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USA/Palestine

Disciplined for Acting with Integrity

- IV Online magazine - 2019 - IV528 - January 2019 -

Publication date: Wednesday 9 January 2019

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Is the wolf of academic repression once more at the door of the University of Michigan (U-M)?

Since the exhilarating radical days of the founding of Students for a Democratic Society (SDS) in 1962 and the first Vietnam Teach-in in 1965, the 200-year-old educational institution in Ann Arbor is customarily recalled as a site for idealistic social protest and outspoken dissidence.

Yet a half-century after these historic events epitomizing the end of the McCarthy era and advent of “The Sixties,” an alarming political climate change is under way.

At the start of the September 2018 term, two young instructors felt ethically compelled to take action in support of the pro-Palestinian BDS (Boycott, Divestment, Sanctions) movement. John Cheney-Lippold, an Associate Professor of American Culture, and Lucy Peterson, a Graduate Student Instructor (GSI) in Political Science, declined to write letters of recommendation for two undergraduates who wanted to participate in study abroad programs in Israel. [1]

In e-mail communications, Cheney-Lippold and Peterson clearly explained that this determination was not based on any attributes of the students themselves: Non-compliance in letter writing was owing to a human rights embargo against institutions of a state carrying out brutal discrimination. [2] The instructors were happy to assist the two students in other ways.

Whose Academic Freedom?

One doesn't have to agree with all BDS tactics to recognize that honoring such a boycott is consistent with U-M's own policy of a commitment to policies of non-discrimination; it's not the imposition of some “personal” opinion or bias. [3] Facts are facts, and Israel had over sixty individual laws discriminating against Palestinians even before the infamous “nation-state” law of 2018 that makes discrimination constitutional. [4]

Moreover, for over a decade anti-racists have been assembling documentation showing that the educational institutions of Israel conduct research for the military occupation of the West Bank, build campuses on stolen Palestinian land, and limit academic freedom as well as political freedom for Palestinian students. [5]

In contrast to such abuse, the two U-M students would be slightly inconvenienced in a manner hardly uncommon on a large campus where faculty bow out of recommendations for many reasons. In distinction to the friendly apologies offered by Cheney-Lippold and Peterson, too many faculty never even bother to acknowledge receiving a request for a letter!

Making Up the Rules

Within days, however, sensationalized news reports appeared online and then sparked a global controversy in which Cheney-Lippold and Peterson were charged with anti-Semitism, the mistreatment of their undergraduates by denying

them “academic freedom,” and even abetting terrorism. Headlines include “BDS Bully: U-M Professor Discriminates Against Student Wanting to Study in Israel” and “University of Michigan Enabling Terrorist Sympathizers?” [6]

This was followed by an orchestrated campaign of outraged voices, including those of the parents, Zionist organizations, U-M Regents, and Republican Trump supporters, all demanding punishment, and some of the more unhinged making death threats. [7]

Two points are critical here:

1) U-M has never had a policy mandating the writing of letters: It’s a matter of professorial discretion and a student who can’t obtain a letter from one instructor simply goes to another.

2) No U-M declaration, official or otherwise, has ever pointed towards punishment for one who honors a human rights conviction, especially through a refusal to facilitate collaboration with an institution associated with abhorrent practices.

On the contrary, recent court decisions hold the support of a boycott against the Israeli state to be protected speech, just as the right to boycott in general has long been maintained. [8]

It was appalling, then, that top administrators at U-M hardly stopped to blink before publicly announcing that U-M as an institution (not just its officers) had an official policy against the pro-Palestinian movement of BDS.

This matter had never been democratically discussed in the U-M community, and is a big departure from the neutral political stances that the administration had insisted it must maintain in the past — during the student-faculty boycott of South African Apartheid and the mass opposition to the Vietnam War.

Moreover, the administrators made national headlines by quickly broadcasting that serious disciplinary action for declining to write the two letters was on the table. [9]

Echoes of the Past

What’s at stake in this controversy goes far deeper than merely BDS on campus. In targeting the two instructors for obvious political reasons, U-M’s leaders have taken steps that lead back to the earlier time of U-M’s Harlan Hatcher’s presidency in the McCarthy era.

