops home.
- The administration threatens to bomb Iran—no troops available to invade. Some pundits believe that will occur before the end of Bush's presidency.
- The President, recent Attorney General, the Vice-President and others firmly state the president does not have to obey the law. (Do we have a President or a King?)
- The nominee for Attorney General does not know what "waterboarding is" and cannot say if it is prohibited as torture despite general international agreement it is torture and despite the fact it has been described several times recently in the public press.

The head of the Consumer Protection Agency is opposed to additional power for the Agency and additional funding for an admittedly understaffed agency despite the recall of three million toys for excess lead and only one full-time person testing for lead. When asked, she refused to comment on her reasoning or lack thereof.

Perhaps the clearest, most eloquent statement of angst I often feel is an October 14 letter to the editor by Mary G. Fran writing the *New York Times* in response to a Frank Rich editorial:

"I have written about torture, Iran, wiretapping, health care.... I have phoned my representatives, federal and state. I have signed petitions. I am an ordinary person, but there are millions like me who have tried to do something within our humble limits. Obviously, to no avail. We have been betrayed by our government, ignored by our representatives and failed by our press. Please tell me, Mr. Rich, what would you have us do now?"

I don't know what Mr. Rich would say. But in my better moments I say, *Illegitimi non corborundum!* If we give up, the cynics and the power-mongers win. We simply cannot allow that. As Representative Bill Black said recently, "The

system works better when people participate." Barack Obama calls for downplaying partisanship and rancor and finding practical solutions. Others call for a better government, not less government.

Our citizenry needs to return to the civic arena as active participants, not pundits, with a healthy skepticism, not cynicism. Our educational system once stressed the goal of an educated citizenry committed to civic involvement possessing sound reasoning and logical thinking skills, communication skill, and a reasoned ethical stance to use in judging our individual actions and those of our nation. Surely it is not too late for us as teachers and scholars it see it as a patriotic duty not only to encourage civic involvement but also to provide the necessary understandings and tools prerequisite for such activity.

Freedom of the Campus Press Protected

On August 31, 2007, Illinois Gov. Rod Blagojevich finally signed "The College Campus Press Act," which had been passed by the state legislature in June by a vote of 112-2 in the House and 57-0 in the Senate. The new law, introduced by Sen. Susan Garrett, declares any student media outlet at a public college to be "a public forum for expression by the student journalists and editors" and prohibits school officials from using prior review, regardless of whether the publication is sponsored by the school.

The new law was supported by the Illinois AAUP, and will reverse (in Illinois) the 7th Circuit Court of Appeals decision in *Hosty v. Carter*. In that case regarding prior review of the student newspaper by Governors State University officials, the court ruled that college students are different from high school students and do not have any rights to freedom of the press.

The *Hosty v. Carter* decision sparked outrage from civil liberties groups, and new laws have been passed in California and Oregon to protect freedom of the student press.

For more information about the *Hosty v. Carter* case, go to www.collegefreedom.org

Academic Freedom and the Debate Over Israel

This speech by Matthew Abraham, assistant professor in the Writing, Rhetoric, and Discourse Department at DePaul University, was delivered at the Illinois AAUP annual meeting on April 14, 2007

In the last two years, I have learned more about academic freedom, and the threats that real dissent, and critical thought pose to academic elites, than I ever could from reading of hundreds of books about the subject. Let me explain: In December of 2005, I wrote a positive review of Norman's Finkelstein's *Beyond Chutzpah: The Misuse of Anti-Semitism and the Abuse of History*, a book that as many of you know, is a thorough rebuttal of Alan Dershowitz's *The Case for Israel*, which scaled the heights of the *New York Times* Best Seller list, receiving praise from the likes of Henry Louis Gates Jr., Ariel Sharon, Elie Wiesel, and Mario Cuomo. Dershowitz wrote a complaint letter to the journal editors about my review, dated November 29, 2005. The first few lines of that letter read as follows:

"It is difficult to write a rebuttal against a writer whose own article so readily discredits itself. Matthew Abraham, an English professor, uses such outlandish and intemperate language, makes such wild historical fabrications, and parrots so many verifiably false accusations, that I cannot help but suspect that he has written his review of Norman Finkelstein's *Beyond Chutzpah* as an example for his students on how *not* to write well. His article reads like a cheap agit-prop parody. Before I begin, then, I will let Abraham, the Rachel Corrie Courage in Teaching Award winner, speak for himself."

On December 6th, 2005 I was sitting in the office of my department chair at the University of Tennessee at Knoxville, where I was employed until last year. My chair had been alerted to the fact that I had written the review of *Beyond Chutzpah* through an email he had received from the university's grants coach, who sent the link of my review to him with no subject line or message. Given that my chair mentioned this to me during my retention meeting when we were talking about my teaching, publications, service, and progress toward tenure, signified—in my mind—that the grant's coach contact was noteworthy. Otherwise why would my chair have bothered mentioning it to me? After telling me that he found the tone of my review essay too "polemical," he nearly insisted that I stop writing on the Finkelstein-Dershowitz controversy altogether. The conversation that ensued was interesting: the chair stated that while he sympathized with the kind of work I was trying to do, he cautioned me, mentioning that if I persisted in "engaging in controversy," I'd "activate the university's immune system, triggering the production of the system's antibodies, and be carried away like a foreign body." When I asked, "Are you suggesting that I focus on less controversial and relevant issues in my scholarship?" he answered with an emphatic "Yes."

I asked my chair if the grants coach might be circulating the review among upper-level UT administrators in an attempt to catch their attention, alerting to them that I was a renegade faculty who might hurt the university's interests in the long run. The head assured me that the grants coach was not that kind of person. As Scott Sherman's *Nation* article, entitled "Target Ford," recently documented: the grant making world has been corrupted by the power politics governing understandings of the Middle East conflict in the United States. For example, Ford Foundation grant recipients now must sign an agreement pledging not to engage in research or activities that would result in the destruction of any state—a clear reference to one state in particular, Israel. This change in grant making language has had a chilling effect on the types of research activities scholars can pursue. To argue, for

example, that Israel should become a bi-national state, which would disturb its Jewish character, would technically exclude someone from receiving a Ford Foundation grant because one would in effect be arguing that Israel does not have a right to exist as a state devoted to the preservation of a Jewish majority.

