

Urgent Need to Right Wrongs at DePaul University

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They did the wrong thing: the denial of tenure to Norman Finkelstein and Mehrene Larudee at DePaul University must be reversed, and very quickly.

Most questions having to do with ethics, politics, and university administration are both simple and complicated. Certainly there are many complex issues involved in the case of Norman Finkelstein. There are perhaps fewer complexities in the case of Mehrene Larudee, which seems to have been treated by DePaul administrators as simply an adjunct to the Finkelstein case. That would make the adjudication of her case an even greater wrong than what has been done to Prof. Finkelstein. But the complex issues should not be allowed to obscure certain simple facts. The administration at DePaul did the wrong thing in these cases. Both Finkelstein and Larudee should be granted tenure and promotion and given every encouragement to continue with their good work in the classroom and in research. These wrongs must be corrected very quickly, both for the sake of Professors Finkelstein and Larudee, and for the sake of the credibility and intellectual legitimacy of DePaul University, which is very much in question at this time. The eyes of the intellectual world are on DePaul, and the leadership of DePaul, which first of all means the president, the dean of the College of Liberal Arts and Sciences, and the senior faculty, only have a short time in which to make things right.

What I write here, as a senior faculty member at DePaul, I will write as if I am addressing the president of the university, Father Dennis Holtschneider. Fr. Holtschneider is a man whom I have very much liked and respected, and I hope to like and respect him again. What I say here I would say to Fr. Holtschneider directly, but it is clear that letters from faculty members to the president, while good and helpful, are not going to be enough to go against the larger political tide that the Larudee and Finkelstein decisions represent.

Indeed, I hope that Fr. Holtschneider and Dean Suchar (whom I have also liked and respected over the past seventeen years, the time I have been at DePaul) and others will recognize what I say here as part of an effort not only to help, but indeed even to

save DePaul University, and therefore, to help them as well. The stakes of the Finkelstein and Larudee decisions are very high. DePaul has been, in my view, a politically progressive university. I have been very proud of DePaul in this respect, and have felt very happy and privileged to be a part of this university. DePaul has made an effort, far more than most universities, to stand for social justice and inclusiveness. Although there are some first-rate scholars and theorists and creative practitioners in the many departments and schools of the university (and I do not hesitate to say that I am especially proud of my own department in this regard, which also excels in diversity and inclusiveness among the philosophy departments in the United States), DePaul is also a generally plebeian sort of place. There is no overestimating the role that a certain Christian perspective, which at DePaul we associate with the vision of St. Vincent DePaul, and which we call "Vincentian values," has played in making DePaul a beacon of justice and inclusion. I took the fact that the Political Science Department had hired Prof. Finkelstein in the

first place to be exemplary of the kind of university that DePaul has been, and that, indeed, is a very good thing.

Now I feel that my politically progressive university has been destroyed in a single stroke, and this makes me sad, sick, dismayed, and angry.

Furthermore, because these wrong decisions have taken place at DePaul, the

door is now opened wider for a general assault on politically progressive intellectuals at other universities. This assault is not just some amorphous thing, it is an organized effort. Indeed, this organized effort played an essential role in the decisions at DePaul.

Two things that are very simple to understand need to be said up front. First, you cannot deny tenure to a professor because she or he takes a political stand that you do not like, agree with, or that is going to incur the disapprobation and wrath of some group. Yes, frankly, I think a professor who is an outright racist or misogynist or anti-gay bigot ought to be removed from the university (though even here there have to be procedures, and judgments cannot be based on whims, innuendo, or the self-promoting agendas of powerful persons or groups), but that is not what is going on here. Second, you cannot deny tenure to a professor simply for a rhetorical style

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that you do not like. A person cannot be denied tenure simply because you find his or her rhetoric “inflammatory.”

Now, when I say these things cannot be done, I mean two things. First, it is morally wrong to deny tenure to a professor on such bases. Second, to deny tenure on these bases goes against anything that could be codified as a basic procedure, and it undermines the very idea of there being procedures, as opposed to the arbitrary whims of administrators or of senior faculty who are in positions of responsibility in the tenure process.

