

# ILLINOIS ACADEME

www.ilaup.org □ The award-winning newsletter of the Illinois Conference of the American Association of University Professors □ Spring 2005

## PRESIDENT'S CORNER

### What Exactly Is “Good Education,” Anyway?

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Forced by the needs of the time or triggered by outrageous treatment of a faculty, numerous generations of our colleagues responded with courage and determination.

Their collective wisdom is expressed in the many AAUP principles and standards that make up what we refer to as the Red Book. We often take things for granted, but we need to recognize more often that all of us faculty, whether we are members of AAUP or not, are the beneficiaries of these principles and standards. Of the many, four of them stand out as perhaps the most essential; academic freedom, tenure, due process and shared governance. These are the four major pillars that support the house of academia that we love.

Yet as I look through the Red Book I see only standards and procedures regarding the important conditions that allow us to do the best job as academics. There is nothing about what constitutes a quality education. Now more than ever, AAUP needs a position statement on what we believe good quality education to be. As we see more and more corporate philosophies and practices adopted at the expense of academic integrity, and as we realize with sadness a similar mentality spreading among our students, we need to define what we, the AAUP, believe quality education should be all about. My fear is that without such a position statement our education in this country will continue to erode, following a utilitarian path and at the expense of what some consider to be “useless” areas such as the humanities and the arts. Many of our students, and I dare say even some of our own colleagues, consider any course that is outside their major field of study as unnecessary. After debate and discussion and regardless of our different disciplines, we should be able to agree on what quality education is and articulate it on a position statement. What do we mean when we think of a well-educated person? What are some of the universal characteristics of such a person? We need to agree that specialization should not necessarily be done at the expense of General Education.

In a 1952 letter to New York Times Albert Einstein wrote: “It is not enough to teach a man a specialty. Through it he may become a kind of useful machine but not a harmoniously developed personality. It is essential that the student acquire an understanding of and a lively feeling for values. He must acquire a vivid sense of the beautiful and of the morally good. Otherwise he -- with specialized knowledge -- more closely resembles a well-trained dog than a harmoniously developed personality. He must learn to understand the motives of human beings, their illusions, and their sufferings in order to acquire a proper relationship to individual fellow-men and to the community.” (From *Ideas and Opinions* by Albert Einstein)

The importance of good education as the solution to many of our global problems is also mentioned in the UNESCO charter. In the opening sentences we find the following references regarding education:

“That since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed;...”

“That ignorance of each other’s ways and lives has been a common cause, throughout the history of mankind, of

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## AAUP General Secretary Roger Bowen



**ILLINOIS AAUP  
ANNUAL MEETING  
SATURDAY, APRIL 23  
LOYOLA UNIVERSITY  
CHICAGO**

**KEYNOTE SPEAKER:  
ROGER BOWEN**

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**An Exclusive *Illinois Academe*  
interview with AAUP head (and  
Illinois AAUP annual meeting  
keynote speaker) Roger Bowen**

*ILLINOIS ACADEME:* You were forced out of your job as president of SUNY at New Paltz largely because of your refusal to ban a conference on campus dealing with sexuality. Did that encounter make you realize the importance of academic freedom, or did you have a commitment to academic freedom long before that incident?

*BOWEN:* If only it were so simple. The conference on female sexuality resulted in an investigation by a special commission that clearly stated my defense of academic freedom was both right and appropriate. A couple years later, the new chancellor, Robert King, personally rebuked me for “permitting” “The Vagina Monologues” to be performed on my campus. His rebuke was followed by repeated visits from King’s vice chancellor who likewise had no under-

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How the state is failing to adequately support colleges and universities.

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### A SMALL COLLEGE STRUGGLES

How a small private college is addressing global and economic pressures.

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## Pensions, Higher Education and the Budget Crisis: The Past Haunts the Present and Threatens Our Future

The advice proves true: "The gods visit the sins of the fathers upon the children." (Euripides) Or Biblically, "I punish the children for the sins of the fathers to the third and fourth generation...." (Exodus 20:5) Restated more academically, "The deprecations of the past impact our future for a long time."

Illinois' current budget situation is one more proof of the validity of this long-known truth. The failure to fund appropriately the state pension systems for many years has contributed to the current budget crisis that is affecting every Illinois citizen. It is not just the pension funds, it is not just higher education, it is not just education as a whole: every person in Illinois is impacted both directly and indirectly.

Budgets of the public universities and community colleges have been cut sharply. Higher tuition has impacted students and parents with the significant drop in support for the Monetary Award Program, dramatically affecting some private colleges. The impact of these cuts will impact the state for years to come. Further, the situation may worsen depending on the outcome of the budget struggles this year.

### What might have been!

The state should not be in this budget crisis! James Hacking, Executive Director of the State Universities Retirement System (SURS), has developed several charts demonstrating the impact on our recent history if the state had obeyed its own laws and appropriately funded the retirement systems. SURS would have exceeded the 90% target funding ratio starting in FY'85 and not needed significant additional funding until FY'05. This means at the height of the recent recession the state would essentially have had all the funds it was forced to put into the SURS system available for other purposes. Since that money comes out of the higher education budget, think what those funds could have meant in support of student scholarship aid and adequate funding of our public four-year and community colleges. (While not identical, the pattern for other public pension systems is reasonably similar.)

The state had ample warning. A 1973 lawsuit by the Illinois Education Association and the AAUP to force the state to make pension payments as required by a 1967 law was not contested by the state. But on appeal the Cook County Circuit Court dismissed the suit on the grounds that no benefits had been lost and the court should not tell the legislature what to do. The State Supreme Court affirmed that ruling. Meanwhile, alarmed workers had been successful in pushing for protection of pension benefits in the revised state constitution. Efforts to move toward a system of full funding repeatedly failed until passage of a 1995 law gradually ramping up payments to achieve full funding. It placed much of the burden on taxpayers in a distant future with sharply increased funding beyond 2030 to 2045.

Those covered by the pension systems paid every cent due from them on time. Funds coming from the participants

helped the state significantly in that stock market gains based on their contributions served to reduce the liability of the state. The pension shortfall is not the fault of any or all of its participants. They kept their part of the contract.

The need to reform the state income tax and reduce property taxes has been demonstrable for many years.

### What Is.

The recent cuts in state support for higher education and for the student aid so vital to private colleges and universities are directly linked to the failure to fund pensions as required by state law. What could have been in effect a "rainy day fund" did not exist entirely due to the legislators and governors failing to fund fully the pension system for many years and some years taking a "pension holiday," making no contributions at all.

This shortfall becomes part of the budget crisis that includes a structural deficit in the state budget estimated to be between 3% and 4% projected beyond 2010. Further, the state has never met the constitutional goal of providing 50% of the support of public elementary and secondary education. This is not a matter of excess state employees—Illinois has the fewest number of state employees per population of any state in the union. Note, this is unlike Cook County and Chicago that are currently being criticized for

### The recent cuts in state support for higher education and for the student aid so vital to private colleges and universities are directly linked to the failure to fund pensions as required by state law.

excessively expanded payrolls linked to political spoils systems. And, certainly, the profusion of units of local government undoubtedly wastes resources. For example, Champaign and Urbana could reap substantial savings from combined police departments, park districts, libraries, etc. School consolidations in many areas of the state would provide a better quality of education through a better utilization of resources. But these needed changes would not directly affect the state budget shortfall.

Efforts to resolve issues of educational funding shortfalls and the state's structural deficit are exemplified by House Bill 750 seeking to increase the state personal and corporate income tax rates coupled with reductions in property tax. Numerous groups across the state are supporting this effort given that some 80% of school districts are said to be in the red. Senator Rick Winkle's SB1484 would modify HB 750 to reduce the amount of the tax increases, preserve the reduction in property taxes, and mandate greater state funding for higher as well as elementary and secondary

education. But, the Governor has repeatedly promised to veto any income tax increase. *Would he be Machiavellian enough to welcome the increase if it passed over his veto?* It would give him money he urgently needs while keeping his promise to veto any income tax increase.