Well, I was concerned about what my chair had told me about grants coach cryptic contact about my review, so I contacted the Associate Dean of academic personnel, with whom I made an appointment to discuss the matter. When I met with this associate dean in early December 2006, she noted that, while the grants coach had every right to alert my department chair about my review, I also had every right to "test my thesis," no matter how controversial. Unfortunately, that proved not to be the case. Six months later, not only was a substantial grant devoted to writing a book on the Dershowitz-Finkelstein case rescinded, but I was actively encouraged to take a job elsewhere. Remember, I simply wrote a positive review of Finkelstein's book; I was not advancing a particularly provocative thesis of my own. As I've learned, academic and intellectual freedom are frequently invoked but rarely taken seriously when it comes to protecting faculty in pursuing controversial scholarship.

1940 Statement of Principles on Academic Freedom and Tenure: "The intent of the statement is not to discourage what is 'controversial.' Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster."

While it pains me to have to point this out, it appears that the weak link in the battle to protect academic freedom and critical thinking may in fact be our faculty colleagues, many of whom are scared of the professional and very real material consequences that will ensue if they speak up and take a position to defend those doing controversial work; we must confront this painful reality for what it is. I do not want to discount the consequences that attend speaking up for colleagues doing controversial work. However, the penalties we face are quite small in comparison to the grave risks that our colleagues in Israel, the Occupied Territories, and Iraq face in not only telling the truth about the desperate conditions under which ordinary Palestinian and Iraqi citizens live, but to do the very research their academic institutions have hired them to do and what their professional training requires them to do. Indeed, Illan Pappé (The Israeli Historian) recently announced, he will be leaving his academic position in Haifa, Israel for Exeter University because of the daily death threats he and his family receive.

Regrettably, the temptation to become quiescent and docile within the academy is all too real. The developing situation at DePaul with Norman Finkelstein's tenure case highlights this problem in a very troubling way. For those of you who are unaware of the case, let me re-cap it briefly. In November, the tenured members of DePaul's Political Science Department voted 9-3 in favor of Finkelstein's tenure and promotion. In March, the College Personnel Committee voted 5-0, unanimously supporting the majority view of the Political Science Department. The Dean of the College, however, did not support Finkelstein's tenure application because Finkelstein's scholarship is, in his words, at odds with "Vincentian values and DePaul's institutional mission." Vincentian "personalism," whereby individuals are able to respect those hold opposing views and respect the dignity of the individual, was specifically invoked to place Finkelstein's scholarship beyond the pale. AAUP guidelines expressly prohibit the use of such elastic and vague criteria in tenure and promotion decisions. According to the AAUP, "limitations of academic freedom because of reli-

gious or other aims of the institution should be clearly stated in writing at the time of the appointment."

A letter protesting the Dean's decision to withhold support for Finkelstein's tenure was created by a group of academics from DePaul and other universities; the letter was circulated internationally, signed by over 700 people, and then sent to the provost and president of DePaul. Of the 17 DePaul faculty members who signed this letter, 9 were *unt*enured. In other words, only eight tenured professors at DePaul signed a letter of protest in support of an embattled colleague whose academic freedom is under attack. How does one explain that? It often seems that those with the most protection and privilege are the least likely to speak out against injustices in their midst. Some of the excuses among those withholding support ranged from "I'm not familiar with Finkelstein's scholarship" to "I don't want to get involved." This strikes me as an inadequate excuse in the context of this high-profile case since one does not have to be familiar with Finkelstein's scholarship to protest against the serious breaches of protocol that have occurred to date. So, before attacking David Horowitz and Alan Dershowitz for attempting to influence the tenure process of embattled academics, I think we need to confront our faculty colleagues, asking them

why they won't uphold the importance of respecting faculty autonomy and academic freedom at this crucial historical moment, when critical thinking is under attack by the state and the mainstream media.

Derrick Bell, in his book *Confronting Authority: Reflections of an Ardent Protester*, writes:

"I have seen otherwise honorable faculty members engage in the most unscrupulous, underhanded conduct to avoid hiring or promoting individuals they did not wish to see admitted to their ranks. They have lied, maligned character, altered rules, manufactured precedents, and distorted policies. I am talking here about candidates for admission or tenure who are white, not minorities, candidates with impressive academic credentials, and the author of traditional scholarly work.

When the candidate is not a white man, and either has non-traditional

qualifications or departs from the traditional in scholarly subject matter and approach, the opposition can be as fierce as it is illogical and unfair. Relying on the presumption generally held by the public—and, alas, by most courts—that universities judge candidates fairly and certainly would not discriminate on the basis of race or gender, faculties unfurl the banners of merit, take the stands on the righteous ground of academic freedom, and make decisions that, however rationalized, serve to preserve those in power."(76).

While race and gender are protected classes under state and federal law, political perspective or ideology is not considered a protected category. The case of Joseph Massad illustrates just how precarious academic freedom protections are when ethnic difference and a controversial political perspective become entwined.

Over the last three years, Massad, a Jordanian Palestinian and an untenured professor in Columbia's MEALAC department, has defended himself against accusations of "pro-Palestinian" bias, which have been made by Columbia faculty and students, media pundits, and New York congressman Anthony Weiner. An *ad hoc* grievance committee was formed by Columbia President Lee Bollinger in 2003 to look into these alle-

gations against Massad by the David Project, a Boston-based pro-Israel advocacy organization claiming to want to bring "balance" to discussions of the Middle East on college campuses. The grievances against Massad included: intimidation of students, bias in the presentation of material in his most controversial course, "Palestinian and Israeli Politics and Societies," and intolerance of viewpoints different than his own. Many of the students who made these allegations, in the David Project film "Columbia Unbecoming," were never enrolled in any of Massad's courses; they were recruited by the David Project to make false allegations or to disrupt Massad's classes as auditors. After a tumultuous three years, the ad hoc grievance committee found no basis for any of the accusations the David Project leveled against Massad. Just as a small example of the slanderous abuse Massad received from a faculty member at Columbia, consider this e-mail message from Dr. Moshe Rubin at Columbia's medical school: "Go back to Arab land where Jew hating is condoned. Get the hell out of America. You are a disgrace and a pathetic Arab liar. Moshe Rubin." Also, an e-mail message was sent to all Jewish students in the Middle East Languages and Asian Culture's program at Columbia from an Israeli group called "United Trial Group—People's Rights International" It read as follows:

"We advise you to immediately dismiss/kick ass of Joseph Goebbels, aka Joseph Massad based on the President Bush bill on anti-Semitism and according with the

US anti-terrorism law, describing Nazi propaganda and incitement to terror. If you and the administration won't immediately dismiss the fascist bastard, you and the administration will be personally liable and accountable for aiding, abetting, and harboring this Muslim criminal, and subject to criminal prosecution in damages.... You have thirty days to comply and inform us." (See: <http://www.columbia.edu/cu/mealac/faculty/massad.>)

Congressman Anthony Weiner led the charge against Massad in newspapers such as the *New York Post*, where he demanded that Bollinger immediately fire Massad for his alleged anti-Israel activism in the classroom. Massad rightly feared that his standing within the Columbia university community as a faculty member was being jeopardized due to the political interference emanating from outside of the university due to the likes of Alan Dershowitz. As Massad claimed: "[he] was concerned that Bollinger may [have] well been making an academic judgment about him that [wa]s based not on [his] scholarship or pedagogy but on [his] politics and even [his] nationality."