In 1953-54, the U-M administration was similarly pressured by outside forces, although the federal government played a greater role. In that instance, it made efforts to intimidate faculty and students on the Left by signaling out certain dissidents to be sanctioned as a warning to others.

The designated scapegoats of the Hatcher years, taken from an initial list of 15 faculty members, were three scholars who were former members of the Communist Party: biologist Clement Market, mathematician H. Chandler Davis, and pharmacologist Mark Nickerson.

Known to be hostile to the House Committee on Un-American Activities, they were subpoenaed to testify at the

hearings organized in Lansing by Representative Kit Clardy (“Michigan’s McCarthy”) in November 1953. When they refused to co-operate in “naming names,” they were at first suspended by President Hatcher and then variously forced out of their jobs.

These victims were denied academic freedom on the spurious grounds that they themselves posed a threat to the academic freedom of others by refusing to co-operate with forces of state repression. [10] Today, the U-M administration claims that it is defending the “academic freedom” of U-M students who are inconvenienced, even as it denies to Cheney-Lippold and Peterson any semblance of the robust procedural protections that AAUP guidelines mandate. [11]

Such an unwelcome reversion in U-M norms is occurring because the university is sandwiched between two warring forces. On the Right is a national and international political reaction that includes a deep suspicion of the values of the liberal university for various reasons; on the Left, the growing sway of the pro-Palestinian movement of BDS among socially conscious faculty and students.

Neither side is homogeneous, but defense of Palestinian human rights has become to some degree an acid test for the future of those who want to be active in progressive politics and preserve authentic academic freedom.

The Center Does Not Hold

At the moment, the coalescing ideology on the Right is taking the shape of Cerberus, the snarling three-headed dog of Greek mythology that guards Hades. It amalgamates: 1) high-pitched whistles to a nativist anti-Semitism, the conspiratorial bigotry that sees rich Jews like George Soros behind immigration of the poor and non-white; 2) zealot-like fealty to the present Israeli state as an outpost of imperial power; and 3) rants against something called “cultural Marxism” by which professors are plotting to undermine Western Civilization. (In sum, think Trump/Kushner/Bannon.) [12]

The genealogy of the Left that incorporates BDS is rooted in the tradition of internationalist solidarity with all victims of repression and racism. It’s a line that can be traced back to the Spanish Civil War, partisan resistance to the Nazis, and boycotts and divestment aimed at the apartheid regime of South Africa.

To the horror of an aging Jewish establishment, a steadily growing number of young Jews are taking seriously the traditional belief that Jews should act as ethical models in our behavior, and thus link arms with Arab, Christian, and other sisters and brothers against discriminatory Israeli state policies.

BDS has further come into its own by gaining a small foothold in the Democratic Party due to the recent election of members of the Democratic Socialists of America.

Young people drawn to BDS are also active in decrying racism and repression in many countries throughout the world by various means, but they see boycotting the Israeli state as neither an arbitrary priority nor representative of a double standard. Indeed it is a logical candidate for such a strategy, because the United States pours billions of dollars a year into propping up its atrocious policies and because BDS emerged as a grassroots movement in Palestine in 2005 to put nonviolent pressure on the Israeli ethno-state.

A refreshing change on the ground from the calamitous leaderships of Hamas and Fatah, BDS has won sympathy from human rights activists throughout the world, including from well-known figures such as Bishop Desmond Tutu

and Naomi Klein.

Nonetheless, opponents of BDS maintain that the allocation of equal citizenship rights to everyone in Palestine will mean an end to the Jewish privilege required to prevent the destruction of the only kind of ethno-state form that can (in their minds) guarantee Jewish survival.

They redefine and weaponize the term “anti-Semitism” to be used to batter Muslims, Arabs, anti-racist Jews, and others who stand up for Palestinian human rights. They interpret the demand that Israel conform to international law as “demonization.”

To be sure, U-M has a conventional liberal leadership that would never sign on to the ideology of the Right, and President Mark Schlissel and other administrators were subject to an unsuccessful lawsuit by a new organization called “Speech First” for anti-Trump remarks and other policies. [13] So why has it been so quick in denouncing BDS and allowing its faculty supporters to be mischaracterized as anti-student and anti-Semitic?