Recently, significant concern has focused on legislation being developed—not yet filed—by the Governor to change pension funding. Some of the proposals being discussed will not pass constitutional muster although it may take extended court cases to demonstrate that. In the effort to balance the budget many of the proposals count savings today that will not actually occur until many years in the future, if ever.

One concern is the impact of such changes on recruitment of future faculty and staff. A loss of future benefits would make the growing compensation gap between public and private colleges and universities even more dramatic. A "brain drain" could become a flood of departures by top faculty taking with them the grants and contracts that support much of the research and the jobs they produce. Cuts in financial aid may increase the number of students leaving the state for their education—often never to return—another brain drain.

### What Will Be.

Will higher education take more cuts in the state budget this year? Will the pension legislation be revised? Will the state cut and run on pension funding? Action by stakeholders will determine the outcome. If those of us concerned with and about higher education do not make ourselves heard loud and often with the legislature, the state of Illinois will be the ultimate loser as it has been with its past practices. Ultimately Illinois as a state is the greatest loser if it continues to undercut its entire educational system.

The current governor and legislature cannot be held responsible for what others did in the past. But they must be held responsible for the failure of leadership in addressing the current budget crisis. Until Illinois faces up to the need to change its tax structure and starts "paying as we go" it will continue to defraud its citizens by denying them the future that could have been.

The sins of the fathers....

## 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](mailto:collegefreedom@yahoo.com).

### PRESIDENT'S CORNER continued from page 1

that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war;..."

"For these reasons, the States Parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives."

As the organization that we are, it is our duty to consider the development of a position statement on what quality education is. Such a position statement can help keep the education standards high and become a guide for those who are pressured to sacrifice valuable elements of education for the sake of specialization. A well-crafted statement about what constitutes quality education and its importance, both to our society and the world, is not only possible but also our obligation. While we preserve the valuable principles and standards described in the Red Book, we must constantly update and add to them.

In these troubled times, the social and global challenges we face demand it.

## Funding for Public Educators in Illinois

By Thomas D. Wilson

In his budget address on February 16, Governor Blagojevich said, "In 1970, the Illinois constitution guaranteed pension benefits for existing employees. But despite that constitutional guarantee, in every one of the last 35 years, the state has almost never paid everything it was supposed to pay." More accurately, Governor Blagojevich might have emphasized that the State has not come close to meeting its obligation for State pensions.

All five State retirement systems were substantially underfunded, but I have checked the exact figures for the State Universities Retirement System (SURS). In the 21 year span from 1975-1995, the percentage the State paid as its required contribution to SURS ranged from 22.82% to 55.37%. In 16 of these 21 years the range was between 22.82%-37.61%. In five of the years the range was 42.24%-55.37%. Overall for these 21 years, the State paid about 30% of its required contribution. In each of these 21 years, employees paid 100% of their required contribution.

After the current funding legislation passed in 1995, the

State made its required contribution. But the amount was much less than needed. This was a political compromise to get a continuing appropriation and to ease the State into paying its fair share. In all these years the retirement systems have been losing not only the higher amounts the State should have paid but also all the investment income from those amounts.

### The Governor now wants to cut the State's required pension contribution by \$800 million for the next year.

The Governor now wants to cut the State's required pension contribution by \$800 million for next year. But even with all the proposed pension "reforms," savings will not occur for several years. The Governor's budget is a sham.

The bills to implement the pension reforms have not been written, but based on the Pension Commission report the pensions for new employees will be reduced substantially and current employees will see some reduction. On April 13 a number of groups interested in public education will join together in Springfield for a noontime rally and a visit with legislators.

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# Academic Freedom at Illinois Valley Community College



By Leo Welch, AAUPVP for the Illinois Conference

I presented a seminar on "Academic Freedom and Tenure" at Illinois Valley Community College in Oglesby on January 6, 2005. In attendance were approximately 70 faculty. In addition, IVCC President Jean Goodnow and VP for Academic Affairs Harriet Custer were also present.

Two recent IVCC policies provided framework for the presentation and follow-up discussion. One was the Academic Freedom Policy which was authored by President Goodnow and a former Professor of Philosophy at IVCC. The Academic Freedom Policy includes the basic tenets of AAUP's 1940 Statement of Principles on Academic Freedom and Tenure and has been adopted by the IVCC Board of Trustees.

A new directive entitled Community Relations and Marketing Public Communications Procedure restricts the college community's contacts to the media and general public.

Jonathan Knight, the AAUP Director of the Department of Academic Freedom, Tenure and Governance, reviewed the policy prior to the seminar given by Welch. One part of the directive states, "All inquiries from the media will be referred to the Office of Community Relations and Marketing."

Knight concluded that because the administration assumed the responsibility for opinions of faculty, it would follow that the administration could alter, censor or sanction these faculty opinions, clearly a violation of academic freedom.

In response to a faculty member's question about the

rights to communicate directly with the media, Welch cited a U.S. Supreme Court decision rendered in 1968. In this case a teacher in a Lockport, Illinois high school, Marvin Pickering, wrote a letter to the editor of a local newspaper criticizing the local school board allocation of school funds between educational and athletic programs.

The board charged that all of Pickering's statements were false and concluded that the publication of the letter was "detrimental to the efficient operation and administration of the district" and that "the interest of the school requires dismissal." After a hearing, Pickering was fired. The U.S. Supreme Court overturned the dismissal action that was previously upheld by the Circuit Court of Will County and the Supreme Court of Illinois and the U.S. Supreme Court concluded that Pickering's right to freedom of speech was violated.

One of the critical components of the U.S. Supreme Court decision was that Pickering's statements in general were accurate, and his letter did no harm to the interest of the State.

Based on the opinion of AAUP's Jonathan Knight and also the U.S. Supreme Court decision, IVCC's policy is in clear violation of the faculty's academic freedom as well as first amendment rights.

Stephen Charry, Professor of History at IVCC, who organized the seminar, remains confident that the media policy can be modified and can be brought into compliance with AAUP principles and IVCC's own policy of academic freedom and tenure.

# The Ethics Issue in Illinois

In the Fall 2004 issue of *Illinois Academe* (available at [www.ilaaup.org](http://www.ilaaup.org)), John K. Wilson wrote about some of the concerns about the interpretation of the *Illinois Ethics Act*. In response to objections raised by AAUP members, the *Illinois AAUP Council* has written the following statement of concern to be sent to legislators, ethics officials, and general counsels at Illinois' public universities. We encourage Illinois AAUP members to contact your legislators and administrators about these issues.

## Statement of Concern on the Illinois Ethics Act

from the Illinois Council of the American Association of University Professors

As an organization representing more than 1,000 faculty in the state of Illinois, we are writing to express our concern with the Illinois State Officials and Employees Ethics Act and its implementation at state universities. We fear that some misunderstandings about the Ethics Act may cause faculty to censor themselves when discussing political issues, or even lead to infringements of academic freedom.

We strongly support the improvement of ethics rules for state employees to prevent abuses, and we believe that working to improve ethical standards at state universities is important. However, we are concerned that ethics scandals which have not involved state universities may lead to inappropriate restrictions at college campuses on constitutionally protected advocacy.

Under the Ethics Act, the definition of illegitimate political activity specifically exempts actions taken in fulfillment of official State duties. Because educating students and the public is the foremost duty of faculty members and other university employees, we believe that restrictions on political advocacy must not be applied to institutions of higher education.

We are concerned that the state's ethics training for university employees and other announcements fail to convey that the rights of academic freedom, including the right of political expression and advocacy, must not be abridged.

Therefore we urge the following actions:

1) We recommend that a clarification be issued by the Inspector General's Office addressing how to apply the Ethics Act to state universities, including recognition of the importance of academic freedom and the unique work hours of faculty.

2) We recommend that ethics training for university employees be improved to emphasize the unique ethical issues appropriate to higher education. We further recommend that the state work with the Illinois AAUP, the American Federation of Teachers, the Illinois Education Association, and ethics professors from around the state to develop an alternative ethics training that better addresses the ethical concerns of university faculty and other campus employees.

## AAUP National Annual Meeting

June 9-11, 2005

Washington, D.C.