While the campaigners against me off this campus do not have the direct power to influence my future employment at Columbia, [Massad claimed] Bollinger clearly does, and therefore his failure to defend academic freedom is detrimental to my career and my job. I am further chilled in this regard by reports that at the recent general meeting of the Faculty of Arts and Sciences, Bollinger sought to change the fifty-year tradition regarding how tenure cases are decided at Columbia when he stated that he and the trustees, in accordance with the statutes but in contravention of a fifty-year tradition, would want to have the final say in tenure cases in the future.

Imagine what would happen if a Jewish scholar's views on the Israel-Palestine conflict were disqualified because, in the opinion of outside experts, he or she was too close to the conflict due to his or her ethnic-religious identity. Naturally, the outside interest group making the accusation would rightly be denounced for "anti-Semitism". This accusation, however, has been leveled at Palestinian scholars of the Middle East,

FREEDOM continued on next page

The Firing of Finkelstein

By Peter Kirstein

While the tenure-denial case of Norman G. Finkelstein has seemingly ended with the September 5, 2007 settlement between the professor and DePaul University, this distressing episode will continue to reverberate throughout the academy for the foreseeable future. From the day I first published on April 1, 2007 the revelation that Dr. Finkelstein was experiencing opposition to his application for tenure and promotion, I have been consumed with the egregious violation of his academic freedom and the failure of a university to resist the unwarranted intrusion of external partisans such as Alan Dershowitz, Frankfurter Professor of Law at Harvard University.

Mr. Dershowitz was enraged that Dr. Finkelstein, in his latest book, *Beyond Chutzpah* had written a scathing attack of his *The Case for Israel*. Mr. Dershowitz was determined to use the power of his position at Harvard and his connections with powerful supporters of Israel to launch an international media campaign of vilification and character assassination that had a single purpose: to silence and destroy Dr. Finkelstein through the denial of tenure. I felt at times that the efforts of Mr. Dershowitz, an internationally known attorney and legal scholar, reflected a campaign of such anger and relentless fury that it revealed a personal animus bordering on hatred. Normally a heated exchange between academicians is confined to content and interpretation of a given topic. It rarely evolves into an orchestrated effort on the part of a powerful, affluent, tenured professor to deny continued employment of a junior faculty member seeking promotion to associate professor and the granting of tenure.

DePaul University has consistently stated that although it resented external pressures on the institution's internal review processes, it was not unduly influenced by external forces prior to President (Rev.) Dennis H. Holtschneider's denial of tenure letter on June 8, 2007. Yet Professor Dershowitz sent a dossier of ad hominem attacks to both the DePaul University College of Law and

Department of Political Science. One member of the Department of Political Science, Professor Patrick Callahan, pressured the department's Personnel Committee to accept fifty pages of material that he had solicited from Alan Dershowitz. The Personnel Committee, which "found no evidence... of academic misconduct or dishonesty," in the scholarship of Dr. Finkelstein, reluctantly acceded to the former department chair's demand as revealed in its November 1, 2006 report: "[I]ndeed, it represented a departure from our initial desire to keep unsolicited material from entering our deliberations, trusting instead the processes of external and departmental review that have served us well over the years." This exhaustive thorough vetting of Dr. Finkelstein's scholarship resulted in a unanimous 4-0 vote of affirmation of the quality and integrity of his scholarship. I am unaware of any other faculty body at DePaul University that engaged in such a thorough, comprehensive review of his oeuvre. Indeed as the Dershowitz allegations were unraveling before the detached review of "specialists" in the field of political science, the Department of Political Science affirmed with a 9-3 majority the integrity of Dr. Finkelstein's research, and concluded he should be granted tenure and promotion.

Dr. Finkelstein taught in the College of Liberal Arts and Sciences and its Personnel Committee voted unanimously (5-0) to recommend the granting of tenure and promotion to associate professor. Even though Dr. Finkelstein's research had been assessed as satisfying DePaul's tenure standards for scholarship by three units of review—the Political Science Department Personnel Committee, a majority of the department (9-3) and the college's personnel committee—one witnesses a dramatic and shocking departure from the accepted norms of the assessment of scholarship in Dean Chuck Suchar's infamous memorandum of March 22, 2007 that appeared initially on my blog. The dean of the College of Liberal Arts Sciences does not charge that Professor Finkelstein is guilty of research misconduct, fabricated evidence,

plagiarism or unsubstantiated conclusions, but instead concludes that tenure should not be granted due to a rhetorical tonality that is "hurtful," "inflammatory" and lacking "civility." Dean Suchar then concludes that the passionate, no-holds-barred scholarship, that is characteristic of Dr. Finkelstein, is a breach of the Vincentian character of the university. The dean also avers that Dr. Finkelstein should not be granted tenure because "he was considering a lawsuit against DePaul..." which confirmed the lack of "values of collegiality."

Let me be clear. A powerful dean of the nation's largest Roman Catholic university is using a rumor that an academician under his charge **might** pursue legal redress as grounds for recommending the denial of tenure. The die was cast and the word was out. Dr. Finkelstein, who all conceded was an "outstanding" and brilliant teacher, would be denied tenure due to the tone but not the substance of his pioneering and transformational research on the Palestinian occupation and the utilization of the German Holocaust during World War II for personal financial reward.

In a 4-3 vote the University Board on Promotion and Tenure (U.T.B.T.) recommended the denial of tenure, and chose to reject the carefully constructed and elaborately presented peer assessment at the departmental and college level. The U.T.B.T. essentially adopted the Suchar Memorandum's emphasis on tonality by condemning the lack of niceness in Dr. Finkelstein's monographs. These non-specialists lacked any evidentiary material that could be used to deny tenure legitimately. According to Fr. Holtschneider, when he proclaimed the DePaul decision to deny Dr. Finkelstein tenure, the U.T.B.T. was upset that books such as *Beyond Chutzpah* and *The Holocaust Industry* were "deliberately hurtful," and possessed an "inflammatory style." [Emphasis added.]

