

## **Marketing McCarthyism: The Media's Role in the War on Academic Freedom**

*John K. Wilson*

Academia has always had a tense relationship with the press. The media's beloved source of liberty, freedom of the press, is a close cousin to academic freedom. And it shares with higher education a basic function of informing people. But the media are also deeply suspicious of professors, those overprivileged, overeducated PhDs. And the feeling is mutual. In 1915, the American Association of University Professors issued its *Declaration of Principles on Academic Freedom and Academic Tenure*, which in part stated:

Discussions in the classroom ought not to be supposed to be utterances for the public at large. They are often designed to provoke opposition or arouse debate. It has, unfortunately, sometimes happened in this country that sensational newspapers have quoted and garbled such remarks. As a matter of common law, it is clear that the utterances of an academic instructor are privileged, and may not be published, in whole or part, without his authorization. (36)

This odd assertion, now thoroughly outdated and abandoned by the AAUP, was inspired by a period when journalists lacked recording devices and journalistic ethics often didn't exist. It was common for professors to get in trouble due to a newspaper article with only a fleeting connection to the truth.

The power of the press to suppress academic freedom increased with the paranoia of the times. During World War I, Columbia University began an investigation of faculty to determine

whether doctrines which are subversive of, or tend to the violation or disregard of, the Constitution or the laws of the United States or of the State of New York, or which tend to encourage a spirit of disloyalty to the government of the United States, or the principles upon which it is founded, are taught and disseminated by officers of the University. ("Columbia" n. pag.)

When a newspaper accused Columbia University Professor Charles Beard of condoning a speaker who allegedly said, "To Hell with the

**WORKS AND DAYS 51/52, 53/54: Vols. 26 & 27, 2008-09**

Flag," Beard had to appear before the board to convince them otherwise, which he did. But he was ordered to warn the other Columbia historians that any teaching "likely to inculcate disrespect for American institutions" was prohibited (Gruber 189).

Even the AAUP joined the crusade against dissent. The AAUP decreed in its *Report of Committee on Academic Freedom in Wartime* that all professors must "refrain from public discussion of the war" and privately act "to avoid all hostile or offensive expressions concerning the United States or its government" (41). Never before, and never since, had the AAUP proclaimed that a topic could not be discussed in public and that professors could not, even in private, criticize the government.

During the 1930s, the fear of radicals was regularly spread by the press. Roscoe Dorsey wrote in *The National Republic*, "There are few colleges or universities where parents may send their sons and daughters without their being contaminated with some phase of the vilest of Communistic and allied teaching" (Cohen 239). When Sidney Hook helped organize the socialist American Workers Party in 1935, the Hearst Press led an unsuccessful national campaign to have him dismissed from New York University (Hook 270). Hearst reporters frequently misquoted professors and posed as communist students to lure liberal professors into making radical statements (Cohen 129). The Chicago Hearst paper the *Herald-Examiner* launched a campaign against campus radicals in a February 24, 1934, story, "U of C Prof Attacks [U.S.] at Communist Rally," which called Robert Hutchins an "advisor to Moscow." It sent a young woman into the University of Chicago's International House to try to dig up information on the sex lives of faculty and students (she failed to find anything). One Hearst editorial, "Red Teachers," declared, "The danger lies in the teachers of communism in our colleges and schools" (Cohen 239). Yet all the evidence suggested this was not true. A survey of 1930s student activists found that only 21.6 percent reported that a faculty member, often merely a liberal, had helped foster their political action, while another 20 percent had encounters with conservative faculty who tried to stifle dissent (Cohen 240-42). As Robert Cohen notes, "About the rarest experience of all was encountering teachers who explicitly incorporated Marxist ideas into their lectures and other regular classroom activities" (245).

The mainstream newspaper attacks on left-leaning academics continued during the McCarthyism era, but a new kind of right-wing attack also appeared. One of the formative products of the anti-communist crusade in the universities was William F. Buckley's *God and Man at Yale* (1952), a book still widely admired in conservative circles for its rejection of academic freedom. Buckley attacked Yale University because he believed it had failed to enforce a conservative ideology on its faculty and students; the problem for Buckley was not a lack of freedom on campus, but an excess of it. Buckley complained, for example, that the Yale Department of Religious Studies did not have "a remarkably pro-religious bias" (9).