Witches Must Be Found

A tragedy of academic life is that hounding from donors, parents, regents and well-funded conservative groups searching for threats about which to hyperventilate, is what usually wins the day. [14] When such powers are in a rage with pitchforks raised, witches must be found to burn, and John Cheney-Lippold has become the new super-villain of the pro-Zionist crowd in particular.

To appease their ill-informed fury, the administration made it open season on Cheney-Lippold in ways that we have not seen since the 1950s.

First, the Interim Dean of the College of Literature, Sciences and the Arts (LSA) addressed a long, censorious letter to Cheney-Lippold, rapidly made public under the Freedom of Information Act.

With much finger-wagging, a narrative is presented in which Cheney-Lippold is accused of publicizing his decision so as to gain a “political platform” for his “own personal views” both “in the media and in the classroom.” He is accused of acting “on the basis of your personal beliefs rather than the best interests of the student.”

He is said to have “violated privacy” of the student because he “drew an unwanted national spotlight” on her. Also, he spent fifteen minutes of one class session and all of another “discussing...reasons for not writing the recommendation, as well as...opinions on the boycott movement.” We are told that this is a violation of the American Association of University Professors (AAUP) policy that “it is improper for an instructor persistently to introduce material that has no relation to the subject” of a class. [15]

None of this seems to be true. Cheney-Lippold’s private e-mail to the student was first obtained by a Zionist club and placed on Facebook with the student’s name. There may be some question here as to how this happened, but it strains credulity to believe that Cheney-Lippold is responsible.

Then, after a flood of attacks and slanders, Cheney-Lippold was forced to respond to newspaper queries and felt obligated to devote a few minutes of one class and the entirety of another to explaining what was and wasn’t accurate. [16]

The dubious narrative that he aimed from the outset to commandeer a personal platform served the Interim Dean as justification for freezing Cheney-Lippold's salary and cancelling his sabbatical research leave for two years.

Moreover, he was notified that "further conduct of this nature is subject to additional discipline, up to and including initiation of dismissal proceedings under Regents Bylaw 5.09." [17] Insult was then added to injury with further statements from the President and Provost of U-M.

The Decontextualization Game

As with the Interim Dean's letter, there is no mention in these additional statements of the paramount issue that triggered the behavior of the instructors: Their desire to defend academic freedom and oppose discrimination related to Palestinians.

There is no crisis in letter writing at the university, but there is certainly one in occupied territory such as Gaza: The present controversy is unimaginable without the Middle East context. Ignoring the nationwide attacks on campus BDS activists and the reframing of the local matter as that of faculty "punishing" students give off the cold chill of political calculation.

A published letter from President Schlissel and Provost Philbert only states that "We want everyone in our Jewish community and beyond to know that we are committed to upholding an equitable and inclusive environment."

Next, in a model of bureaucratic legerdemain that gives a cloak of "faculty governance" to decisions already made and implemented, they announced a "panel of distinguished faculty members" to "examine the intersection between political thought/ideology and instructors' responsibilities to students."

What about faculty members' obligation to carry out U-M's anti-discrimination policies even if it means supporting the boycotting of or divestment from other institutions?

When it was observed that a student government proposal for a panel on divestment from certain companies complicit with the Israeli occupation was earlier rejected by the administration, the two made their decontextualization strategy explicit: "The panel is not addressing the university's opposition to academic boycotts of Israel, nor of any other nation or industry." [18]

Jewish Values

Lucy Peterson, the second instructor and a graduate student (GSI), chose to defend herself in two eloquent public statements worth reading in their entirety. The first, dated 16 October 2018 in the Michigan Daily, affirms Ms. Peterson's identity as "a Jewish woman," and her belief that "supporting freedom, justice, and equality for all is a Jewish value." [19]

The second, dated 23 October 2018 in Jewish Currents, expresses her dismay that the U-M President and Provost "neither of whom had any contact with her" made a connection between her criticism of Israel in her action and anti-Semitism: "In this particular instance, I tried to be very explicit about putting the state of Israel on the one hand and the student's identity, religious and otherwise, on the other. From where I stand, these are separable, and, in

fact, need to be separated.” [20]