Without attempting to be reductionist, were the personal feelings of Alan Dershowitz, who ironically claimed to be a victim, the predominant reason for the de-

nial of tenure? Is passion in scholarly discourse when investigating the absence of self-determination and the presence of apartheid in Palestine a violation of Vincentian values? Is scholarship that triggers international debate and awareness of topics that are central to international peace and security worthy of condemnation and dismissal by a university community? Is a professor, upon intensive review, who is exonerated from baseless allegations of academic misconduct, to be crucified on the grounds of pitch and demeanor?

The Norman G. Finkelstein case represents more than one individual's tragedy and expulsion from the academy. It represents a closing of the American mind. It affirms that revisionist or dissenting scholarship on Israel, the Palestinians, the Holocaust and the influence of the Israel Lobby is fraught with peril that only the tenured few can survive. Graduate students and non-tenured faculty, I am afraid, will avoid legitimate inquiry into these seminal topics for fear that a Dershowitz or other organized entity might engage in a campaign of personal destruction and succeed in intimidating and eviscerating a university's capacity to exercise impartial judgment and evaluate fairly non-tenured faculty during their probationary period. The DePaul University's abdication of its responsibility to honor A.A.U.P. guidelines on academic freedom and due process, and to construe itself as a responsible custodian of the broader academic community, suggests the battles ahead for academic freedom, critical thinking and basic justice will require even greater resolve and dedication. "We are all Professor Finkelstein" emblazoned the shirts of the intrepid professor's supporters at the DePaul University fall convocation and during the first day of classes. Indeed we are: now and forever.

Peter N. Kirstein is professor of history at Saint Xavier University and Vice President of the American Association of University Professors-Illinois Conference

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with little or no public outcry. Daniel Pipes, one of the creators of Campus Watch, claims that "Middle East studies in the United States has become the preserve of Middle Eastern Arabs, who have brought their views with them. Membership in the Middle East Studies (MESA), the main scholarly association, is now 50 percent of Middle Eastern origin. Though American citizens, many of these scholars actively dissociate themselves from the United States, sometimes even in public." ("The War on Academic Freedom" from *The Nation*, www.thenation.com/docprint.mhtml?i=20021125&s=mceuil).

What is the real crime of these scholars, many of whom are of Middle Eastern descent? They are teaching well-established scholarship on the Israel-Palestine conflict, which is at radical odds with popular and media knowledge that is upheld by the Israeli government and the Israel Lobby. As Columbia University's Joseph Massad has identified, Israel's apologists are attempting to substitute popular and media knowledge for academic scholarship under the guise of "balance," while turning "the university into a mouthpiece of Israeli propaganda." For example, academic appointments at ivy league universities such as Yale and Columbia have been blocked or significantly interfered with by interest groups such as the ZOA, the David Project, and Campus Watch.

The recent controversy surrounding the publication of former President Jimmy Carter's *Palestine: Peace Not Apartheid* represents an important moment in U.S. pub-

lic discourse. By publicly addressing the Israeli government's oppression of the Palestinian population in the Occupied Territories Carter has violated a taboo that has silenced most U.S. journalists, and much of American academia, for nearly thirty-eight years.

By using the word "apartheid" in the title of his book, Carter is drawing a clear comparison between how the Israeli government for nearly thirty-nine years with crucial U.S. support has enacted, through legal, economic, social, and military means a clear separation between its settler population in the West Bank and the indigenous Palestinian population and the legal, economic, social, and military means white South Africans employed to separate themselves from the indigenous Black population into the 1990s.

The public outcry against Carter in response to this comparison, which has extended from Hollywood to the inner corridors of power in Washington, is quite telling on a number of different levels: 1) This is the first time any president, either in office or out, has taken such a visible and strong public stand on the conflict; 2) Quite expectedly, organizations such as the ZOA, American Jewish Committee, and the Anti-Defamation League have furiously attacked Carter since the book's publication, highlighting the fact that no U.S. citizen—even the mild-mannered Jimmy Carter—can speak out against the Israeli government's criminal policies without facing a deafening chorus of allegations that one is an "anti-Semite," a racist, or some sort of bigot; this issue is, as Edward Said argued toward the

end of his life, the last remaining taboo in American life; 3) The reaction of the Democratic Party, which has distanced itself from Carter, tells us a lot about how U.S. political elites will fall over themselves to avoid being even remotely connected to anyone who shows even the slightest interest in addressing the issue.

Carter's use of the word "apartheid" in the title of the book suggests that there is a racial component to the Israel-Palestine conflict that remains un-addressed. In numerous interviews, Carter has claimed that he used the word "apartheid" in the title to be provocative, provoke a debate, and facilitate a much-needed discussion about what is openly discussed in Israel and the rest of the world: Israel's continued seizure of Palestinian land in the West Bank with tacit U.S. support, which—rightly or wrongly—the Arab world uses a continued political grievance against the United States.

Why, Carter seems to ask, is there a veritable taboo on discussion of such issues in the United States? To compare the Palestinians struggle against Israeli occupation to the Black South African struggle against white colons creates an "epistemological vertigo" for American understandings of the conflict. Given that American understandings of Israel's founding do not normally extend beyond Leon Uris's *Exodus*, it is unsurprising that a lynch-mob has formed to denounce and silence Jimmy Carter.

Unfortunately, since my work touches upon the Israel-Palestine conflict, I have found myself in the last five years caught in this web of orientalist discourses I've briefly

described in this talk. Because of these discourses, I am often asked if I am Palestinian or Jewish, implying that only someone who is Palestinian or Jewish would make the Israel-Palestine conflict a centerpiece of their scholarship and public intellectualism. Popular, and even academic categories for understanding even intellectual participants in discussions of the conflict have become so impoverished that sides must be drawn and partisanship immediately identified.

Advocating for a just resolution of the Israel-Palestine conflict does not have to entail a choice between being pro-Israel, pro-Jewish, or pro-Palestinian. As the PLO and Palestinian intellectuals have repeatedly expressed their solidarity with the victims of the Holocaust and the brave fighters of the Warsaw Ghetto uprising, while denouncing the criminal logic of Zionism and Zionism's deal, which seeks to make Zionist history and Jewish history one through Israeli history, critical scholars should seek to differentiate where popular discourse seeks to confuse. The only way that can happen is if we refuse to be intimidated by the antics of those who wish to shut down exchanges and conversations within the academy and beyond through silencing and intimidation.

Strong defense of academic freedom might well be the last form of resistance against the suppression of intellectual exchanges advocated by cultural commissars such as Daniel Pipes, Martin Kramer, Alan Dershowitz, David Horowitz, and other fellow travelers. Our success in counteracting the attacks on academic freedom very well depends upon the efforts of all of us.