Of course, there is a level on which it does not mean anything to say that “this cannot be done,” since, at the moment, these things have been done. In the case of College of Liberal Arts and Sciences Dean Charles Suchar and of Fr. Dennis Holtschneider, the fallback position ultimately seems to be that they are the deciders. In response to questions and protest raised by one of my esteemed colleagues regarding the decisions, Fr. Holtschneider said that he was sorry for the disagreement but that he was not going to change his decision. This could either be called a complete non-response or the “response” that, in the end, there are only questions of power and no real questions of ethical or political justification. Procedures, which are meant to embody principles of such justification, are rendered meaningless. Surely it can be considered to be a part of Fr. Holtschneider’s job to be concerned about the fallout that would occur if Norman Finkelstein were to be tenured at DePaul — clearly, powerful interests were lined up against this. What is the proper way to address this concern, however? If the response is to undermine the system of principles and procedures, and therefore any basic trust that faculty — and students as well — might have for the university leadership, then it might be said that the university has destroyed itself in order (supposedly) to save itself.

The powerful outside interests that were lined up against Prof. Finkelstein either touched a nerve or found kindred spirits among certain administrators and a couple of key senior faculty; it is not outlandish to suppose that tremendous pressure was brought to bear on some of these, perhaps most of all the university president. The first two stages of the tenure procedure — namely the deliberations and decisions of the home department and the College committee — are supposed to be the most decisive stages. The votes were 9-3 and 5-0, respectively, in favor of Finkelstein’s tenure and promotion. However, the “minority report” (representing one-quarter of the voting members of the Political Science Department) and Dean Suchar’s decision (and attendant documents and conversations) have the character of an urgent intervention. Dean Suchar and the authors of the minority report (Professors Patrick Callahan, James Block, and Michael Mezey,

the last being the former dean of the College and someone with a good deal of clout in the university) were within their rights to make their recommendations, from a purely procedural point of view, but only if their justifications were to be submitted to critical scrutiny at a later stage of the process. In fact, their justifications were flimsy, at best, but these justifications were accorded primary status in further deliberations, and the fact that these justifications had been carefully scrutinized and refuted in a lengthy document by two senior members of the Political Science Department, and that this document was then “ratified” by a three-quarters vote of the department, was accorded no status at all. Or, to leave the lawyer-language aside for the moment, anyone can see that a job was done on Prof. Finkelstein, there’s no mystery here or anything else that can be set aside because of other “complex” factors.

By and by, I have no doubt that all of these documents will be on the table (most of them already are), as well as the credentials and standing of the dean and the authors of the minority report, and this will further undermine the credibility of DePaul University. These decisions have created an opening to a kind of intellectual civil war. This isn’t anything I look forward to; in fact my urgent hope is that the decisions can be reversed quickly and we at DePaul can go back to being what we ought to be, on the basis of the Vincentian values of the university. However, if things drag out, then, as with the case of Ward Churchill at the University of Colorado, we will have to look very carefully at the credentials of the people who have questioned (or trashed, really) the credentials of Norman Finkelstein and Mehrene Larudee.

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No doubt, given the timing of the decisions (at the very end of the school year), those who did this dirty job hope that anger and protest will dissipate into the summer. But the destruction of the university will not end with the departure of Norman Finkelstein (and whatever large payoffs are necessary to ensure that departure), if and when that departure occurs. This wound cuts much more deeply, to the very heart of the university.

DePaul has had a tradition of fairness in its tenure procedures, undoubtedly inspired by Vincentian values and a more general sense that we bring people to DePaul first of all in order to support them and give them every chance to excel in their work. We may not have lived up to this lofty ideal in every case, but it meant something that we worked with this ideal in mind. Often, DePaul has been fair to a fault, bending over backwards to avoid even the appearance of unfairness. In contrast, the teaching and research credentials of Norman Finkelstein stand out dramatically, and this again points to the impression that the process was proceeding as it should have, with Finkelstein headed toward tenure and promotion, when a number was done on him. We can talk about the role

of various individuals, both inside and outside of the university, and what might be called a “rolling coup” or series of interventions that were made against Prof. Finkelstein, but then the point would be that it was up to certain key individuals, most of all and especially the president, acting as a protector of Vincentian values, to put a stop to this nonsense. That instead certain individuals in positions of leadership and responsibility actually pressed forward with the intervention, facilitating it and adding to it, is shameful.

