

ACADEMIC FREEDOM AND PALESTINE: A PERSONAL ACCOUNT

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Good research is often controversial. In the social sciences, the exchange of new ideas, new interpretations of history, and the excavation of counter-hegemonic or what Michel Foucault would call “subjugated” knowledge unsettles and upsets received wisdom (Foucault, 1980: 81-82; 2003: 7). For those of us fortunate enough to study a region as eternally fascinating and intellectually demanding as the Middle East, I think this point is especially salient. And for those of us who both research and teach these subjects in a post-9/11 United States it is more relevant still (see: Doumani, 2006). In the decade since that terrible tragedy, we have witnessed the emergence of a resurgent anti-intellectualism both in the halls of government and on our campuses. As the Bush administration pursued policies of reckless destruction abroad, self-appointed guardians of the academy swiftly appeared on the domestic front, contributing to the jingoistic fervor of the time by encouraging students to report on the alleged anti-American and anti-Israeli biases of their professors. Couching a narrowly authoritarian vision of the University in an Orwellian discourse of “tolerance” and even “academic freedom,” outspoken ideologues like David Horowitz insist that the academy suffers from insufficient “balance.” Of course, such attacks have little to do with a genuine concern for pedagogical practice; rather, they are the culmination of the Right’s long-standing attempt at eliminating the last vestiges of progressivism and critical intellectual inquiry from the American political landscape.

The modern University stands as an independent bastion of democratic dissent—an affront to unquestioning compliance with neoliberal capitalism, religious obscurantism and nationalist dogma. The political climate of the so-called Global War on Terror has exposed scholars critical of American foreign policy or of Israeli oppression in the occupied Palestinian territories to attacks from within and without the academy. Vicious smear campaigns recently waged against myself as well as other scholars like Joseph Massad, Rashid Khalidi, Juan Cole, Norman Finkelstein, and Nadia Abu El-Haj reveal the trend all too clearly. In each of these cases, a potent

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mixture of lies, distortions and old-fashioned character assassination have combined (with varying success) to suppress the free expression of ideas.

What are we to make of these developments? As a recent target of extra-academic political pressure, I witnessed this kind of ugly vilification firsthand. But while my case resulted in a superficially positive outcome, I am not confident that we in the academic community have begun to address the deeper malaise. If anything, my experience demonstrates the readiness of right-wing Zionist groups, no longer content to target full-time faculty, to widen their ambit of attack. Unfortunately, the political offensive is only the most obvious manifestation of the threat against academic freedom. I believe my case also speaks to the corporatization of the university system and the overreliance on essentially expendable, contingent faculty. I would like to use this article as an opportunity to reflect upon the implications of my own case for academic freedom generally. After reviewing the facts of my own case, I briefly explore two broad problems facing the academy today: (1) the resurgent attack from public officials and well-funded political organizations on grounds of ideological conformity and (2) the corporatization of the university system, which encompasses both the addiction to adjunct labor as well as the gradual elimination of tenure. Any attempt to strengthen academic freedom must take both of these factors into account.

"L'affaire Petersen-Overton": The Background

Each semester, the City University of New York (CUNY) Graduate Center dispatches hundreds of graduate students as adjunct lecturers to its 23 campuses throughout the greater New York City area. The vast majority of these students teach courses at the undergraduate level, but a substantial number are hired to design and run graduate seminars. Given that most CUNY graduate students lack funding for their education, teaching is one way we are able to earn a small income while gaining valuable classroom experience.

In late December 2010, I found a position teaching a graduate level introductory course at Brooklyn College on the politics of the Middle East. My fellow graduate students usually teach mandatory undergraduate courses in subfields unrelated to their specific research interests, so I leapt at the opportunity to teach within my field. After reviewing my background and credentials, the acting chair of the political science department offered me the position. It was to be my first teaching experience.