Illinois AAUP Letter to DePaul University on Tenure Denials

June 22, 2007

The Rev. Dennis H. Holtschneider, C.M., Ed.D.
President, DePaul University

Dear Rev. Holtschneider:

The Illinois Conference of the American Association of University Professors is deeply concerned about the implications of the denial of tenure and promotion in the cases of Norman G. Finkelstein (Political Science) and Mehrene Larudee (International Studies). Dr. Finkelstein, an internationally known scholar on the Middle East and the Palestinian-Israeli conflict, was recommended by his department and the College of Liberal Arts and Sciences Personnel Committee. Dr. Larudee received recommendations for tenure and promotion from her department, college-wide personnel committee and Dean Chuck Suchar.

We assert that your reasons for denial of tenure to Dr. Finkelstein violate the standards of the A.A.U.P., and those of DePaul's own Faculty Handbook. Your letter of denial of tenure to Dr. Finkelstein, which sustained the 4-3 vote of denial of tenure from the University Board on Promotion and Tenure, focused on the topic of tone and collegiality as evidenced in his writings.

There are also issues related to due process that appear not to have been adhered to in either Dr. Finkelstein's or Dr. Larudee's case. DePaul's rules require allowing a candidate to be not only informed of each decision during the tenure-review process, but also to respond to any negative vote. These likely due process violations of your own regulations are significant if they denied these candidates all due transparency and the right of response.

In particular, we object to the reasoning of the University Board on Promotion and Tenure (U.B.P.T.) which you quote in your June 8, 2007 letter to Dr. Finkelstein. The U.B.P.T. acknowledges Dr. Finkelstein's abilities as a teacher and a scholar, which would normally be more than sufficient to justify tenure. The sole basis of denying tenure, it appears, is the "collegiality" criterion that is invoked, calling Dr. Finkelstein's work "deliberately hurtful" and denouncing him for his "inflammatory style" and "personal attacks" in his writings. The U.B.P.T. declares that these issues are "relevant" because "an academic's reputation is intrinsically tied to the institution of which he or she is affiliated." It is entirely illegitimate for a university to deny tenure to a professor out of fear that his published research, including those that appear under the University of California Press, might hurt a college's reputation. Please recall the seminal A.A.U.P. 1940 Statement of Principles on Academic Freedom and Tenure affirms "teachers are entitled to full freedom in research and the publication of its results."

All of these reasons are unsustainable in considering tenure, and threaten academic freedom. Neither A.A.U.P. standards nor DePaul's guidelines allow for "collegiality" to justify a tenure denial. Nor is there any prohibition on alleged "personal attacks" in the writings of scholars. These kind of criteria fall under the category of "collegiality," that the A.A.U.P. explicitly rejected in its 1999 statement "On Collegiality as a Criterion for Faculty Evaluation." As that statement observed, "Historically, 'collegiality' has not infrequently been associated with ensuring homogeneity, and hence with practices that exclude persons on the basis of their differences from a perceived norm... Certainly a college or university replete with genial Babbitts is not the place to which society is likely to look for leadership."

The June 2006 report of DePaul University's Promotion and Tenure Policy Committee affirms the above assertion in Section W, "The Role of Collegiality:" "The Faculty Handbook does not incorporate collegiality as a criterion in promotion and tenure reviews." Its "Recommendation:" "Collegiality should not be a factor in a candidate's promotion and tenure review or report."

You wrote to Professor Finkelstein: "as the American Association of University Professors has recognized, all professors have basic obligations, as colleagues in the community of scholars: (1) to 'not discriminate against or harass colleagues,' (2) to 'respect and defend the free inquiry of associates,' (3) to 'show due respect for the opinions of others,' and (4) to 'acknowledge academic debt and strive to be objective in their professional judgment of

colleagues.'"

You misconstrue the A.A.U.P.'s Statement on Professional Ethics. These are statements of professional ideals that ideally all scholars would adhere to. These are not enforceable rules to be imposed, in the form of sanctions, on faculty in the tenure process particularly when they are gratuitously applied to monographs and other forms of published research. It is disturbing that you charge Dr. Finkelstein with "unprofessional" misconduct in his writings without even acknowledging the explicit rejection of this charge in the comprehensive report of the Department of Political Science Personnel Committee of November 1, 2006.

While we appreciate your claim that it would be "mistaken" to assume that external parties that "lobbied" DePaul impacted the decision, it appears likely that Professor Finkelstein was denied tenure, at least in part, due to the controversy generated by his publications and the extraordinary public-media blitz campaign that was waged by Professor Alan M. Dershowitz, Frankfurter Professor of Law at Harvard. Interpretive Comment #2, which is part of the 1940 statement as revised in 1970 affirms: "Controversy is at the heart of the free academic inquiry which the entire [1940] statement is designed to foster."

We respectfully ask you to reverse your decision of June 8, 2007 and grant tenure and promotion to Dr. Finkelstein. We are also deeply concerned about the denying of tenure to Dr. Larudee, who openly supported the academic freedom of Dr. Finkelstein. Such a decision would strengthen academic freedom, restore the reputation of DePaul University as a defender of this precious right, and send a resounding message across academia, that due process, the internal sovereignty of a university's review process and academic freedom shall be preserved and safeguarded.

Sincerely,
Leo Welch
President,
AAUP-Illinois Conference

Response from DePaul University on Tenure Denials

July 12, 2007
Dr. Leo Welch
President
AAUP Illinois Conference

Dear Dr. Welch:

I am writing to respond to your letter dated June 22, 2007 regarding DePaul University's decision to deny tenure to Drs. Norman Finkelstein and Mehrene Larudee.

I respectfully disagree with the assertions in your letter. I personally reviewed both Dr. Finkelstein's and Dr. Larudee's tenure files at the conclusion of the faculty review process. I am confident that the only criteria considered by DePaul in deciding these cases were the applicants' scholarship, service, and teaching. The record reflects that DePaul honored all the standards and processes set forth in DePaul's Faculty Handbook, as well as the standards established by the AAUP. There is no evidence in the record that either applicant's academic freedom was compromised by the tenure review process, or that outside influences played any role in the outcome of these cases.

Because our decisions on tenure are personnel matters, I cannot discuss these decisions with you in any more detail. You obviously have reviewed my letter to Dr. Finkelstein, which he posted on his website. I will let that letter speak for itself. But as you can see, my letter and the decision of the University Board on Promotion and Tenure neither mention collegiality nor rely on it as a basis for denying tenure.

I respect the seriousness of your letter and appreciate the hard work that you and the AAUP do on behalf of your faculty colleagues. However, we will have to agree to disagree on this matter. I will not reverse the faculty recommendation, through the University Board on Promotion and Tenure, to deny tenure to Drs. Finkelstein and Larudee.