Buckley founded the magazine *National Review*, which became the leader in the realm of conservative media. Today, the conservative press has greatly expanded, including cable news network shows,

talk radio, Web sites, and blogs. (*National Review's* Phi Beta Cons blog is one of the major sources for conservatives to decry censorship of their supporters and promote censorship of their enemies.) The explicitly conservative media have taken over the role of attacking academics once held by the corporate Hearst newspapers and their imitators.

As reported by Scott Jaschik in his *Inside Higher Ed* article "Pessimistic Views on Academic Freedom," a study by Harvard Professor Neil Gross found that one-third of social science professors surveyed in 2006 reported that their academic freedom has been threatened, a larger number than a similar study discovered a half-century earlier during the McCarthy era (n. pag.). And yet, the overwhelming majority of press coverage treats academia as a place where conservatives alone face threats to their academic freedom.

### A Tale of Two Post-9/11 Adjuncts

The cases of Thomas Klocek at DePaul University and Douglas Giles at Roosevelt University, adjunct instructors in Chicago who were fired for their involvement with controversial views on the Israel-Palestine conflict, show one example of the difference between the media coverage of the two cases.

The Collegiate Network (CN) gave DePaul University one of its top Campus Outrage Awards, known as the Pollys. As the CN put it: "DePaul [. . .] suspended—without a hearing—a veteran adjunct professor for daring to debate students handing out pro-Palestinian literature on campus" ("2006" n. pag.). The *National Review* higher education blog, *Phi Beta Cons*, had 18 posts about Klocek, who even merited a Wikipedia entry.

Klocek's case received extensive attention in the Chicago press as well as national higher education news outlets. By contrast, the story of Giles, the adjunct professor at Roosevelt University in Chicago who was fired for allowing his students to discuss the Israel-Palestine issues in his World Religions course (discussed in greater detail in his "Temperature Rising" presentation),<sup>1</sup> received zero attention in the press, local and national (n. pag.).

It is tempting to blame media bias for this imbalance in coverage, but the reality is more complex. The press responds to information and pressure. Klocek himself was willing to do anything to pursue press coverage, including wearing a gag at a press conference and filing a questionable defamation lawsuit against DePaul. But the key reason for the publicity difference was related to the structure of liberal and conservative groups in dealing with academic freedom. Conservative groups, with easy access to right-wing talk radio, have developed a media strategy that relies upon publicity as a key component of success. The Foundation for Individual Rights in Education (FIRE) devoted numerous updates to the Klocek case. Right-wing organizations repeatedly focused on the media as their source.

By contrast, when academic freedom of more liberal faculty is threatened, there are few organizations willing to publicize their problems. The AAUP typically refuses to speak out publicly on cases

only after an extensive investigation and censure vote, which often takes years because the AAUP will not begin an investigation until all appeals are exhausted. The ACLU does not get involved in cases at private colleges and rarely focuses on academic freedom. Roosevelt University had a union (Roosevelt Adjunct Faculty Organization [RAFO, IEA/NEA]) for adjuncts that stood up for Giles's rights, but it did not widely publicize the case.

The strategy of the union brought more success than wearing gags. In the end, Klocek had no recourse when DePaul fired him, while Giles was able to win an arbitrator's ruling and reach a settlement with Roosevelt. But although the end result was more successful for Giles, in the public sphere it had little impact. Casual observers of academia are inundated with stories of conservative oppression, while censorship of progressives receives far less attention in the press.

And when there is a major issue involving violations of academic freedom against a left-wing scholar, such as the denial of tenure by DePaul University to Professor Norman Finkelstein, the media coverage is presented as a debate between conservatives who denounce Finkelstein and progressives who defend him. This is starkly different from the typical coverage of conservative censorship, when it is difficult to find progressives embracing violations of academic freedom.

### **The Myth of Biased Grading**

If liberal faculty often lack effective groups to turn to, the situation is even worse for liberal students. While a proliferation of conservative groups are ready to defend students deemed to face discrimination from their tenured radical professors, no organizations have a similar capacity to help progressive students.