In the end, her department chair and an LSA associate dean condemned GSI Peterson, but the action taken was less severe than for Cheney-Lippold. [21] Since both Schlissel and Philbert had earlier announced that there would be “serious consequences” for her as well as Cheney-Lippold, there is no doubt that an outpouring of support for her by hundreds of fellow graduate students, alumnae, and many faculty played a role in lessening her punishment. [22]

Still, the implanting of fear is on display now, as in 1953-54. Among the confusion and potential arbitrariness that erupt from the Vesuvius of absurdities that can be found in the administrators’ various letters, interviews, and memos, something close to a “don’t ask don’t tell” approach is suggested for anyone who has convictions about honoring boycotts or refusing collaboration with discriminatory institutions.

It is fine for a faculty member to blow off a request for a letter of recommendation by saying one’s work load renders one too busy, but an honest disclosure of a political problem with a student’s desired place of study or job (yes, think Breitbart), could bring a loss of one’s position. [23]

White Men Bearing Tiki Torches

Without question, there have been an impressive number of protests of U-M’s actions from professional organizations such as the American Political Science Association, the Middle East Studies Association, the American Studies Association, and the AAUP (which feels that its policies were misrepresented in the Interim Dean’s letter).

A faculty group has formed on the U-M campus called “The U-M Academic Freedom Network,” [24] and the Arab American Civil Rights League, the Israeli Boycott From Within, and the campus pro-Palestinian organization SAFE (Students Allied for Freedom and Equality) have given support. [25] One teach-in on BDS has already occurred, and more events around academic freedom are scheduled.

At the moment, one might say that a fragile calm hangs over the campus. Let us hope that it will soon be followed by a storm of further protest that will result in a rescinding of the punishments against Cheney-Lippold; an apology to both instructors; the kicking of the smear-charge of anti-Semitism against BDS supporters out of the mainstream and back to the gutter; and the re-establishment of the right of faculty to carry out U-M’s professed commitment to non-discrimination “even if it means honoring boycotts.

In a certain sense, the attempt to crush BDS is an unwinnable cause, even if the administration succeeds in intimidating faculty to beg off requests for letter writing with bland excuses that mask real discomfort. The future is with the young, who are increasingly repelled by racism and the dehumanization of the “other.”

Leftists, of course, have long been alarmed by Israel’s history of international alliances with the Right (apartheid South Africa, Somoza’s Nicaragua, the U.S. war against Vietnam) and arms deals with genocidal regimes. [26] But now many students “including Jewish-Americans” are increasingly distressed by the authoritarian features that the Israeli state reveals in its treatment not only of Palestinians but also African immigrants and anti-racist dissidents.

They also recognize the peril of directing real fear of anti-Semitism onto scapegoats such as Cheney-Lippold and Peterson, who ought to be explicitly defended against that charge. Acceding to the slander of our colleagues through silence and evasion is a dangerous game for U-M to play, leaving the actual Jew-haters “the white men marching with Tiki torches in Charlottesville and the murderous Robert Bowers” freer to do their dirty work.

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When liberal administrators bend to pressure from the Right, the rules go topsy-turvy. In the 1950s many universities promptly caved into outside compulsion, devising mind-bending excuses to purge teachers and students in defense of academic freedom.

Next, in the Civil Rights era, universities variously conned themselves into abiding racial discrimination, especially in the U.S. South, expelling students and firing faculty who joined boycotts and protests as disloyal to their schools and unfit for teaching. [27].

In 2018 the opponents of discrimination in Palestine are being punished for “discriminating” in the United States. May the mind-forged manacles of the Israeli state-delusion soon be sundered.

[1] While some organizations and institutions supporting a boycott, such as the American Studies Association, do not advocate non-compliance in writing letters for such programs, the U.S. Campaign for the Academic and Cultural Boycott of Israel explicitly calls for this.