Sincerely,
(Rev.) Dennis H. Holtschneider, C.M.

CHAPTER UPDATE

The Continuing Saga of St. Augustine College

By Lee Maltby

In a press release dated March 23, 2007, the Rt. Rev. Victor A. Scantlebury announced the retirement of the president of St. Augustine College, Dr. C.Z. Brennan. In addition to lauding a number of her accomplishments, the bishop noted that under Dr. Brennan the "financial position of the institution had been strengthened."

Dr. Brennan's retirement in March came after a no-confidence vote in her leadership by the faculty of St. Augustine in November 2006. Now, in October 2007, the College has embarked on a search for a new president, while working furiously to prepare for the upcoming visit by the North Central Association (NCA) of the Higher Learning Commission in March 2008. In order to prepare for the visit, the college hired two consultants to assist the administration, faculty, and the Board of Trustees (BOT). An important step in the process occurred on October 23, when the BOT approved a strategic plan for the next five years. The plan was developed under the direction of one of the consultants after a lengthy process that included hearing from major stakeholders, including faculty and chairs, administration and staff, students, alumni, community members, and board members. The most important goal of the strategic plan is "Attain full debt retirement, a comprehensive fiscal plan, and an emerging endowment." The remaining goals,

which follow the goal of debt retirement and comprehensive fiscal plan, depend on that stated goal. The question now is, is the BOT ready and able to "own" the strategic plan?

Under normal circumstances, the ownership of a strategic plan would not seem to be a very difficult task. Yet for a Board that apparently has done very little to support St. Augustine, this strategic plan calls for some major changes, with the onus placed squarely on the BOT. This responsibility is all the greater, due to the fact that when NCA last visited St. Augustine in 1999, the proverbial wool was pulled over the commissioner's eyes. In May 1999, NCA reaffirmed St. Augustine for eight years. Three months later, in August, the house of cards came tumbling down. Key financial information had not been provided to the site visitors. Once the facts became known, the founder and president of the College was forced out by the bank, the College had to sell its site in Aurora, and there were major layoffs in the College just weeks before Christmas in 1999. Since that time, the College has struggled to remain true to its mission, while paying off its financial obligations. The bond debt currently stands at approximately \$7,590,000, and the College will most likely not be able to pay its obligations that are due this year.

In the period from 1999 to 2007, the BOT does not appear to have contributed in any

significant manner to reducing the bond debt. A year ago there were more layoffs, positions have been left empty to save money, the human resources office was outsourced the year before (under Dr. Brennan), enrollment has not increased, and faculty and staff are stretched to the limit. This history of the BOT not generating any significant support for the College underscores the huge changes that the BOT has committed itself to by approving the strategic plan.

One of the more interesting outcomes of the work done by the consultants was the unearthing of the BOT by-laws. To the surprise of many, St. Augustine, which was founded under the "auspices" of the Episcopal Diocese of Chicago, is supposed to be an organization that has implemented "activities and programs that systematically and comprehensively institutionalize, access and exposure to the Episcopal faith consistent with a mission, values and philosophy of the College." There is to be an "establishing and fostering [of] faith initiatives into the life of the College," as well as a chaplain who will hold liturgical services and offer pastoral counseling for students. It is also a fact that the BOT president is an Episcopal bishop, at least 35% of the BOT must be Episcopalian, and that two Episcopal priests sit on the BOT. In light of the strong presence of the Episcopalian Diocese on the BOT,

and that the bond debt, which has not been significantly dealt with in eight years, and which is strangling the College, perhaps faculty and staff can be forgiven for asking "What has the Episcopal Diocese done lately for St. Augustine?"

Perhaps faculty and staff may need to be forgiven for their skepticism that the BOT will in fact save the College. Even as the administration and faculty buy into a comprehensive plan for the assessment of student learning at St. Augustine, the reality is that NO plan will succeed if the strategic plan is not supported by concrete action from the BOT. Every person who pays their bills when they come due understands the simple fact that if there is no money in the bank, you can not function as you have been. As it stands now, St. Augustine is at a crucial turning point in its history. If it can not offer strong educational programs and services to students, which are offered by faculty who participate in college governance (including a voting seat on the BOT), who enjoy academic freedom, and who are compensated fairly for their work, the College will fall farther behind its competitors, and a truly wonderful and beautiful mission will become a memory. It would appear that the stated "strengthening" of the College's financial position was not as strong as some would like to believe.

Response to David Horowitz

By Matt Muchowski

The last issue of *Academe* printed my article about free speech at DePaul and right wing activist David Horowitz's response. I was surprised David Horowitz actually responded to my article about free speech at DePaul. I thought he would be too busy as I had heard he might be involved with a burning at the stake happening in Colorado and a lynch-mob on the border with Mexico.

His response was typical of those used to getting their way through sheer force instead of reasoned arguments: school yard name calling and unsubstantiated claims. I repudiate the labels he attached to me and wish that he would do his research before spouting off falsehoods as fact.

Like all good apologists for Israel and the human rights abuses committed in its name, Horowitz felt he had to label me anti-Semitic. His evidence? That I used the word Zionist to describe Thomas Klocek, the adjunct professor at DePaul whose contract with the school was not renewed, partly because of his harassment of a pro-Palestine student group. Horowitz goes on to describe Klocek as "a defender of the right of Jews to exist in a state that is theirs." In other words, the very definition of a Zionist. According to Dictionary.com, "Modern Zionism is concerned with the support and development of the state of Israel." So I would be curious what the difference between a Zionist and a supporter of Israel is to David Horowitz and Klocek.

I can't help but think of the gallons of ink and scores of trees wasted on calling people anti-Semitic who only want to defend the human dignity and rights of the Palestinians, Lebanese and other victims of Israeli policies, while real anti-Semites, like Jerry Falwell, get a pass, because they support Israel, even if they believe all Jews need to convert to Christianity or spend an eternity in hell. Maybe Mel Gibson got some bad press, but in the grand scheme of things, one idiotic and racist drunken rant, even from a celebrity, shouldn't get the same level of media attention as bombing civilians in Lebanon.

Horowitz also referred to me as a latter-day totalitarian. I'm not sure what evidence he refers to. As it is, I'm not the one supporting warrantless wiretaps, indefinite detentions without charge, torture, and all the other wonderful erosions of civil liberties the Bush administration has brought us.

Horowitz goes on to call me anti-Catholic. His evidence? That I advocate that DePaul University, a Catholic school, take more progressive positions on certain issues. He tries to paint this as anti-Catholic in the sense that the school needed to preserve its identity. Well, if David had done his homework, he would know that DePaul University is not bound by strict doctrinal identity of the church.