The ideal of fairness with which we have worked at DePaul is not the norm at all universities, and at some universities it is taken for granted that senior colleagues will put junior colleagues in difficult positions to see how they fight their way out of the corner, so to speak. But then, DePaul, from its founding (in 1898), never had a “Jewish quota,” something that Harvard, from which Alan Dershowitz presumes to give us lessons in ethics, had well into the 1950s. It has been claimed that, in the end, outside influences did not play a role in the decisions. I would say that, at least from the moment in 2006 (June 16th), when then-chair of Political Science Patrick Callahan wrote to Alan Dershowitz essentially to ask for the “dirt” on Norman Finkelstein (“Could you point me to the clearest and most egregious instances of dishonesty on Finkelstein’s part”), the process was poisoned. And how is that for collegial behavior and Vincentian values? In this case it is completely upside-down that the futures of Norman Finkelstein and Mehrene Larudee at DePaul are what we are discussing. If Fr. Holtschneider needed anything else to tell the president of the board of trustees of DePaul, John Simon (a supporter of both Alan Dershowitz and of the decision to fire Prof. Finkelstein), he could simply have said that the poisoning of the process by itself means that Prof. Finkelstein has to be awarded tenure, or otherwise the reputation of the university will be very seriously damaged — and so it has been. Unfortunately, the connection between Alan Dershowitz and John Simon, around fund-raising for the Jewish United Fund, is itself a part of this poisoned process.

A further element of the ideal of fairness with which we have attempted to work at DePaul is that we hire people to tenure-track positions in the hope that they will fulfill certain expectations and that we can then award them tenure. Nowhere has it previously been set out in these expectations that a professor cannot use “inflammatory language” in his or her writings or public discourse; nowhere previously has it been said that a professor has to uphold Vincentian values in order to be tenured at DePaul. Even apart from the fact that these requirements, as concocted by Dean Suchar without any discussion with faculty or procedural basis, are nothing but a smokescreen (and not even remotely an effective one)

for covering the real issues, surely we would want to talk about the meaning of these new-found requirements; I know that many junior faculty at DePaul are wondering about this, or perhaps justifiably freaking out about it would be a more accurate description. It appears to me that Jesus, for instance, may have said some inflammatory things. Furthermore, to speak up for the existence and condition of the Palestinian people seems like the sort of thing St. Vincent would have done. Lastly, it cannot be a requirement for tenure at any intellectually respectable university that one cannot be a critic of the State of Israel.

But now of course I have veered toward the real issue, the issue that everyone who has followed this case knows is at the heart of the matter. Of course the administrators at DePaul, and the authors of the minority report, know this full well, hence the new-found requirements and the paper-thin justifications. Are these people living so deep inside their own heads that they actually think anyone else is buying this stuff? Seriously, if they really believe this, and I am not saying this in jest, and neither do I take any pleasure in saying

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this, then their basic mental competence has to be questioned. What is going on instead (for these are not stupid people) is that the crew who did this number on Professors Finkelstein and Larudee just hope that their obfuscations will deter people long enough that the cases will fade away, hopefully during the summer. (A recent response by Dean Suchar to the president of the Faculty Governance Council, Prof. Gil Gott, is a prime example; one great irony — or that’s what it would be called if it wasn’t instead just formalistic obfuscation — of Suchar’s response is that he raised procedural questions about the FGC sending its letter of protestation

over his head, directly to the president, as if he himself had not shown contempt for the faculty of the College by overturning the overwhelming majority decisions of the home departments and the College tenure and promotion committee.) However, this issue will absolutely not fade away, and it is very disheartening to many, many people that such a cynical ploy would be attempted by our leaders.

That there is really only one issue in these cases is captured well by a comment that was made at the Norman Finkelstein Solidarity web site: “Keep the C. V., change the subject, and Norman Finkelstein has tenure.” If the “crew” is fooling anyone regarding this, it is only themselves; unfortunately, I can’t even believe that. What I can believe is the combination of enormous pressure that almost certainly was put on some of these people, perhaps most especially the president, combined with the ideological and personal animus that some of them may have against Prof. Finkelstein. One measure of how intense the pressure must have been, coming from powerful

pro-Israel forces, is that, last year, DePaul University became the first Catholic university in the United States to have a gay studies program. I was very proud of the university for taking this step (and bravo to the faculty and administrators who organized it); it is the sort of thing for which I have been proud of DePaul for my entire time there, and there have been many such advances. Surely there were many in the Catholic community, academic and otherwise, who were not happy with the formation of DePaul's gay studies program, but that didn't stop us.