A few weeks later, I submitted a draft copy of my syllabus to the department and they sent out my name to the students enrolled in the class. That's when the trouble began. A student contacted the department expressing concerns about my political views and speculating that my treatment of the Israeli-Palestinian conflict would be "unbalanced." Apparently, my background as a former intern with the

Gaza-based Palestinian Center for Human Rights and the knowledge that I still maintain ties to the Palestinian activist community raised eyebrows.¹ The student also complained about the contents of my syllabus, which emphasized the historical debates between Israel's so-called "new historians" and contained some readings on the colonization critique of Zionism. The department acknowledged her concerns but asked that she wait until after class had actually begun before pursuing further action. Soon after, an obscure blog post appeared online, inveighing against Brooklyn College's decision to hire me and attacking my work as "polemic masquerading as scholarship" (Kesler, 2011). The author, a Brooklyn College alumnus, focused especially on an unpublished paper I had written which explored the concept of martyrdom and its place in Palestinian national identity (see: Petersen-Overton, 2011). The right-wing Zionist blogosphere was quick to reproduce the story, crudely taking my paper as tacit support for terrorism, and I quickly became a "pro-suicide bomber," "pro-Hamas," "pro-Muslim Brotherhood," "Islamist," "terrorist lover" and an advocate of "Jew hatred"—just to mention some of the colorful name-calling that went on.²

I found these attacks disturbing, but the political science department was very supportive and tried to put my mind at ease; the department chair assured me that the college had weathered similar controversies in the past and that they expected the situation to blow over. In truth, I really wasn't worried. I knew that nothing I had written could reasonably be construed as support for terrorism, and as a lowly graduate student, I was far more impressed that anyone had taken notice of my work (regardless of his agenda). It felt exhilarating to be the cause of a controversy, not least because I felt confident that my position was unthreatened. I had nothing to hide; indeed, everything my detractors were using as "evidence" against me was conveniently available on my personal website. So I signed the formal contract from the college and resisted the urge to Google my name.

The next day, New York State Assemblyman Dov Hikind sent out a press release describing me as an "overt supporter of terrorism" and jibing that I was better suited to teach at Islamic University in Gaza than at CUNY.³ Hikind's involvement added a level of pressure that I hadn't anticipated. I began to receive telephone calls in the early hours of the morning from numbers I didn't recognize, a few hate messages showed up in my inbox, and the media began to show an interest in my situation. It was later reported in *Jewish Week* that Jeffrey Wiesenfeld, a right-wing ideologue and CUNY trustee, contacted CUNY Chancellor Matthew Goldstein to express concerns about my appointment.⁴ The political science department, clearly concerned over the swift cascade of political pressure, suggested that I might dampen the criticism by inviting guest lecturers to my course. I was open to this idea, but things were moving swiftly. Later that afternoon, just under 24 hours after Hikind released his statement, I was informed that the college administration had intervened

to cancel my appointment. Provost William Tramontano—a biologist by training—had come to the determination that I lacked the credentials necessary to teach a graduate level course in political science. In short, I was hired on Monday, Hikind sent out his press release on Tuesday, and I lost my job on Wednesday afternoon.

After learning of my dismissal, I raced home, drafted a press release and immediately began distributing it to friends, colleagues, activists, bloggers and academics around the world. Time was crucial. I gave accounts of my story to the *New York Post*, the *Daily News*, the *New York Times*, *Jewish Week*, *Inside Higher Ed*, and many others. Over the next six days, I devoted my time to little else. During that period, hundreds of messages of support from around the world flooded my inbox; a petition set up by the Graduate Center student newspaper, the *Advocate*, received 1,000 signatures in 48 hours; student activist groups got in touch with me about organizing demonstrations; the Professional Staff Congress at CUNY issued a strong statement; and a number of prominent academics and advocacy groups sent outraged letters on my behalf—indeed on behalf of academic freedom. The political science department at Brooklyn College, in a department meeting that was later described to me as their “most important ever,” voted unanimously to rehire me. Ultimately, the college administration was unable to sustain its initial argument about my lack of credentials without simultaneously undermining the exploitative foundations of the entire CUNY system (i.e. adjunct labor), and reversed its decision. The experience was just emotionally and physically exhausting. But in the end it was profoundly inspiring to witness the groundswell of support that materialized.