From the beginning DePaul has been a separate legal entity, not run directly by the Church. In fact, DePaul's 1907 charter, "did not identify DePaul as Catholic." In the 1960s Fr. Cortelyou and Fr. Richardson asked that the school be relieved of its "canonical status as a pontifical university." They rescinded that status voluntarily "because of the fear of losing federal funds, and out of concerns for academic freedom."

I realize Horowitz isn't Catholic but even he should know that the church has many debates within it as to what its identity was, is and should be. While the Pope certainly has a large voice in the matter, over time, many papal decrees have been overturned, for one reason or another. Consider Pope Nicholas V's 1434 blessing of the slave trade, or the way the Church treated Galileo and Copernicus, certainly not Church dogma today. Compare Pope Benedict XVI to Catho-

lic radicals like Dorothy Day, the Berrigan brothers, Kathy Kelly, Fr. Roy Bourgeois and you will see pretty divergent views on important social and political issues. Consider feminist, pro-choice and pro-gay Catholic groups like Catholics for Free Choice. Sure they don't represent the view of the current Church establishment, but who is to say that they aren't possessed by the Holy Spirit and that one day the rest of the Church will accept their views?

So when Horowitz calls for DePaul to defend its Catholic nature and refuses to sign a letter defending the *Vagina Monologues*, I ask, does he mean to have students indoctrinated with Church dogma with no room for academic freedom? As there are competing views of what having Catholic nature means, which does he refer to? What qualifies someone who was never Catholic, and never attended DePaul, to make a judgment on which Catholic nature DePaul should adopt and preserve? As someone who poses as a defender of academic freedom and liberty, defending the *Vagina Monologues* seems like a no brainer—unless Horowitz isn't concerned with defending free speech but only the narrow spectrum of right-wing correct speech which often crosses the line into harassment or libel.

Horowitz tried to specify and clarify his views regarding the abolition of slavery. According to him, "the idea that slavery as an institution was morally wrong was indeed an idea that originated with white Christians at the end of the 18th century." There are a couple of odd things about Horowitz's analysis regarding the end of slavery. Yes there were slave revolts that didn't put an end to slavery as a system, but only sought their own freedom. But Horowitz fails to recognize a couple of significant issues.

There were and are many different forms of slavery. In the Ottoman Empire for instance, there is much evidence to suggest that slaves were freed after being in bondage for a certain number of years, usually around 10. While in Nigeria, many upper echelon slaves and concubines in the Kano royal palace had power to influence public policy and other patronage like perks.

Some would argue that these different forms could be called better than the slavery practiced in the American South. I don't like ranking oppression though, as I fight for the abolition of all class hierarchies. It is clear though that those material conditions created the responses of slaves in each setting. In Turkey they must have asked, "why rebel and risk death when I'll be free in a few years?" In Nigeria, they were afraid of losing power. In the US today, under a system where prisoners are used as slave labor, and people in debt work as wage slaves, it's a little bit of both and other issues.

It seems as though Horowitz asserts that it was anti-slavery ideas, specifically Christian ones, that inspired revolts, activism and eventually abolition. Certainly no one would dispute that many anti-slavery activists, whether free or slave, considered themselves Christian, and took much from such ideas. But Christianity was also the inspiration for slave owners. How can slavery be abolished by an idea, when that same idea is used in many different ways?

One of the points Horowitz evaded was the indoctrination which takes place in business schools and ROTC classes. This was a long time ago, but at the very first meeting of the DePaul Board of Trustees in 1907, they passed a resolution calling for a school of economics to be made as soon as possible to "inculcate" students against Socialism and Anarchism. Would David Horowitz support "alternative" economics classes, focusing on participatory economics, cooperatives and/or state socialism?

Horowitz also tries to qualify his position by referring to left-wing indoctrination in classrooms instead of what is done outside class. Which seems bizarre considering the number of cases which happen outside the classroom his group highlights, the Klocek case for instance, or most of his book, "The Professors."

If I were to tackle the subject, I would want to do more than take quotes from ratemyprofessors.com, and have some sort of scientific way of determining indoctrination in class and what kind of indoctrination. But I think we can afford a brief glance at what one former student, who wished to remain anonymous, experienced.

The student "took a political science course with a professor whose specialty was in Eastern Europe and the former Soviet Union. Decidedly conservative, he was teaching a class called Revolution. He openly declared that this class might seem more like a CIA-training class on counterterrorism, even though a normal professor anywhere from the right to the left would not teach a class on revolution equating it with terrorism. One day, after a mild disagreement over revolution, he asked to speak with me after class, and asked me to drop the class. He told me it was not what I thought it was going to be, and he didn't think that I should remain in the class."

Consider another experience they had, "In one case, I took the only Chinese history course available, and it was taught by a Chinese professor. No one should expect

a completely objective class, and she told the class that her family generally supported Mao and that she did not. After class, I mentioned to her that while critical of him, I didn't think he was the monster that he was so often made out to be. She told me that if I planned to stay in the class, she would change my mind one way or another."

Perhaps I didn't do a good enough job of explaining why the Finkelstein tenure case is an academic freedom issue. He was fired at Hunter College, City University of New York and New York University because of his politics. Alan Dershowitz tried to prevent publication of his book (and if Horowitz is so concerned with fraud & proper citation with Ward Churchill, what about someone like Dershowitz? Is it that Horowitz is not concerned about academic diversity, but pushing a partisan right-wing agenda?). Dershowitz has attempted to block his tenure, sending long documents full of quotes taken out of context to DePaul faculty, who have actually fully rebutted Dershowitz's claims. Finkelstein should be able to have his scholarly efforts published without the kind of retaliations he has faced, and that is the core of why anyone who seriously cares about academic freedom would support Finkelstein.

Horowitz is correct about one thing—he is not qualified to pass judgment on Finkelstein's tenure. Maybe he could convince some of his colleagues to come to the same conclusion and not interfere with DePaul's internal tenure process.

Write to *Illinois Academe*

Write us a letter, express your opinion,
or submit an article or a book review.
Email editor John K. Wilson at collegefreedom@yahoo.com.

USA vs. Al-Arian

DVD REVIEW



Reviewed by John K. Wilson

The thoughtful and important documentary *USA vs. Al-Arian* is just out on DVD. (It's a Norwegian import, but region-free, in English, and about \$30 available at usavsarian.com, with lots of extras including commentary by the filmmakers and Al-Arian's family, and a full interview with Al-Arian from prison last year.) The movie follows the case of Sami Al-Arian, the University of South Florida professor currently in prison for fundraising on behalf of the Palestinian Islamic Jihad, despite being acquitted for most of the charges. The film is in some ways reminiscent of *Strange Culture*, another documentary about an academic in America put on trial for dubious charges; in that case, Steve Kurtz is a clear victim of absurd accusations for using harmless bacteria in his art exhibits.