"National Security and Academic Freedom"

### Keynote Speakers:

Lisa Anderson, *Dean, School of International and Public Affairs, Columbia University*

Allan E. Goodman, *President and CEO Institute of International Education.*

Tariq Ramadan: Named by *Time* magazine as one of the 100 most important innovators of the 21st century, Ramadan was appointed Henry R. Luce Professor of Religion, Conflict and Peacebuilding at the Kroc Institute at the University of Notre Dame for fall 2004. Two weeks prior to his departure, however, he was informed that his visa had been revoked by the Department of Homeland Security.

For more information and to register, go to [www.aaup.org](http://www.aaup.org).

# Writing Your Newspapers About Academic Issues

By John K. Wilson

Academia is one of the most misunderstood institutions in society. Whether it's tenure or academic freedom, the general public (and even many journalists) have a distorted view of what academics do. That's why it's very important to educate the public. One of the most important mechanisms for doing this is a letter to the editor. Here's some advice:

1) Be quick: respond the same day that an article is published, or no later than the next day. Always email letters (most newspapers provide an email address on their opinion pages or website).

2) Be polite: don't insult anyone; adopt a calm, rational persona.

3) Be non-academic: avoid the big words and jargon.

4) Be concise: follow the word limit rules for your newspaper strictly. If you want to write a longer article, propose an op-ed to the opinion editor.

5) Be accurate: get your facts straight, and be very careful when you claim that someone is wrong.

6) Be yourself: avoid quotations or citations, just give your perspective. Don't be afraid to include your professional affiliation (along with your name, address, town, and phone number), since it can add to your credibility.

Below are some examples of letters I published earlier this year in response to academic freedom issues.

To the *Chicago Sun-Times*:

Andrew Greeley (column, Feb. 18) argues that academic freedom should "protect students from yahoo professors" such as Ward Churchill. But who gets to define what a "yahoo" professor is? By this vague standard, perhaps Greeley himself could be fired by an ignorant administrator. Greeley contends that "class is not for personal opinion" and ideally he may be correct, but who can we trust to distinguish between honest presentation of subject matter and a personal opinion? To fire professors who seek to challenge the convictions of their students, as Greeley urges, is to invite a resurgence of McCarthyism in America. Will students really be better off when professors are terrified of speaking honestly?

John K. Wilson

To the *Bloomington Pantagraph*:

Thomas Sowell's attack on academic freedom (column, Feb. 16) is so full of mistakes that his factual errors almost obscure the larger flaws of his opposition to freedom of expression on college campuses. For example, Sowell falsely claims that professors control college investments and ban students from fraternities and Reserve Officers Training Corps. Trustees, not professors, determine investment policies. No college has ever prevented a student from joining a fraternity or ROTC. Shared governance, tenure, and academic freedom have helped to make American higher education the finest and freest in the world despite ongoing cutbacks in government funding.

Sowell argues that a professor should be fired for spending 10 seconds in a class talking about the war in Iraq or homelessness. Would he also fire a professor for telling a joke, discussing the weather, or starting class 10 seconds late? Would Sowell ban professors from ever expressing an idea that someone, somewhere, finds offensive? Imagine what our newspapers would look like if this standard was applied to them; they certainly wouldn't ever include Sowell's writings.

As a student, it angers me when censors like Sowell seek to silence my professors, and me. A college is not a job training course. Professors should expose students to controversial ideas beyond the narrow scope of a particular class. There is nothing wrong with a professor expressing an opinion. Students are not infantile idiots who must be protected from ideas Thomas Sowell doesn't like. We can think for ourselves.

Sowell contends that we need to abolish academic freedom in order to fire professors who might write or say something offensive. But a professor like Ward Churchill can be dealt with in a simple way: ignore him, or argue with him if you like. To demand the censorship of all 1.1 million faculty in America because one of them might say something you don't like is dangerous. It endangers the freedom of professors to speak their minds. It endangers the freedom of students to hear controversial ideas. And Sowell's attack on academic freedom endangers everyone's freedom to dissent.

John K. Wilson

# Interview with Roger Bowen

*continued from page 1*

standing of or appreciation for academic freedom. SUNY had been taken over by non-academicians who had, then at least, strong support from Governor Pataki. The climate was poisonous and inhospitable to academic freedom. Of course such people and such incidents tend to make one more aware that academic freedom is, like democracy, an ideal that requires constant battle and eternal vigilance.

**ILLINOIS ACADEME:** Geoffrey Stone, in his new book *Perilous Times*, on the history of civil liberties in America, argues that if more university presidents (and the AAUP) had followed the lead of Robert Hutchins at the University of Chicago and stood up against McCarthyism, the harm to academic freedom would have been much smaller. Why do you think that college presidents then and now are willing to sacrifice academic freedom in the face of external pressure? And what can be done to convince presidents to defend academic freedom? Should we privately lobby them? Should we lead crusades to have presidents who infringe on academic freedom fired? Should we launch petition drives and letter-writing campaigns? Should we educate presidents about academic freedom before a crisis ever hits?

**BOWEN:** I think your last question contains the best answer, but, sadly, education does not change the reality that presidents are too seldom answerable to the faculty. Trustees and regents and donors influence presidential behavior far more powerfully than do faculty, and governing boards seem to prefer presidents who are more responsive to “bottom line” issues than to the ethics of the academy. When I was under fire at SUNY, one presidential colleague phoned me and said that he wanted to speak out in support of academic freedom but was afraid of losing his job and added that he hoped I would “understand.” Hutchins was a rarity, alas.

**ILLINOIS ACADEME:** Lawrence Summers at Harvard is under fire for many things, including his suggestion that women are genetically inferior at math and science. Should presidents be as free as professors to express unpopular opinions without facing sharp criticism or the threat of losing their job? Do they have academic freedom, too?

**BOWEN:** President Summers forgot, momentarily at least, that the Harvard president occupies a position in the academy with a level of public exposure and interest not unlike the Pope’s position in the Catholic Church. Presidents have a responsibility to choose their words carefully—to self-censor, in effect—and they diverge from that responsibility at their own peril. If Summers had addressed issues solely within his field of expertise, economics, he would have been on safer ground. This aside, I rather prefer the New School president Bob Kerrey’s position that says presidents should feel free to address controversial issues, albeit, they should do their homework before speaking on issues outside their expertise.

**ILLINOIS ACADEME:** Your nemesis from those SUNY days, trustee Candace De Russy, has just announced that she plans to push adoption of the Academic Bill of Rights in New York. David Horowitz has referred to the AAUP as a Stalinist organization because of its opposition to his Academic Bill of Rights. Do you think his plans to pass this as legislation in Congress and 20 states will succeed, and what can AAUP members do to stop it?

**BOWEN:** David Horowitz is a wolf in sheep’s clothing. He has shamelessly plagiarized from the AAUP’s statements on academic freedom, but added a totalitarian codicil that would make government, or university administrators, regulators of speech in the classroom. Here is a conservative who wants a Big Brother government to impose ideological balance, using regulation rather than the marketplace of ideas to guarantee that conservative ideas have a greater presence in the academy. De Russy is Horowitz’s feminine doppelganger who believes she is on a holy mission to remake the academy in the image of Lynn Cheney. Who, indeed, in this drama is the “Stalinist”? The AAUP must expose them for their Stalinist agenda.

**ILLINOIS ACADEME:** The AAUP has been going through a long, gradual decline in membership. What can the AAUP do (both nationally and at campus chapters) to reverse this slide and bring more professors into the organization?

**BOWEN:** Otherwise put, how can we end academic feudalism? Academics are too divided by their narrow disciplines to show their concern for the wider profession. Right now about 45,000 professors in the AAUP are subsidizing a million academics whose freedom to profess is being constantly challenged by the Horowitz’s and de Russy’s. Two out of three faculty who phone us for help are non-members. As the AAUP assumes a higher profile in coming to the aid of faculty’s academic freedom, more will join.

**ILLINOIS ACADEME:** An increasing amount of the teaching at many universities is being done by graduate assistants and non-tenure-track faculty. What is the AAUP doing to reach the growing ranks of these kinds of college teachers who have not traditionally been involved in the AAUP?