McCarthyism, Old and New

Jonathan Cole (2005: 2-3) observes that the targeting of academics has followed a depressingly predictable pattern, which my case parallels perfectly:

A professor is singled out for criticism. This is followed by media coverage that carries the allegations to larger audiences. The coverage is often cursory and sometimes distorted. Some citizens conclude that the university harbors extremists who subvert our national ideals. Pressed by irate constituents, political leaders and alumni demand that the university sanction or fire the professor.

It’s important to remember that political witch-hunts are nothing new in the United States and CUNY boasts an especially troubled history. In 1940, City College (CCNY) attempted to hire British philosopher Bertrand Russell. Religious conservatives were outraged by the decision, citing Russell’s controversial views on marriage and his perceived advocacy for “godlessness” and “free love” (Leberstein, 1993: 93). A public debate over the perceived radicalism of CUNY college professors ensued, and CCNY found itself at the center of a political firestorm. Ultimately, Mayor

Fiorello La Guardia brought the affair to an abrupt close by removing funding for Russell's position, but the political animus against radical professors remained.

Albany had long been making plans for a large-scale investigation into subversive activities in higher education, and the Russell affair only hardened the determination of some politicians to root out the "ungodly and un-American" behavior of CUNY officials (*ibid.*).⁵ Although being a member of the Communist Party was not technically illegal, it was thought to be "incompatible with the professional obligations of a college teacher" (Schrecker, 1986: 74).⁶ In what became the largest pre-McCarthy-era purge of university professors, the so-called Rapp-Coudert Committee investigation subpoenaed more than 500 faculty members from the four primary CUNY campuses (Brooklyn, City, Hunter, and Queens), and 64 people lost their jobs as a result (Leberstein, 1993: 93; Schrecker, 1986: 76). Most were fired for their refusal to cooperate with the committee, behavior regarded as a confession of guilt. Rapp-Coudert's legacy cannot be overstated; the methods used by the legislative investigating committee served as a blueprint for later anti-Communist purges under Senator Joseph McCarthy. Only in 1981 did the CUNY board of trustees finally adopt a resolution offering its "profound regret at the injustice done to former colleagues on the faculty and staff of the university who were dismissed or forced to resign because of their alleged political associations and beliefs and their unwillingness to testify publicly about them" (Leberstein, 1993: 119; see also: Smith, 2005). The board pledged to "diligently safeguard the constitutional rights of freedom of expression, freedom of association and open intellectual inquiry" in the university (Leberstein, 1993: 119).

Unfortunately, CUNY's more recent record on academic freedom is little better. Following the events of 9/11, CUNY faculty held a teach-in at City College. The next day, the headlines in the *New York Post* read "CCNY Bashes America—Students, Profs Blame Attack on U.S." (Campanile and Venezia, 2001). Without having attended the event and apparently relying entirely on the inflammatory report in the *Post*, CUNY Chancellor Matthew Goldstein expressed dismay with those "who seek to justify or make lame excuses" for the attacks (Snyder, 2002; see also: Wilson, 2001). Echoing these sentiments, CUNY trustee Jeffrey Wiesenfeld remarked, "Every public and private campus has its share of 'revolutionaries' who think proselytization is synonymous with education. I've made it my business not to be silent when this phenomenon raises its ugly head at a CUNY campus" ("Look Who's Trusteeing," 2008). Although no action was taken against the participants of the teach-in—many of whom received death threats—the administration's inauspicious and ill-informed statements set the tone for a decade of attacks against academic freedom throughout the CUNY consortium, from summary dismissals of contingent faculty to the "sponsoring" of courses by private companies.⁷ Ellen Schrecker, the foremost expert on McCarthyism in the academy, regards the

contemporary threat as more serious than that posed by McCarthyism because it seeks to “impose outside political controls over core educational functions like personnel decisions, curricula, and teaching methods” (Schrecker, 2006). Of course, present forms of extra-academic pressure result in substantially fewer dismissals than under McCarthyism, but the threat is more subtle and directed at a different group of scholars.