Al-Arian's case is not so clear-cut. He did raise money for questionable groups, seemed to cheer on terrorist attacks, and deceived his friends about his involvement. The documentary is very supportive of Al-Arian, and elides over some of this. The



best part, I think, is the photo of Al-Arian with George W. Bush, for whom he raised money and mobilized Muslim votes in Florida that helped swing the 2000 election. If 9-11 had never happened, Al-Arian today might still be a tenured professor and perhaps an influential Muslim advisor and fundraiser to the Republican Party. Instead, Al-Arian is still being imprisoned on absurd charges of civil contempt. He won't be released until 2008.

I wish the documentary had discussed Al-Arian's firing by the University of South Florida, because it explains why the FBI suddenly became so interested in Al-Arian after spying on him for a decade without taking action. When Al-Arian appeared on Bill O'Reilly's show in 2001, it sparked an effort to get him fired. Lacking any evidence of wrongdoing, USF decided to suspend Al-Arian for receiving death threats, despite the quite correct objections of FIRE and the AAUP. Political interests put pressure on the FBI to go after Al-Arian and provide an excuse for his firing. It's a story that still goes untold.

Legislative Report

The 95th General Assembly has been noted for internecine warfare between Governor: Rod Blagojevich, Senate President: Emil Jones and Speaker Michael Madigan, all Democrats. In spite of this hostile legislative environment there were some legislative initiatives that were approved. These include:

Creating Future Higher Ed Policy

House Joint Resolution 69, sponsored by Representative Kevin McCarthy and Senator Edward Maloney, will develop a long-term, comprehensive master plan for higher education in Illinois. The resolution directs the Board to undertake the master plan through creation of the Task Force on Higher Education and the Economy, chaired by IBHE Chairwoman Carrie Hightman. The master plan will help ensure that the state's higher education system is preparing an ever-more diverse student population for the increasingly competitive job market. The plan will also highlight successful policies that the state could adopt or expand on and promote effective use of state funds. The joint resolution has been adopted by both houses.

Fostering a Coordinated Education System from Preschool to Graduate School

House Bill 1648 creates a P-20 (Preschool through Grade 20) Council, which will be responsible for establishing a statewide agenda that better integrates all levels of learning in Illinois. The bill was sponsored by Representative Jerry Mitchell and Senator Deanna Demuzio. The Council will recommend best practices, focusing on opportunities for P-12 educators and postsecondary educators to work more closely together and better prepare students for success. The bill has been sent to the Governor. In addition, House Resolution 491, sponsored by Representative Sandra Pihos, provides that the Council's duties shall include proposing recommendations concerning accountability in education. The resolution has passed the House.

Increasing College Readiness

Research shows that lack of academic preparation – not affordability – is the single biggest barrier to college enrollment. Many students graduate high school without the skills needed to do college-level work. Senate Bill 858, the College and Career Readiness Pilot Program sponsored by Senator Maloney and Representative David Miller, creates teams of advisers from high schools and community colleges who will assess ACT scores and help students select classes that meet college admissions requirements or the demands of the modern workplace. Teams will also work to better match high school curriculums with the expectations for college-level work. This pilot program will better prepare students for the rigors of college and the workplace. Senate Bill 858 has passed both houses.

Developing Strong School Leaders

Quality teachers significantly improve students' chances of success, and research shows that well-prepared principals and superintendents help teachers excel. To ensure our schools are being led by highly-qualified leaders, House Joint Resolution 66, sponsored by Representative Mike Smith and Senator Demuzio creates a task force to recommend improvements in training and supporting these leaders. The task force will develop strategies for implementing various recommendations of the Commission on School Leadership as outlined in its report to the Board last August, "School Leader Preparation: Blueprint for Change." The state has also expanded mentoring programs for superintendents, which helps keep the most innovative educators working in our public schools. The joint resolution has been adopted in each house.

Reining in Textbook Costs

Many students struggle to pay for increasingly expensive college textbooks. Senate Resolution 298, sponsored by Senator Mattie Hunter, resolves that each public university and community college must undertake measures to reduce textbook costs. Institutions must document measures taken to curb textbook expenses and report progress to the Illinois Board of Higher Education and the Illinois Community College Board, which in turn will brief the General Assembly. A package of bills, based on an IBHE study of textbook costs, that would have created textbook advisory committees at community colleges and public universities, provided a tax break for purchase of required course materials, and disclosed information to help students be more savvy consumers, passed the Senate but was not acted on in the House. SR 298 resolution has been adopted by the Senate.

— Leo Welch

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ILAAUP Speakers Bureau

John K. Wilson, editor of *Illinois Academe* and author of the new book *Barack Obama: This Improbable Quest* (www.obamapolitics.com), will publish his newest book, *Patriotic Correctness: Academic Freedom and Its Enemies* (Paradigm Publishers) in December 2007. All Illinois AAUP members are invited to bring him to your campus as part of his book tour. For more information, email collegefreedom@yahoo.com. Read his blog at collegefreedom.blogspot.com.

Ken Andersen, Speech Communication, University of Illinois at Urbana-Champaign, past president, IL AAUP: 1) Shared Governance and Due Process; 2) Academic Freedom & Tenure.

Joe Berry, Roosevelt University. Author, *Reclaiming the Ivory Tower* (Monthly Review Press, 2005). Visit Berry's website at www.reclaimingtheivorytower.org.

Joseph Felder, Economics Bradley University, Secretary, IL AAUP (member of AAUP National Council): 1) Academic challenges of the national AAUP office; 2) Types of services and assistance from the national AAUP office.

Peter Kirstein, History, St. Xavier University: 1) Academic freedom; 2) Tenure issues. Read his blog, <http://english.sxu.edu/sites/kirstein>.

Pan Papacosta, Columbia College in Chicago, and president, IL AAUP: 1) Academic Freedom & Tenure; 2) The Faculty Handbook.

Leo Welch, Biology, Southwestern Illinois College, and past president, IL AAUP: 1) Legislation and academia; 2) Collective bargaining issues in academia.

IL-AAUP speakers are generally available free of charge to AAUP chapters, and the Illinois AAUP can cover most expenses. We invite all our chapters and members to make use of this Speakers Bureau.

Email collegefreedom@yahoo.com for more information on contacting a speaker or nominating someone to be a part of the IL-AAUP speakers' bureau.

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