There is no evidence that conservative students systematically suffer grading penalties in college because of their ideology, despite the widespread belief that this is the case. In fact, the opposite may be true. A 2005 comprehensive study of 3,800 students at a major public university found that conservative students received grades similar to liberal students in classes on American culture, African American studies, cultural anthropology, education, nursing, sociology, and women's studies. But in business and economics classes, conservative students had an advantage in grades. This suggests that conservatives are not being penalized by professors in more liberal fields, but liberals may face a small penalty in more conservative departments (Kimmelmeier, Danielson, and Basten 1386-99).

Another study of political discrimination found a similar bias against left-leaning students in economics. A poll of graduate students at the University of Chicago, Columbia, Harvard, Princeton, Yale, Stanford, and the Massachusetts Institute of Technology found that only 10 percent of the first-year students called themselves politically conservative, but 23 percent were conservative in the fourth or fifth year of graduate school. The proportion of students who called themselves radical fell from 13 percent of first-year students to only 1 percent of fourth-year and higher students, the clearest evidence

ever presented of ideological purging in academia (Uchitelle; Colander). By contrast, no one has ever presented any evidence that conservative students are systematically pushed out of any field in graduate school.

One of the worst examples in recent years of a professor punishing a student for ideological reasons is what happened to Michael Wiesner, a liberal student at Foothill College, who, in 2002, took an ethics class taught by Dave Peterson, a right-wing philosophy instructor. Wiesner noted Peterson's abusive treatment of students in class: Peterson "continued his tirade against abortion, singling out and ridiculing some women in the class, and using them as characters in his examples. On this occasion and many others, several people were so sickened by his explicit examples they had to leave the room" (n. pag.). Wiesner added, "He once deducted significant points on an essay from a female student because her essay discussed a film from the perspective of feminism. Despite him having suggested that film in writing, he wrote on her paper that she was 'not qualified to discuss the matter'" (n. pag.).

Peterson ended up giving a "D" grade to Wiesner, but refused to explain why. After Wiesner complained to the dean, Peterson claimed to have made a "recording error" and changed Wiesner's grade to an "F," asserting that he had a 35.9 percent average, far below passing. Peterson concluded his note to Wiesner by writing, "Thank you also for bringing this to the attention of the Dean." The only action the dean took was to restore Wiesner's biased "D" grade.

Interestingly, we would know nothing about this case if not for David Horowitz, head of the right-wing (and modestly named) David Horowitz Freedom Center. Horowitz had been promoting a less serious (but much more famous) case at Foothill College involving a student who claimed, without much plausible evidence, that a professor ordered a student to receive counseling treatment because he wrote an essay praising America. Wiesner, having read about the case, contacted Horowitz's online *FrontPage Magazine*, and Horowitz printed Wiesner's story (which remains just about the only case of censorship of a liberal ever mentioned by Horowitz).

We will never know how many progressive students like Michael Wiesner are out there, facing punishment for expressing their views, because they have nowhere to turn. The conservative movement has created a substantial network of organizations where students (and faculty) can make complaints, receive legal aid, and help to publicize their cases. Students can even complain about professors anonymously at sites ranging from *NoIndoctrination.org* to Horowitz's *StudentsforAcademicFreedom.org*.

This results can be found in comments such as what follows here from conservative columnist Don Feder: "The only people who get punished for expressing political views on the college campus are conservatives" (n. pag.). In reality, censorship in academia by conservatives is more common than censorship by the left. Progressive students usually face worse violations of their rights on most college campuses than conservatives. Because liberal groups rarely speak out to defend student rights, left-leaning students are often more vulnerable to these attacks.

### Spying on Campus

There is a long tradition of spying on left-leaning students and faculty on college campuses. However, for most of the past century, this spying was conducted by the government and done covertly.

From the mid-1930s to 1941, the FBI collected in its files “the names of two thousand students” actively involved in the student movement at the University of Chicago. An unknown informant in the dean’s office provided the FBI with the membership list of the American Student Union (Cohen 99). This cooperation with the FBI occurred at virtually every college, and Robert Cohen estimates that the names of more than a thousand informants from this period are in FBI files but are deleted by FBI censors even today (336). At the University of Michigan, President Alexander Ruthven told the FBI that student radicals were “definitely troublemakers” and promised to “furnish all available details” on their activities to the FBI (100). Cohen, who found at least 43 leading colleges that gave information to the FBI, usually from high-ranked officials, further notes:

In more than 3000 pages of FBI documents covering the student movement of the Depression decade, I did not find a single case in which a college or university administrator refused to cooperate with the FBI. None expressed any concern that informing on students might constitute a violation of their rights. (366)

During the late 1940s and early 1950s, the McCarthy-era crusade led to more than 100 faculty members being fired from their jobs, and many more intimidated into silence. J. Edgar Hoover noted in 1953, “No element of academic freedom is involved in the question of barring Communists from teaching jobs. A person, in order to be a teacher, ought to have a free intellect. You cannot have a free intellect if you are a Communist” (qtd. in Bollinger 464). A national survey found that 89 percent of people said a communist professor should be fired. Even among college teachers, 45 percent felt communists should be fired, and only 35 percent disagreed (Lazarsfeld and Thielens 431).

Colleges and universities usually cooperated with state legislators and investigative committees, often in extensive ways. A representative of the California Senate committee testified before a U.S. Senate committee that in one year, cooperation between California college presidents and the state senate committee led to the removal of more than 100 faculty, and a procedure was established to encourage the hiring of intelligence agents and to screen applicants before they were hired (Lewis 255).

On March 26, 1953, J. Edgar Hoover ordered FBI field offices to launch an immediate investigation of “Communist subversion” at 55 colleges and universities (Diamond 243-44). The FBI already had cooperative relationships with many colleges. At the University of Washington, President Raymond Allen asked an FBI agent if “it would be possible in certain cases for the Bureau to furnish the University information concerning members of the faculty or applicants for faculty positions” (Diamond 251). In 1950, a UCLA administrative officer

told the *Los Angeles Times* that “he checked FBI records in connection with interviews of applicants for faculty positions at UCLA” (Diamond 259). George Stoddard at the University of Illinois—shortly before being fired by conservative trustees who attacked his liberal views—declared that while politicians “shout themselves hoarse about communism in the university, those of us in charge have worked quietly through our own security officers, the FBI, the State Department and the military establishments to make sure that no Communists are on the staff” (Diamond 265).

The FBI’s campus spying accelerated in the 1960s and early 1970s with the creation of COINTELPRO. On July 6, 1968, the FBI director sent all field offices guidelines for disrupting student protests against the war that encouraged: documenting “obnoxious pictures” on leaflets, “instigating or taking advantage of personal conflicts or animosities” among student leaders, “creating the impression certain New Left leaders are informants,” and being “alert for opportunities to confuse and disrupt New Left activities by misinformation” (Schultz and Schultz 275). COINTELPRO stopped only when a group of radicals broke into an FBI office and distributed the field guides publicly, revealing that J. Edgar Hoover ordered the investigation of all black student unions, and further that Swarthmore College had FBI informants (the campus police chief, secretary to the registrar, and a switchboard operator) providing information about students. Additionally, the students involved in the break-in distributed a memo with COINTELPRO on it (Schultz and Schultz 397-98).

### **The Return of Government Spying after 9/11**

In the wake of 9/11, there was a resurgence of spying on campus activities. In Iowa, a November 15, 2003, Drake University forum on “Stop the Occupation! Bring the Iowa Guard Home!” sponsored by the Drake chapter of the National Lawyers Guild, included non-violence training for activists. The next day, 12 protesters were arrested at an antiwar rally at Iowa National Guard headquarters in Johnston. Because of this, Drake University was ordered in a February 4, 2004, subpoena from an FBI joint terrorism task force to give up “all documents indicating the purpose and intended participants in the meeting, and all documents or recordings which would identify persons that actually attended the meeting,” and any campus security records “reflecting any observations made of the Nov. 15, 2003, meeting, including any records of persons in charge or control of the meeting, and any records of attendees of the meeting.” According to documents released in the case, two Polk County sheriff’s deputies had infiltrated the Drake conference to spy on the workshop about civil disobedience (Walsh A8-10; Davey A18; AAUP, *Subpoenas Issued* n. pag.).

Army intelligence officers sought information about a February 4, 2004, University of Texas at Austin conference about Islam and the Law: The Question of Sexism? Two agents from the Army’s Intelligence and Security Commission secretly attended the conference, and a few days later visited university offices to try to obtain the names of three “Middle Eastern-looking” men who had asked questions at the conference (Arnone A10).