**BOWEN:** The national council recently voted to give graduate students full voting rights in the AAUP; and we constantly monitor the growth of contingent faculty and publicize the exploitative working conditions they suffer. At the national level we will have to advocate more forcefully for fully funding higher education, which means increasing the number of tenure lines and converting contingent faculty positions into full-time continuing positions.

**ILLINOIS ACADEME:** The biggest academic freedom controversy of our time seems to be University of Colorado professor Ward Churchill. I’ve encountered many people who seem to think that if academic freedom protects him, maybe it’s not a good idea. Since no other professor seems to have written anything quite so offensive as Churchill’s reference to “little Eichmanns,” what would be the harm of investigating and firing just this one professor?

**BOWEN:** The slope is very slippery. “Little Eichmanns” is indeed offensive to most people’s moral sensibilities and Churchill must have been suffering a moral lapse when he wrote those words; or, more seriously, he betrayed his ignorance of history. But the statement itself should not result in an investigation or a termination. Academic freedom also protects his other writings, one of which is a thoughtful attack on “holocaust-deniers.” Maurice Isserman’s recent essay in the *Chronicle of Higher Education* asks whether Malcolm X—who uttered words as offensive and advocated violence, something Churchill has not done—would be allowed to speak at Hamilton College today. I encourage readers to look at this essay.

## Illinois AAUP Annual Meeting

“The Importance of Shared Governance”

Saturday, April 23

Loyola University Chicago

6525 N. Sheridan Road

1-4:30pm

Keynote Speech by Roger Bowen  
Panel Discussion, “Current Issues  
in Higher Education”

IL-AAUP Business Meeting

Free and open to all faculty,  
administrators, and students

(Free lunch for AAUP members available at  
noon at the Loyola cafeteria)

For more info: [www.ilaaup.org](http://www.ilaaup.org)  
or email [lmeyer@mindspring.com](mailto:lmeyer@mindspring.com)



Roger W. Bowen took office as General Secretary of the American Association of University Professors in July 2004. Prior to coming to Washington, he served as President/CEO of the Milwaukee Public Museum. From 1996 to 2001 Bowen was President of the State University of New York at New Paltz. Formerly he served as Vice President for Academic Affairs and Professor of International Affairs at Hollins College. Since 1981 he has been an Associate in Research at the Reischauer Institute of Japanese Studies at Harvard University. Bowen earned his B.A. at Wabash College (Indiana) in 1969, and a master’s degree at the University of Michigan in 1970. He completed his doctoral degree in political science from the University of British Columbia in 1977 and was awarded a Ministry of Education (Japan) Post-Doctoral Fellowship. Bowen is author of *Rebellion and Democracy in Meiji Japan* (University of California Press, 1980, pbk. 1984), *Innocence is Not Enough: The Life and Death of Herbert Norman* (Douglas & McIntyre, 1986; M.E. Sharpe, 1988) and *Japan’s Dysfunctional Democracy* (M.E. Sharpe, 2003). In 1984 he edited *E.H. Norman: His Life and Scholarship* (University of Toronto Press). He is the author of many book and journal articles dealing with such issues as human rights in Japan, Japan’s foreign policy, academic freedom in the United States, and US foreign policy.

# Access, Academic Freedom, and the Private Two-Year College — A Case Study

By Lee Maltby

In 2004, *Global Chicago* was published with the support of the Chicago Council on Foreign Relations (Madigan, C., ed.). The book is a fine introduction to the qualities that now make Chicago one of three global cities in the United States. In addition to describing the incredible amount of money, materials, and business services that now flow into and around the seven county area, the book explains how Chicago's history, geographical position, and longstanding openness to immigrants contributed to its current position in world affairs. This openness to immigrants and the growing connections with other countries and cultures continues to both enhance and complicate Chicago's ability to compete in the world economy. Education, particularly higher education, serves an essential function in integrating immigrants and their children into their new society.

Two of the most important challenges that Chicago faces are its poorly functioning education system and an economic system that cannot ensure that an entire class of people (immigrants and their children, and people left out of the traditional educational track) will not be left behind economically and socially. Global cities need educated people who can run the city and earn the wages that allow them to live where the jobs are. Yet many of the same people who will be responsible for the future of the city are not being well-educated. The educational needs of immigrants, their children, and many low-income people are high, but they are not being met by the typical institution of higher education in the Chicago area.

In terms of higher education, *Global Chicago* naturally focuses on the more prestigious institutions: DePaul's work in international relations, the Kellogg School of Business at Northwestern University, the University of Illinois and its programs in technology, and of course the incredible influence of the University of Chicago in economics and the sciences. These schools, while important to the global economy, do not meet the needs of low-income or immigrant populations. Because of its broad strokes, the book cannot mention every contributor to the process of globalization in Chicago. Yet under the radar has been a small private college that early on recognized the magnitude of the Hispanic population in Chicago and its international proportions. This school, St. Augustine College, can continue to play an important role in maintaining Chicago's position as a global city if it survives in this age of state budget cuts and dwindling revenue, competition from larger and more politically influential schools, and declining resources to support faculty.

In 1980 the Illinois State Board of Higher Education granted operating authority to St. Augustine College; in 2007 the college will undergo re-accreditation. Since its inception, the college has been operating essentially as a two-year private community college. Beginning with classes in English as a Second Language, the college expanded to offer associate degrees in business, early childhood education, respiratory therapy, culinary arts, liberal arts, computer science, etc. The mission of the school expanded in 1998 with the addition of a baccalaureate degree in social work, but the character of the college has remained primarily as an associate degree granting institution. Its open admission process and dual language transitional program is unique in the Midwest. The dual language (bilingual) program allows students to take college level courses in Spanish while learning English.

During the past 25 years, thousands of students, mostly Hispanic, but also from many other countries and cultures (Africa, Asian mainland and subcontinent, and East European), have come to St. Augustine Col-

lege to gain entry into a system of higher education that was closed to them. By improving their English and taking general education courses that are linked with the Illinois Articulation Initiative, hundreds of students have earned associate degrees and many have moved on to four year degrees. From the BSW program, which graduated its first students in 2000, around a dozen have earned their MSW or MS in education. As bilingual professionals they have no difficulties finding a job, and earn a higher salary than their monolingual colleagues.

One of the truly great aspects of academic life at St. Augustine has been the College's ability to attract faculty who are bilingual and who earned degrees in other nations. Faculty born in Argentina, Puerto Rico, Colombia, Mexico, Cuba, Dominican Republic, Venezuela, Peru, Chile, Spain, and other countries, with graduate and doctoral degrees, have taught at St. Augustine. This global body of knowledge has been invaluable for the students. As an institution that serves a non-traditional student body (with an average age of 32 and knowing little to no English), the faculty have worked very hard over the years to support and promote the value of a college education for the students.

The profound international flavor of the College is a quality that most institutions of higher learning can only dream about. In recent years, however, the college has experienced threats, both internal and external, to its very existence.

The survival of the two-year private college is under assault. Financial strictures and the relative value of an associate degree in the 21<sup>st</sup> century call into question the mission of these schools. Yet for colleges which serve a non-traditional student population, governmental support for these schools is declining. Even as K-12 programs strive mightily to prepare students who are ready for college, there are still many students who need more pre-college preparatory work and other options (e.g., open admissions, classes in Spanish) for attending college in order to compete with their better educated peers.

Historically, Illinois has been considered to be in the top tier of states that support higher education. This ranking was due in part to the support that was available to private institutions. It is clear that public institutions continue to receive the lion's share of direct taxpayer support. Private institutions receive government support through an indirect process by attracting students who find some benefit at a private school and these students use their money to attend those schools. High-profile private schools with huge endowments are able to compete effectively against public schools using an array of methods (grants, work study, etc). Small private schools, however, are more vulnerable to governmental policy and the economic pressures of the day.

The two-year private college is under increasing pressure as revenue from Pell Grants and the Monetary Award Program (MAP) awards declines. Governor Blagojevich's 2005-06 budget reduces funding for the Illinois State Assistance Commission and provides "only level" funding for the Monetary Award Program (see the report from the IBHE, February 16, 2005). At St. Augustine, over 90% of the students rely on these grants to attend school. Yet, in order to make it financially feasible for students to enroll, the College has not increased tuition which of course, does not increase

revenue. Because of the lack of support from the government (state and federal) and the need to keep tuition within reach of its students, the College is being squeezed financially. This financial pressure then serves as a convenient explanation for the College not to invest in faculty, which is the primary (and some would say the best) resource that the College possesses.