The Attacks on Mid-East Studies

Since 9/11, Middle East scholars have increasingly found themselves targets for hyper-nationalist forces eager to paint them as anti-American and anti-Israel radicals—even supporters of terrorism. Unlike the official hysteria Communism inspired during the McCarthy era, however, the current attacks against academics seem to come predominantly from private advocacy groups.⁸ Occasionally, these groups manage to recruit the efforts of sympathetic public officials. One of the more disturbing aspects of my case was the readiness of a state assemblyman to poke his nose around a university syllabus, make unhinged ad hominem attacks and call for administrative intervention. As Leberstein writes, “the Communist party has largely lost its ability to strike fear into the hearts of Americans, but other demons are at hand” (Leberstein, 1993: 94). The Middle East and especially those of us who write on Israel/Palestine now fill this function.

I am reminded of the highly orchestrated campaign against Columbia University professor Joseph Massad. In 2005, three years after the alleged incidents took place, Massad was called before an investigation committee to respond to charges of misconduct, some of which involved statements purportedly made outside the classroom. The one accusation deemed “credible” by the Ad Hoc Grievance Committee held that “Massad angrily told a student, ‘If you’re going to deny the atrocities being committed against the Palestinians, then you can get out of my classroom’” (Giroux, 2006: 11). The student in question gave three different accounts of the story to various news outlets, the incident was not mentioned in Massad’s teaching evaluations, and twenty students signed a letter to the administration claiming the accusation was “unequivocally false.”⁹ In addition to a relentless political battle waged by his detractors within and without the university, Massad was hit with a right-wing media deluge, spearheaded especially by the *New York Post*, the *Wall Street Journal* and the now-defunct *New York Sun*. Even the *New York Times*, that ostensible bastion of left-liberal analysis, printed an editorial that railed against the investigation committee for appointing three members “who expressed anti-Israel views” and regretfully observed that the committee had “no mandate to examine the quality and fairness of teaching” (“Intimidation,” 2005). Such unyielding public attention is not amenable to the hectic schedule of a university

professor and Massad was forced to flee the country temporarily to work free from incessant harassment.

Though Professor Massad endured a far more intensive and sustained attack than I did, in both cases the involvement of public officials led to heightened pressure against the academy.¹⁰ During Massad's ordeal, New York Congressman Anthony Weiner wrote to Columbia University President Lee Bollinger, requesting that he fire the untenured professor as a way of preserving tolerance. In his letter, Weiner had the nerve to write: "by publicly rebuking anti-Semitic events on campus and terminating Professor Massad, Columbia would make a brave statement in support of tolerance and academic freedom."¹¹ The Orwellian reasoning is revealing, as my political detractors put forward similarly bizarre claims, invoking liberal language to justify the suppression of my views. In his letter to Brooklyn College president Carol Gould, Assemblyman Hikind invoked "the responsibility of a true academic," which, he argued, is "to remain objective in imparting information and to allow students to draw their own conclusions."

Mr. Petersen-Overton's personal biases should not be allowed to pollute the academic realm, nor should taxpayer dollars be devoted to promoting his one-sided agenda.¹²

Absent Hikind's objections, I am quite positive the controversy surrounding my appointment would have passed without much comment. As a state official, his involvement not only lent a degree of legitimacy to baseless attacks but also irresponsibly expanded those attacks. Moreover, besides the disparity in scale, my case differs from Massad's in one important way: he was an untenured permanent faculty member; I am a graduate student contingent lecturer. I fear this may reflect a newfound willingness on behalf of right-wing Zionist groups to target scholars at the earliest stages of their careers—to quash dissent before it achieves institutional protection. I still have a long way to go, but I can now be sure of harassment every step of the way.

Academic Freedom Isn't Free: The Problem of Corporatization

In addition to the worrying involvement of a state official, my case also underscores the precarious position occupied by adjunct faculty in the CUNY system, itself a symptom of nation-wide problems. The adoption of a boardroom mentality in college administrations, the ongoing privatization of public education, and the over-reliance on adjunct labor has eroded the institution of tenure, while exacerbating a glut in the academic marketplace. The corporatization of higher education threatens the very foundations of academia by fundamentally undermining the basis of free inquiry: academic freedom.