[2] For the argument that both the Israeli state and study abroad programs discriminate, see [Mondoweiss, https://bit.ly/2AQwid3](https://bit.ly/2AQwid3)

[3] For the U-M policy see <https://bit.ly/2QzJQQe>. A cogent explanation of this perspective in the Washington Post by Stanford professor and BDS supporter [David Palumbo-Liu can be found at https://wapo.st/2PgR7Q9](https://wapo.st/2PgR7Q9)

[4] For the 60 laws see <https://www.adalah.org/en/content/view/7771>. For the argument that the nation-state law makes discrimination constitutional, see [Haaretz, https://bit.ly/2D2xutM](https://bit.ly/2D2xutM)

[5] [Numerous sources are available online such as [Los Angeles Times, https://lat.ms/2PhQHJn](https://lat.ms/2PhQHJn) . See also my review of books about the academic boycott, “[BDS Versus Settler-Colonialism,](https://solidarity-us.org/atc/195/review-bds)” <https://solidarity-us.org/atc/195/review-bds>

[6] Two [examples: https://bit.ly/2Phou5u](https://bit.ly/2Phou5u) and <https://bit.ly/2zlk1v>

[7] See Detroit [News, https://bit.ly/2Gc02Dx](https://bit.ly/2Gc02Dx)

[8] See [ACLU, https://bit.ly/2DlvQ1y](https://bit.ly/2DlvQ1y)

[9] See Washington Post, October 11, 2018, “University of Michigan promises to discipline faculty in Israel boycott controversy.”

[10] The best-known history of the events is included in Ellen Schrecker, *No Ivory Tower: McCarthyism and the Universities* (1986). Biologist Markert, a veteran of the Spanish Civil War, was ultimately reinstated but departed U-M for Johns Hopkins University due to anger at his mistreatment and mistrust that his future treatment would be fair. Several other faculty were also driven out, including future Nobel Prize-winning economic Lawrence Klein, who had actually been a friendly witness

[11] See the AAUP letter to U-M cited in footnote 22

[12] The original Nazi-era term was “Cultural Bolshevism,” which depicted Jews as clandestinely orchestrating the spread of Communism, and sexual and gender permissiveness

[13] See <https://bit.ly/2BR4Vxg>

[14] A well-publicized example: [Jerusalem Post, https://bit.ly/2Svp8OR](https://bit.ly/2Svp8OR)

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[15] See Detroit [News](https://bit.ly/2FWmUX9), <https://bit.ly/2FWmUX9>

[16] In an "Open Letter to the University of Michigan" reprinted in reprinted History News Network, U-M Professor Juan Cole observes: "Cheney-Lippold went into his class room after the social media furor broke out and found his undergraduates puzzled and confused, so opened up some time to discuss the issues. He is also being sanctioned for that." So far as I know, what he did is pretty much standard practice at U-M; following 9/11 and again after the Trump election in 2016, for example, a large number of class sessions went off topic because students and faculty were distressed. [See https://bit.ly/2ASDulj](https://bit.ly/2ASDulj)

[17] See Detroit News, op. cit. (footnote 15).

[18] The full statement can be found [at https://bit.ly/2QeL9Vm](https://bit.ly/2QeL9Vm)

[19] See [Michigan Daily](https://bit.ly/2RukdNY), <https://bit.ly/2RukdNY>

[20] See [Jewish Currents](https://bit.ly/2zGVQWg), <https://bit.ly/2zGVQWg>

[21] To my knowledge, Peterson has chosen to keep this communication private.

[22] [[See https://bit.ly/2rhN50s](https://bit.ly/2rhN50s)

[23] [See https://bit.ly/2PkQF3I](https://bit.ly/2PkQF3I)

[24] Copies of the ASA and Boycott From Within letters are in my private possession. For the American Political Science Association letter <https://bit.ly/2QwHgdY>. The AAUP one is of special [interest: <https://bit.ly/2RyCCt6>-><https://bit.ly/2RyCCt6>" class="spip_out" rel="external">see <https://bit.ly/2KXFH3y>

[25] See Michigan Daily, <https://bit.ly/2RvgEal>

[26] See [Jacobin](https://bit.ly/2PBhe9E), <https://bit.ly/2PBhe9E>

[27] See USA Today, [May 28](https://bit.ly/2QvblKT), <https://bit.ly/2QvblKT>