The federal budget for 2005-06 has implemented a new formula for calculating Pell Grants. Under the new guidelines, most students (over 5 million) will continue to receive federal aid as in the past. However, some estimate that under the new formula up to 90,000 students may lose aid. The funds available for Pell Grants become even tighter if (as predicted) more students will apply for the Pell Grant.

The real reductions in governmental support were studied by the Education Policy Institute. In January 2003, the institute issued *Retaining minority students in higher education—A framework for success*. (Swail, W.S., Redd, K.E., & Perna, L.W., 2003) The report cites the following as barriers to financing a college education: 1) the reduced purchasing power of need-based

grants, relative to increases in college costs, 2) more grant aid from state and institutional sources rather than the federal government, 3) the shift in federal aid to student loans and tax credits, and 4) the shift of institutional and state grant aid from need- to merit-based criteria. For the private two-year college, the implications are clear—tighten your belt, do more with less, and of course, keep full-time faculty numbers low, and hire more part-time faculty.

The financial strait jacket that small schools find themselves is complicated by another trend in higher education. This trend is the limited ability of these schools to raise funds from private donors. According to an article in *Business Week* (12/20/04), top-tier universities are working very hard at raising incredible amounts of cash for their latest projects and endowments. The consequence is "that for the most part, the wealth of the private sector is likely to flow to those that already have the most. Such aid helps the country's top schools continue their global leadership. The majority of American students, meanwhile, will be left further and further behind."

Thus, at the same time that Governor Blagojevich is not increasing funds for the Monetary Award Program that helps poorer students, he has approved \$5 million for "buildings" at Northwestern University and \$6.7 million for the University of Chicago, respectively. (Neither of these projects was recommended by the IBHE.) Yet even as the Governor approves these projects, the National Association of College and University Business Officers ranks Northwestern and the University of Chicago endowments at fourteenth and fifteenth respectively, with endowments at \$3.67 billion for Northwestern and \$3.62 billion for the University of Chicago. (An interesting ethical question would be to ask if the richest institutions of higher education have a moral obligation to assist poorer institutions. And if so, how?)

The issue goes beyond money, however. Not only do larger and more prestigious schools have more money, but they have more political influence to obtain money from the governor's office. As the

book *Global Chicago* notes, these two schools have international reputations, with programs ranked among the best in the United States (and by inference, the world). The issue for the smaller schools, and especially the private ones, is how can they survive and provide access to higher education (and a diploma), when the local high schools are struggling to educate their students, and only the very best get into schools such as Northwestern and the University of Chicago. (See also the American Council on Education, July 2004, 20<sup>th</sup> anniversary edition of the *Minorities in Higher Education Annual Status Report*, available at [www.ace.edu](http://www.ace.edu))

Internal threats at St. Augustine College are a longstanding denial of basic academic freedom for the faculty, institutional failure to invest in full-time faculty, and the inability to improve organizational effectiveness and programming in academic affairs and other departments. In fairness, the problems noted above long pre-date the present administration. Because of these internal problems, however, the college is unable to compete with other institutions when considering salaries, teaching loads, and faculty development.

The full-time faculty have been pushing for greater recognition from the current president Dr. C.Z. Brennan and the Governing Board for two years now. Progress has been slow. For the past several years economic constraints (including debt financing) has led to a freeze on hiring full-time faculty. Full-time faculty are hired on a yearly basis, and the concept of tenure exists only in the minds of the faculty. No faculty manual worthy of the name exists. Full-time faculty teach around 20% of all classes, and part-time faculty are paid at a lower rate than other institutions. (Needless to say, the lack of full-time faculty does not help the College with retention and recruitment.)

At this point in time the College continues to wiggle ahead, caught between diminishing external support and internal pressures. If the College is going to survive in the future, it would appear that it needs to become a full four-year degree-granting institution. To do that however, would mean increasing enrollment, more full-time faculty, and physical capacity, i.e., classrooms, labs, etc. But the College does not have significant physical capacity to increase its enrollment during its schedule of class offerings. As long as enrollment remains flat, the monies will not exist for expansion. While Dr. Brennan continues to build bridges in the community, she is unassisted by a Board that cannot find funds from its upper-class connections (yet the Board has no problem urging the faculty to do the same with their upper-class connections).

At the same time that the lack of financial resources is stretching the budget to the limit, morale among the faculty appears to be mixed. As a group, the faculty love teaching, they love helping the students, and they have special affection for the mission of the college and the ambience of classrooms filled with an eager and diverse student body. But the lack of job security and other fundamental rights of academic freedom that faculty deserve have put some faculty in a difficult position economically and vocationally.

Higher education finds itself competing for funds with other deserving social needs. Funding for education from kindergarten to high school needs to be increased. Health care dollars are in short supply. Caseloads for social workers striving to protect neglected and abused children are increasing. And the opportunities for less educated people to obtain a college education are decreasing. Higher education (whether public or private) can be monolithic, inaccessible, and not user friendly to the poor or the less-educated or the immigrant among us. There is a place for the small private institution that is adaptable, affordable, flexible, and friendly. Or, there used to be.



# Brainwashed! A Look Inside the Vast Left-Wing Campus Conspiracy

By John K. Wilson

In *Brainwashed: How Universities Indoctrinate America's Youth* (WND Books, 2004), Harvard Law student and UCLA graduate Ben Shapiro spins a tale about how politically correct universities are turning young minds to mush by imposing a left-wing ideology. Shapiro's story is a familiar one, told often before in far more persuasive ways by much better writers.

The foreword by David Limbaugh (brother of talk-show host Rush) calls *Brainwashed* "a sophisticated and firsthand critique of the university as an institution of ideological propaganda for the leftwing, secular worldview."(xi) In fact, Shapiro's critique is neither sophisticated nor firsthand. Shapiro claims that in order to prove the anti-American bias of his professors, "for three years, I sat in my classes and transcribed direct, in-the-classroom quotations from my professors, carefully noting the date of each quotation." Astonishingly, there is little of any consequence to be found in what Shapiro writes.

Shapiro's book follows a simple formula. He picks a public policy issue, and says that "professors" think something outrageous. Then he quotes three or four professors from some news account, usually saying something quite reasonable. Shapiro responds with snide remarks, dismissing them (sometimes quoting other professors who disagree, even though this undermines his argument that leftists control academia). Then he goes on to the next controversial topic.

Factual accuracy is a struggle for Shapiro. He starts his book with an error, misspelling Berkeley chancellor Robert Berdahl's name in an opening quote (where Berdahl actually opposes indoctrination).(xv)

Consider this example. Shapiro asks rhetorically, "didn't the American economy experience the largest peace-time economic growth rate in history under Reagan?"(9-10) apparently unaware that the answer is no, and the Clinton Administration was far more successful. Shapiro claims, "When Ronald Reagan pursued tax-cutting during his administration, median family income, median household income, and average household income all rose; from 1982 to 1989, the unemployment rate declined by 4.3 percent."(10) Of course, when Bill Clinton pursued tax increases during his administration, median family income, median household income, and average household income all rose far more than during the Reagan administration, even though during Clinton's time the Reagan-era deficits were wiped out. Economic growth during the Clinton Era averaged 4.0% per year, versus 2.8% during Reagan-Bush; unemployment dropped from 6.9% in 1993 to 4.0% in November 2000 (in one notable statistical deception, Shapiro cites unemployment in 1982, when it peaked during the recession sparked by Reagan's policies, in order to exaggerate the later decline in unemployment).

One example of Shapiro's shoddy use of statistics is his attempt to use polls to prove that colleges brainwash students to become more liberal. Shapiro declares in his introduction, "In an informal exit poll conducted by the UCLA Daily Bruin during the 2000 presidential election, Gore garnered 71 percent of the UCLA student vote, with Bush receiving a mere 20 percent."(xvi) Noting that national polls of entering college freshmen show only a 10-point gap, Shapiro repeats the exact same "fact" eight pages later, even though an "informal" poll by a newspaper isn't statistically accurate. But according to Shapiro, it proves that "By the time students become upper-classmen, a ten-point political gap often becomes a fifty-point canyon"(6) due to college brainwash-

ing. Shapiro's point makes no sense (because many of those polled by the Daily Bruin weren't upperclassmen), but it also reveals how poorly educated he is, since he misleadingly compares a national poll with a campus "poll". Why would anyone expect students in one of the most liberal cities in one of the most liberal states to vote the same as students around the country?