In keeping with nationwide trends, contingent faculty in the CUNY consortium teach the majority of classes for significantly less compensation, limited access to health/dental benefits, and zero job security.¹³ They lack all institutional guarantees and face potential non-reappointment at the end of each semester. This situation profoundly undermines academic freedom, exposing half the faculty to the tyranny of petty political decision-making each semester. Moreover, given that donor funding and student tuition now constitute approximately half of CUNY's budget, higher education is becoming just another commodity to be bought and sold according to popular preference. "No business likes bad publicity, and as colleges become more like businesses, they will try to burnish their 'brand' and banish uncomfortable incidents that bring them unwanted attention" (Leberstein, 1993: 94). The dismissal of adjunct lecturers has become commonplace partly because it is so convenient for corporate-minded administrations intent on preserving a controversy-free public image.

One semester prior to my dismissal, the same Brooklyn College alumnus who attacked my appointment on his blog removed a significant bequest to Brooklyn College from his will (see: Siemaszco, 2010). He objected to a project for incoming students designed around a book by English Professor Moustafa Bayoumi that explores post-9/11 prejudice against Arab American citizens (see: Bayoumi, 2008). The controversy attracted significant media attention, but professor Bayoumi was a tenured faculty member, and the college prevailed. When determining my fate, I can only guess at how heavily this fiasco must have weighed upon the college administration.

At the center of all of these issues lies the question of academic freedom, which tenure is designed primarily to protect. It provides the institutional support necessary to sustain independent research and the pursuit of knowledge free from external constraints. For while contingent faculty *technically* enjoy academic freedom as framed by the American Association of University Professors "1940 Statement of Principles on Academic Freedom and Tenure," they lack all the institutional guarantees.¹⁴ Indeed, contingents are well aware that their employment continues at the discretion of their department chair, and the fear of non-reappointment fosters a climate of self-censorship—an appalling phenomenon that goes against everything the academy is supposed to hold sacred. If a few students or alumni cause a fuss, why deal with the hassle? It's so much easier to get rid of the problem. Perhaps this is why I lost my job less than 24 hours after Hikind released his statement.

On Objectivity: Not All Opinions are Created Equal

I think the double-pronged threat to academic freedom posed by organized intimidation and corporatization is inevitably tied up with the widespread

expectation of “balance” and the myth of objectivity. The job of the scholar is not to report, but to analyze and to theorize. There is a long tradition of literature on the subject of intellectual responsibility, which offers a resounding consensus on the bankruptcy of detached scholarship and the importance of holding intellectual positions. In an eloquent essay, Sara Roy elucidates a vision of what she calls “humanistic scholarship,” arguing that accuracy and not objectivity should be the ultimate intellectual goal (Roy, 2007). But while objectivity understood as neutrality is recognized as insufficient, undesirable or impossible, there seems, nonetheless, to be a deep-seated expectation among the public that scholars commit themselves to a position of neutrality on controversial subjects.

I do not pretend to be neutral, and I am instinctively suspicious of anyone who makes claims to objectivity understood in this way. This shouldn’t be controversial. Besides the socio-economic, racial, cultural, and gender-based predispositions that inform my interpretation of the world, there is also this: an idea of justice—a sensitivity to the power relations operating between oppressed and oppressor. As Joan Scott (2005) observes,

The commitments of scholars to ideas of justice, for example, are at the heart of many an important investigation in political theory, philosophy, and history; they cannot be suppressed as irrelevant “opinion.” And because such commitments cannot be separated from scholarship and teaching, there are mechanisms internal to academic life that monitor abuses, distinguishing between serious, responsible work and polemic, between teaching that aims to unsettle received opinion and teaching that is indoctrination.

After all, these are intellectual positions arrived at through years of research. Behind the calls for “balance” coming from people like David Horowitz lies a dangerous intellectual relativism, which posits all opinions as equally valid. When studying South African apartheid or the genocide of the Native Americans, should we allow all views an equal hearing, for fear of revealing a bias in favor of the victims of these great injustices? As Lisa Anderson notes, “American universities don’t teach pre-Copernican astronomy, phrenology, fascism, astrology, eugenics, and a host of other wrong-headed notions (except in courses on the history of ideas), precisely because debates about truth are at the essence of the university” (Anderson, 2004). Indeed, there is absolutely no requirement that course content be “balanced.” Certainly, it is not clear who would make such a judgment. Presumably people like Assemblyman Hikin and Congressman Weiner would offer their services, a terrifying prospect to be sure. Students attend university to have their worldviews challenged—this is not the same as indoctrination.