It would be silly to pretend to debate the question of Israel here, though perhaps not as silly as anyone thinking that Norman Finkelstein's arguments and research are not a very important part of that debate. The crux of the problem is that there are some who don't want a debate because, they think, on this issue there is no debate. Part of their position is that there is no such thing as the Palestinian people, though somehow the State of Israel has found it necessary to build an immense wall to contain and shut out these non-existent people.

A big part of Norman Finkelstein's research, and this goes back to his days as a graduate student at Princeton, has in essence been to challenge one of the founding myths of the State of Israel, the idea of "a land without a people for a people without a land." Just as no thinking person in the United States today can believe that North America was "empty," a "virgin land," when the explorers and pilgrims showed up, no one in Israel itself actually believes that Palestine was "a land without a people" when the original Zionist settlers came. Indeed, 1948 is called a "revolution," and it is hard to see why a revolution was needed if there were only lizards and sand there before. Thus a wall now has to be built against Norman Finkelstein in academia — and if they get away with building this wall they will feel emboldened to build others — even though his position in the debate, and the debate itself, does not exist.

The pro-Israel forces in the United States do not hesitate to fight dirty, and in this case they are even willing to destroy what has been a good university. They were quite willing to attack DePaul for having hired Prof. Finkelstein in the first place, but now Alan Dershowitz praises this "excellent Catholic university" for having fired him. Dershowitz had said that DePaul would be a laughing stock if it tenured Prof. Finkelstein, but of course the reality is that DePaul will now be a laughing stock for submitting (or even simply appearing to submit) to the dictates of Harvard's leading torture advocate, someone who would probably even be willing to admit that he would be willing to say absolutely anything if it furthered the cause of the State of Israel. Surely part of the pressure used on some DePaul administrators is the threat to unleash the language of anti-Semitism and Holocaust denial. It does

not help that the Catholic church and its institutions does not have a good record on these questions. But let us face the issue squarely: to use these terms loosely, when in fact there are *real* and *really vicious* anti-Semites and Holocaust deniers in the world is to trivialize these issues — and why shouldn't this trivialization instead be called anti-Semitism? To just throw these terms around, to engage in their trivialization in order to advance a political agenda, is disgusting. It is also traumatizing to be called these things, and undoubtedly difficult to find the intellectual and political (and financial?) will to stand up to it, but this has to be done. The cost for not standing up will be enormous: DePaul will be destroyed as a place deserving of respect in the intellectual and academic worlds, and, if this happens, academic freedom will be under attack everywhere.

Without saying anything at all about the State of Israel, or its chief supporter the United States for that matter, we can readily see that, if a particular state is understood to be sui generis, the only true sovereign, and the exception to every rule (including even the law of contradiction, which would say that there is no need for a "revolution" to overthrow people who do not exist), then there are no rules — and then there is no university worthy of the name, either. It attests to the power of the defenders of sovereign absolutism that this — criticism of the State of Israel, especially if done by someone who is not only Jewish but is the child of Holocaust survivors — is the one line that cannot be crossed; no similar line exists, apparently, for the advocacy of torture at elite institutions.

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The administrators and faculty at DePaul who created this terrible mess, especially the president, need to come clean. I say this to you now directly: the rest of us ought to appreciate the kind of pressure you are under (and even that people get carried away with certain ideologies and personal animosities and resentments which have no place in a legitimate tenure procedure) and we ought to do what we can to help you stand up to it, but we also have to demand that you do the right thing. Acknowledge the reality that your actions and decisions were wrong. Don't waste any more precious time with formalistic obfuscation or opening up attacks on your critics. Reverse these terrible decisions and let us get back to the work of restoring the DePaul of which we have been justifiably proud.

For now, a great victory has been handed to people who are essentially fascists. Why is it a great victory? Because, as with Germany in 1933, a decisive role was played by people who are liberals and even progressives. Even more, because a university that should have been one of the last places where something like this could happen is instead one of the first.