According to David Limbaugh's foreword, Shapiro "cites surveys and exit-polling data showing that while slightly more college freshmen identify themselves as liberal than conservative, that gap widens substantially as they become upperclassmen."(xii) The fact that this highly dubious reasoning is cited three times in the opening pages of *Brainwashed* shows how weak the argument of the entire book is. Of course, it is possible that students will change their political values in college (particularly when Democrats are more likely to support funding for higher education). To assume that brainwashing is the cause, rather than a sincere rational belief, is to dismiss most college students as idiots.

"Idiots" is a term that Shapiro likes to throw around a lot, along with other insults like "knee-jerk liar Stanley Fish"(12) or clever remarks like, "The far left of the university faculty are as red as overripe tomatoes."(24) With his McCarthy-style red-baiting, one can almost read Shapiro's book and imagine that we're still living in the Cold War.

## The Marxist Threat

Among the various crimes of professors, Shapiro writes, "Professor A. Belden Fields of the University of Illinois leads the socialist group on campus in monthly discussions."(23) Gasp! No, not something so horrible as a monthly discussion! When will somebody stop this tragedy? Shapiro is appalled to report that "Classes on Marxism exist at major universities across the country," listing dozens of colleges that actually dare to teach a class about Marx.(22)

According to Shapiro, "Students often graduate believing in the mythic power of Marxism and hating the 'racist American system.'"(xv) Shapiro, of course, has no evidence to support his point. In fact, there's no evidence that a significant number of college students ever read Marx, let alone believe in some "mythic power of Marxism," whatever that is. Far from hating the American system or thinking it racist, most students desire nothing more than to get a good-paying job.

Shapiro condemns Joel Blau of the State University of New York at "Stoneybrook" (sic) for "communism" because Blau called Bush's tax plan "a proposal that caters to the wealthiest segment of the population."(10) Of course, that's a completely objective statement of Bush's tax proposal: it benefits the wealthiest more than others. Conservatives are free to argue that the wealthiest should benefit the most from tax cuts, since they pay the most taxes and supposedly create wealth; but Blau's statement itself is simply a fact. To not only dispute it, but accuse anyone who utters it of "communism" puts Shapiro on the loony right, an example of invoking McCarthyism from someone who barely was born before the demise of the Soviet Union.

"Communists" are not the only targets on Shapiro's hate parade. As Shapiro put it in one column, "If you pay tuition, you're

sponsoring the militant homosexual agenda. If you pay taxes, you're sponsoring the militant homosexual agenda. If your child majors in English, you're sponsoring the militant homosexual agenda."

Shapiro is horrified that "New York University students get the chance to enroll in 'Race, Gender and Sexuality in US History.'"(39) According to Shapiro, "Sex is promoted non-stop in the classroom....Pedophilia is acceptable, if a bit weird. Statutory rape is laughed off. Bestiality is fine."(54)

Shapiro's book is particularly strange when he tries (and fails) to prove how much smarter he is than his fellow student. Shapiro reminisces about when a student in his geography class where Shapiro gave a presentation on oil drilling in the Arctic National Wildlife Refuge asked, "Why can't we get rid of cars, and like, all ride bicycles and stuff?" Shapiro reports, "I was stunned. This was a first-grade question coming out of the mouth of a college student at a highly respected university."

Shapiro responded, "Bicycles aren't going to cut it....If the Chinese were to attack us with tanks, could we fight them with bicycles?"(73) Who imagines that China is going to invade the US with tanks? And why does Shapiro think that Americans would defeat Chinese tanks with our cars?

According to Shapiro, "Those with a leftist mindset assault the English language."(44) His evi-

dence: a UCLA class on language where he was "stunned" to be told that the phrase "It's me" is acceptable: "Grammar clearly requires that we say 'It's I,' and yet here the students were being told it is just as correct to say 'It's me.' Incredible."(45) Shapiro doesn't explain how saying "It's me" leads to the leftist takeover of the world, but in his world, even an obscure grammar dispute is a thinly veiled part of the vast ideological war on campus.

When a UCLA professor called Darwin's *Origin of Species* the most influential book ever written by one author and a student mentioned the Bible, the professor declared that religious texts are written by multiple authors. Shapiro writes, "Last time I checked, God is not 'multiple authors.'"(87) Of course, God didn't write the Bible, human beings did (hence the four Gospels written by different authors).(87)

Even widely-acknowledged misstatements from the Bush Administration are treated as sacred writ by Shapiro. He writes, "Even after Secretary of State Colin Powell, the Left's favorite cabinet member, made his highly-regarded speech at the United Nations on February 5, 2003, peaceniks whined that they needed more evidence."(125) That was probably because virtually all of the key evidence in Powell's "highly-regarded speech" turned out to be wrong. But Shapiro seems not to be in touch with reality, preferring to dismiss criticism of the reasons for war in Iraq with a single word: "Wrong."(124)

According to Shapiro, to professors "Saddam Hussein was not an enemy, but a strong and principled leader." He writes, "Many professors felt pangs of joy as they saw three thousand Americans dying....(100) Exactly who these professors were, Shapiro doesn't say. He does object

to Noam Chomsky's criticism of US policies, and proclaims, "Next time, Professor Chomsky should volunteer to fly the suicide missions."(102)

Shapiro sees political debate in warlike terms: "What these professors want is a jihad against God, a crusade against traditional morality. And their battlefields are lecture halls full of innocent civilians."(84) At the end of one chapter, Shapiro even seems to urge the mass murder of academics: "The professors are the intellectual terrorists. May they reap what they sow."(114)

## Washing the Brain

Shapiro's title, "Brainwashed," reflects a bizarre idea of what brainwashing is. According to Shapiro, "At Wayne State University, professors rushed to brainwash students to oppose war and President Bush." And what was this brainwashing? A call for a day of reflection on the war "to raise questions about this war drive and its potential consequences."(115) Is it really brainwashing to ask questions?

Shapiro concludes, "professors are supporting labor by brainwashing their students"(31) based on reading a 1996 New York Times article about how a few academics were holding teach-ins about organized labor. Shapiro considers it "scary" that some students helped unions during Union Summer programs.(32)

Shapiro also denounced Brian Foley of Widener University School of Law for indoctrinating students because he proclaimed, "I will teach my class in the hope that the skills my students learn will make them better citizens, who will ask questions and demand answers before they let their country be led into war."(116) Is this a betrayal of academic integrity, to teach students to ask questions?

Like David Horowitz's "Academic Bill of Rights," which prohibits "indoctrination" without defining it, the far right sees any criticism of the political status quo as illegitimate "brainwashing." Shapiro calls the Academic Bill of Rights "a monumental document" and adds: "Students for Academic Freedom is doing a tremendous job on campus. I've never seen the conservative movement on campus as cohesive or powerful as it has become. Conservative students don't feel like they're alone anymore, and they feel like they have a real purpose, a real fight to fight, and the resources to fight it."

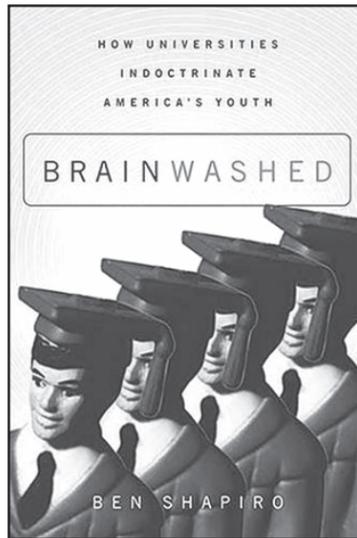
## The Daily Bruin Suspension

Shapiro's main claim to fame is being suspended in 2002 as a columnist from the *UCLA Daily Bruin*. According to Shapiro, "When I attempted to expose the fact that the Muslim Student Association at UCLA is treasonous, I was fired from the *Bruin*." Shapiro says that he had written two columns about Muslims at UCLA, but his editors rejected them. A viewpoint editor reported that the editor-in-chief "thinks that it doesn't add anything to the debate and that we need fresh opinions on this debate."(152)

Rather than go to the editor-in-chief and ask him to reconsider, Shapiro contacted national radio host Larry Elder and went on his show May 20, 2002 to denounce his employers at the *Daily Bruin* as censors with a "pro-Muslim bias."