Conclusion

Despite being at the center of so much controversy, the class I fought to teach is going very well. CUNY has one of the most diverse student bodies in the US, and I count myself fortunate to have such an engaged group of students—but I am acutely aware that everything I say is being monitored. The student who made the initial complaint has remained in the seminar, and the content of my private conversations with her has already become fodder for the blogs. Despite struggling against self-censorship, I find myself thinking twice over how to express particularly controversial points. After all, I need this job to cover my rising tuition costs, and the political animus against me has hardly receded. In reaction to my reappointment, CUNY trustee Jeffrey Wiesenfeld accused professors of running a “cabal that suppresses the very academic freedom they claim to represent” (Chandler, 2011), Assemblyman Hikind ominously declared “We’re going to monitor this particular professor” (Del Signore, 2011), and David Horowitz visited Brooklyn College to give an ill-informed talk about the Israeli-Palestinian conflict. Clearly the fight for academic freedom is a never-ending struggle.

If the tremendous reaction to my dismissal taught me anything, it’s that the suppression of academic freedom should not be taken lightly. There have been far too many battles over the past decade, but we’ve learned a great deal. The basis for dissent, the quest for justice, and the pursuit of democratic alternatives to the present realities of suffering and injustice in the world demand a strong defense of the most elemental liberties. Without academic freedom, we can forget the rest.

Notes

1. This information is readily available on my professional website: www.petersen-overton.com (accessed March 29, 2011).
2. The far right blog *Atlas Shrugs* referred to my case as an example of the “Onslaught of Academic Islamization.” See http://atlashrugs2000.typepad.com/atlas_shrugs/2011/01/onslaught-of-academic-islamization-brooklyn-college-hires-pro-homicide-bomber-professor.html (accessed March 29, 2011).
3. Hikind represents the predominantly Orthodox Jewish constituency of New York’s 46th district in Brooklyn.
4. I should note that Wiesenfeld’s role as a trustee makes his activism ethically dubious. According to section 2.5 of CUNY general policy, “A Trustee has no individual authority; his or her powers can only be exercised in meetings of the Board of Trustees or its committees... A Trustee shall not appear or practice before or against the Board of Trustees, the University, or any of the colleges of the University....”
5. For an historical analysis of the Bertrand Russell affair, see Weidlich, 2000.
6. Frederic Coudert R-NY put the reasoning behind the investigation most colorfully: “Now if your dog had rabies you wouldn’t clap him into jail after he had bitten a number of persons—you’d put a bullet into his head... It’s going to require brutal treatment to handle these teachers” (Coudert, *New York Times*, June 3, 1941, cited in Smith, 2005).

7. For a great overview of CUNY's recent record, see Leberstein, 2009.
8. In addition to longstanding American support for Israel at the expense of the Palestinians, such groups have thrived in the post-9/11 climate of official hostility and discrimination against Arab and Muslim Americans.
9. The letter is available online at <http://www.censoringthought.org/twentystudentpetition.html> (accessed March 29, 2011).
10. For Massad's account of the affair, see his "Statement to the Ad Hoc Committee" at <http://www.columbia.edu/cu/mealac/faculty/massad/homepage> (accessed March 29, 2011).
11. An official press release is available online at http://weiner.house.gov/news_display.aspx?id=812.
12. Hikind's letter is reproduced at <http://www.vosizneias.com/74348/2011/01/26/new-york-assembly-man-decries-appointment-of-pro-suicide-bomber-professor-to-brooklyn-college/> (accessed March 29, 2011).
13. For more about the conditions of CUNY adjunct lecturers and professors, see Smolarski, 2009.
14. The 1940 statement is available online at <http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm> (accessed March 29, 2011).

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