He was suspended for six months for violating *Daily Bruin* rules that require permission for outside interviews and failing to mention that he was not a reporter and his views did not represent the paper. The *Daily Bruin* told Shapiro that he could reapply in six months and "he'll just need to reassure us that we'll be notified before he speaks with outside media."(155) Shapiro decided to quit instead, concluding, "That's how free speech works

**BRAINWASHED** continued on next page



# Freedom of Expression

*Freedom of Expression: Overzealous Copyright Bozos and Other Enemies of Creativity.* By Kembrew McLeod. Doubleday, 2005.

Reviewed by John K. Wilson

University of Iowa professor Kembrew McLeod takes Freedom of Expression very seriously. So seriously, in fact, that he trademarked the phrase “Freedom of Expression” to express his concern about how copyright law is often abused in ways that limit freedom of speech. As McLeod puts it, “We are a nation of pirates.” Even the tune for our National Anthem was stolen from an old English drinking song.

Intellectual-property law is a major concern in higher education, where universities seek to make millions from the government-sponsored research they conduct. McLeod calls the Digital Millennium Copyright Act “one of the biggest threats to free speech online” because it

forces Internet Service Providers (including universities) to take down contested material immediately in order to gain legal protection. McLeod concludes, “we need to roll back the recent restrictions that have been imposed on us in the digital age.”(11)

When internal memos from Diebold, the maker of electronic voting machines, were leaked suggesting problems with the security of the voting process, Diebold responded with a series of cease-and-desist orders to ISPs where the memos were posted, including several universities. Swarthmore College student Nelson

## BRAINWASHED continued from previous page

at college newspapers.”(155)

Actually, that’s how free speech works at corporations and the corporate-run media, where free expression is often restricted (few reporters who go on a national talk show to denounce their editors would be allowed to keep their jobs). Although it’s unfortunate that the *Daily Bruin* followed this corporate model in restricting political activism by its reporters and columnists, conservatives were not targeted. The *Daily Bruin* has dismissed staffers for being involved in liberal groups, including a columnist who was fired for involvement with the Bruin Democrats.

The *Daily Bruin* may have been understandably leery of printing a column accusing Muslims of being traitors. Shapiro’s fear of Muslims is extreme: “Here’s the scariest part: there are over five hundred Muslim student organizations on campus in the United States and Canada, with a constituency of over one hundred thousand.”(173) He called the Muslim Student Association “devious.”(173) He even condemned an Arab student magazine for printing ads for organizations Shapiro regards as supporting terrorism: “This is clearly in breach of federal anti-terrorism law, punishable by deportation.”(174) Urging that students should be thrown out of the country for what they print is not exactly the position of a strong supporter of freedom of the press.

While Shapiro denounces the left for “a strong stench of victimology,” he used his own form of victimology to launch a national syndicated (if obscure) column and a book deal with a right-wing publisher, WND Books.

Aside from deporting Muslims and denouncing liberal professors, Shapiro is vague about his proposals for the solution to the problem of “brainwashing.” Shapiro proclaims it “a decent idea” for conservatives to pull money from universities he deems too liberal, but bizarrely contends that foreigners will take over, claiming that “Saudi

Pavlosky was among those who fought Diebold for the right to inform the public about these concerns. Eventually, under public pressure, Diebold backed down.

As McLeod puts it, “The overzealous copyright bozos who try to use the law as a censorious weapon mock the idea of democracy, and they step on creativity.”(8) Copyright fears also affect what read. Many book

publishers are afraid to include copyrighted material with explicit permission, even when the usage clearly falls under clear use. The profits from books are so small, and the costs of litigation so large, that fear trumps intellectual standards. Authors who write about popular culture are particularly constrained in quoting song lyrics or similar material. In one case, Indiana University Press withdrew a book about obscure composer Rebecca Clarke because

of a dispute about 94 lines.

McLeod recounts how one of his Ph.D. students had to meet with University of Iowa lawyers to do a “risk assessment” because he wanted to reproduce five images in his dissertation that he was analyzing.

Sometimes the resistance to “copyright bozos” has unexpected benefits. McLeod’s dissertation advisor, Sut Jhally, created a documentary criticizing sexist images in music videos called *Dreamworlds*. Of course, a documentary about music videos would make no sense unless it showed excerpts from the videos, and MTV threatened to sue. Al-

Arabia buys up American universities like they’re going out of style” based on a handful of funded chairs and scholarships.(179-180)

Shapiro believes that “conservatives should redirect their funds from liberal colleges to conservative start-up colleges.” Shapiro urges the Wall Street Journal to rank conservative schools and measure the financial status of graduates. Then, he says, conservative business can hire students only from the conservative colleges.

It is difficult to find anything worthwhile in Brainwashed aside from the danger of believing uncritically in the far right’s attacks on academia. But Shapiro is right when he writes, “Swallowing whole what your professors say doesn’t teach you to think—it teaches you to think what they want you to think. And that is indoctrination, pure and simple.”(183) It’s too bad that Shapiro was too busy swallowing right-wing propaganda to consider the possibility that some of his professors might have been right.

Yet Shapiro admits, “I don’t believe that large numbers of conservative students are purposefully targeted for grade penalization.” Shapiro, who seemingly cannot write a paragraph without making a factual error, a distortion of a statistic, or a specious argument, somehow managed to get good enough grades from all of his left-wing brainwashing professors to be admitted to Harvard Law School.

If *Brainwashed* is any indication, professors are bending over backwards to give fair grades to conservatives who, imitating their political talk show idols, have only a remote familiarity with accuracy. *Brainwashed* is a badly-written, badly-reasoned book that promotes a plainly false picture of higher education, but one that is increasingly popular among those who want to launch a crusade against the Marxists, communists, and militant homosexuals whom they imagine to be in charge of a vast left-wing conspiracy controlling American higher education.

though Jhally was protected by fair use rules, the University of Massachusetts advised him to back down and refused to help him distribute the video. Jhally then founded the Media Education Foundation, which has continued to produce educational videos that regularly make proper use of copyrighted material.

The law of copyright leads to some strange consequences. Consider the story of “Happy Birthday to You.” Mildred and Patty Hill in 1893 published the melody based on traditional folk tunes for their song, “Good Morning to All.” Children began singing the song at birthday parties, changing the lyrics to “Happy Birthday to You.”

The original melody is in the public domain, so you can legally hum it all you want. But because the lyrics (which the Hill sisters didn’t actually write) were copyrighted later, they have fallen into a series of copyright extensions. “Happy Birthday to You” won’t go into the public domain until 2030—unless Congress extends copyright law yet again in order to help Walt Disney, TimeWarner, and other big corporations.

The family company which owned “Happy Birthday to You” sold the song to TimeWarner in 1988 because monitoring usage was too complicated. And the restrictions were bizarre: in the 1990s, the Girl

Scouts were ordered not to sign “Happy Birthday to You” or other copyrighted songs around the campfire, or they would be forced to pay royalties. Copyright law explains why you’ll never see anyone sing “Happy Birthday to You” in a documentary: it’s too expensive to show.

Some copyright violations on campus can have even more serious consequences. When Patr Taborsky patented a kind of kitty litter that he had developed as an undergraduate researcher at the University of South Florida, the university prosecuted him for felony theft, and he was sentenced to three and a half years in prison and assigned to a chain gang. Taborsky is current serving 11 years on probation.

McLeod decided to go to his local mall in Coralville, Iowa, with a stack of First Amendment fliers, and hand them out to customers. It took less than five minutes before he was ordered to stop and threatened with arrest. The cops even confiscated the First Amendment from him.

Despite his fears about restrictions on free expression, McLeod seems optimistic about the power of authors, artists, and activists to defeat the efforts to limit the First Amendment. And McLeod is willing to put his money (or his royalties) where his mouth is. You can download a pdf of the entire Freedom of Expression book for free from his website, [www.kembrew.com](http://www.kembrew.com).

## The Corporate University

*University Inc. The Corporate Corruption of Higher Education.* By Jennifer Washburn. Basic Books, 2005.

Reviewed by John K. Wilson

In *University Inc.*, journalist Jennifer Washburn takes a critical look at corporate influences on colleges and universities, and the “wholesale culture shift” in higher education caused by the profit motive.

One key example occurred in 1998, when Novartis (now part of Syngenta) gave Berkeley \$25 million over five years to fund research in the Department of Plant and Microbial Biology, along with the first right to negotiate licenses, and two out of five seats on the department’s research committee, which determines how money gets used. The six member committee monitoring the agreement included three Novartis representatives and two administrators who had negotiated it for Berkeley.(31)

Under pressure from critics, Berkeley agreed to allow an independent research team from Michigan State University to examine the results of the deal. Their 2004 report concluded that the alliance was “outside the mainstream for research contracts with industry.”(35)

One of the loudest opponents of the deal was Ignacio Chapela, an assistant professor of microbial ecology—even though Chapela had actually worked for Novartis before coming to Berkeley.(21) In 2001, Chapela published a study in *Nature* showing that DNA from genetically-modified corn was being found in native Mexican corn, despite a ban on GM plants. Chapela was roundly attacked by the scientists who worked for biotech companies, and *Nature* was pressured to run an editorial note retracting its support for the article. Although Chapela’s research was speculative in parts, his work was never disproven.

Chapela’s colleagues voted 32-1 in favor of tenure, and an ad hoc tenure committee of experts unanimously supported tenure. But the budget committee opposed tenure, although one genetics professor, Jasper Rine, turned out to have ties with the biotech industry. With the budget committee’s help, the Berkeley administra-

tion found it easy to deny Chapela and remove a thorn from its side.(38-39)

One tactic corporations have used to control research is to force scientists to sign confidentiality agreements. If the research shows a drug is effective, it will be widely publicized; if the research shows a drug is ineffective or dangerous, the company can quash it. Betty Dong, a research at the University of California at San Francisco, was hired by Boots Pharmaceutical to study their

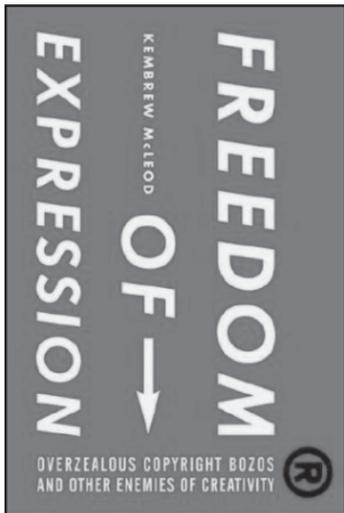
thyroid medication, Synthroid. Dong discovered in 1990 that generic drugs were just as effective as Synthroid. But because of litigation, it took nine years before the study finally appeared in the *Journal of the American Medical Association*. The company sold billions of dollars of drugs before the secret about the study was revealed.(45)

When Brown University medical professor David Kern tried to

present research in 1996 linking a rare lung ailment with the workplace of a company called Microfibres, the company threatened to sue, citing an old confidentiality agreement. Brown University officials refused to allow Kern to discuss his research, and then immediately shut down Kern’s occupational health program. In 1997, Kern presented his research despite the threats against him; his teaching and research positions at Brown University were eliminated, although the Centers for Disease Control officially recognized the new disease Kern had identified. For Brown University and Memorial Hospital, there was nothing to gain from research putting a valued company in a negative light. Microfibres’ owner and two relative sat on the hospital’s board, and the company had helped to fund the hospital’s histology lab and hoped that Microfibres would donate even more.

Washburn also examines the history of academic freedom in America, including the professors fired for expressing dissenting views that offended the businessmen who served as trustees, such as the infamous cases of Edward Bemis at the University of Chicago in 1895 and Edward Ross at Stanford

UNIVERSITY INC. continued on page 8



University in 1900. But direct corporate interference in academic freedom was fairly rare, as in 1924, when the AAUP reported how the Phelps-Dodge Corporation pressured the University of Arizona to fire an agriculture professor who had testified before the state legislature about the harm caused by copper smelting fumes.(73)

The Bayh-Dole Act reshaped American universities in the 1980s, creating a massive increase in patents granted to colleges (from 264 in 1979 to over 3,200 in 2001) and much greater use of universities as research labs for corporate America. Many safeguards for

the legislation, including limits on exclusive licenses and a fee for government-funded research, were left out of the act. Universities in turn began to build expensive new labs, hoping to garner some of the research and patent money. The university, long home for basic scientific research, began a rapid pursuit of the quick buck.

Corporate influences also undermine the culture of sharing essential to scientific advances. In one study, scientists seeking to commercialize research were three times as likely to delay publication for more than three months, and more than twice as likely to refuse to share information with other academics.(124) When taxpayers paid Univer-

sity of Utah researchers \$4.6 million to discover a gene linked to breast cancer, the university patented it and gave exclusive rights for its use to a company started by a Utah professor. The company even threatened legal action against University of Pennsylvania genetics professor Haig Kazazian when he tried to use the gene in his research to help save lives.(3)

As Washburn points out, the leaders of the AAUP and the movement for academic freedom realized a century ago that faculty needed security, due process, and faculty control of academic issues. Today, this system is at risk due to overreliance on adjunct instructors, and academic freedom is at stake.

As Washburn notes, "By dismantling this system, universities risk not only diminishing the quality of instruction but imperiling this ideal."(307)

Washburn explains, "To the extent that universities view themselves first as drivers of economic development, and only second as educational institutions, their priorities will be skewed, and they will neglect their commitment to the life of the mind."(338) Facing the carrot of corporate money and the stick of decreased state funding, American higher education is entering a new era where the warnings of *University Inc.* need to be followed.

IL AAUP Speakers Bureau

**John K. Wilson**, editor of *Illinois Academe*, and the coordinator of the Independent Press Association's Campus Journalism Project, spoke at St. Xavier University March 23, 2005 on "Academic Freedom in Time of War." This fall, Wilson will publish his newest book, *Patriotic Correctness: Academic Freedom and Its Enemies*. 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](mailto:collegefreedom@yahoo.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.

**Joseph Felder**, Economics Bradley University, Secretary, ILAAUP(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.

**Jack Leahy**, Religious Studies, DePaul University, and past president, IL AAUP:  
1) Academic issues in religious affiliated institutions; 2.) Contingent faculty.

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

**Lawrence Poston**, English, University of Illinois at Chicago:  
1) Academic freedom and tenure; 2) Academic governance.

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

**John K. Wilson**, editor, *Illinois Academe*; founder, [www.collegefreedom.org](http://www.collegefreedom.org); Ph.D. student, Illinois State University:  
1) History of Academic Freedom in America; 2) Patriotic Correctness; 3) The Academic Bill of Rights.

*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. Contact ILAAUP Executive Director Lynne Meyer at (773) 510-5923, [lmeyer@mindspring.com](mailto:lmeyer@mindspring.com). We are accepting nominations and proposals from experienced AAUP members who wish to serve on this bureau.*

# Nominations Sought for the Illinois AAUP State Council

We seek nominations for the following Illinois AAUP Council offices.

- President (2005 – 07)
- Secretary (2005 – 07)
- Four Council Members (2005 – 08)

Please send your nominations (you may nominate yourself) to the chair of the Nominating Committee, Professor Walter J. Kendall at The John Marshall Law School.

(312) 987-2377 or e-mail [7kendall@jmls.edu](mailto:7kendall@jmls.edu)

Other members of the Nominating Committee are: Lisa Townsley (Benedictine University) Peter N. Kirstein (St. Xavier University) Hugh Miller (Loyola University) and Michael McIntyre (DePaul University)

[WWW.ILAAUP.ORG](http://WWW.ILAAUP.ORG)

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