Miguel Tinker-Salas, a professor of Latin American history at Pomona College in California, was questioned in 2006 about Venezuelan connections by members of a federal terrorism task force, who also asked students about the content of his classes (Winton and Kennedy n. pag.). FBI antiterrorism task forces are reportedly monitoring Muslim groups at the University of California-Irvine (Mickadeit n. pag.). And FBI agents obtained a contact list for people attending the Third National Organizing Conference on Iraq in 2002 at Stanford University (Garofoli B1).

In 2005, it was revealed that the federal government kept a list monitoring peaceful antirecruitment protests at Berkeley and other colleges. A peaceful protest at NYU's law school featuring anti-recruiter signs and stickers was also listed ("Pentagon Caught" n. pag.). The FBI watched peaceful groups like the Vegan Community Project and worried about the "semicomunistic ideology" of the Catholic Workers (Lichtblau n. pag.).

The Department of Defense maintained surveillance reports on student protests against recruiters at the State University of New York at Albany, Southern Connecticut State University, the University of California, Berkeley, and William Paterson University of New Jersey that were considered security threats (Henig n. pag.). As reported by *Rolling Stone* in April 2006, the University of California-Santa Cruz's Students Against the War were included on a government terrorism database in 2003 for holding a peaceful protest against military recruiters on campus that was deemed a "threat" (Dreyfuss 38-42).

### The Privatization of Spying

The newest form of spying is taking a privatized form, led by conservative groups taking advantage of the increased availability of recording devices to tape faculty comments and Internet outlets to publicize them.

In 1985, right-wing activist Reed Irvine founded Accuracy in Academia (AIA), with the aim of exposing a Marxist conspiracy on campus by spying on professors. AIA was criticized for its "surreptitiousness" by conservative groups such as the National Association of Scholars. But by 1995, bolstered by new attacks on "political correctness," AIA promised to return to its practice of spying on liberal professors (Wilson, *The Myth* 11).

AIA was not alone. *NoIndoctrination.org* was founded to allow anonymous critiques by students of leftist professors, and Horowitz's *StudentsforAcademicFreedom.org* featured a forum with unverified attacks on left-leaning faculty (Wilson, *Patriotic Correctness* 91-93).

Conservative critic of Middle East studies Martin Kramer helped introduce *Campus-Watch.org* (which included "dossiers" of leftist faculty) in 2002 by writing:

Academic colleagues, get used to it. Yes, you are being watched. Those obscure articles in campus newspapers are now available on the Internet, and they will be harvested. Your syllabi, which you've also posted, will be scrutinized. Your Web sites will be visited late at night. (Kramer n. pag.)

In 2006, Andrew Jones created the Bruin Alumni Association, named the “Dirty 30” leftist professors at UCLA, and offered students \$100 to record what their professors said (Hong and Silverstein). (It should also be noted that Jones had previously worked for David Horowitz, who fired him after being told that Jones pressured students to “file false reports on leftist students” [Silverstein].)

The conservative National Association of Scholars announced the Argus Project in 2008 to monitor colleges: “These faculty members and citizens each picked a college to watch and have begun to look into whether that college conducts politicized teaching, requires ideological adherence, or sustains slights to conservative students” (Schmidt n. pag.; NAS). The notion that only conservatives suffer “slights” on campus, or that individuals must be protected from “slights” in a free society, shows how far the right wing has moved toward a system of trying to monitor, and then control, dissent on campus.

Conservatives often speak of higher education in absurd terms, comparing elite American colleges to Soviet prisons, and proclaiming that they are “Liberating America’s Intellectual Gulags” (Mitchell n. pag.). Jake Stanford, a conservative student at the University of Alabama, declared in 2004:

Political correctness is the newest form of slavery, originally created by those people who are intimidated by the slightest urge of brutal language or attempts to discipline a new generation. These individuals should have had their jaws broken when they first suggested that some things are undermining and dejecting to specific people, and furthermore, they should be exiled from society. (n. pag.)

Along the same lines (and stated no less bluntly), according to Ann Coulter, “Your professors and instructors are, by and large, evil people whose main goal is to mislead you” (qtd. in Coyle and Robinson 3).

### **A New Organization for Academic Freedom**

The success of the right wing in creating advocacy groups to promote the myth of conservative victimization on campus has been overwhelming. This suggests a model for what can be done.

We need a new organization to protect and foster academic freedom. Call it the Institute for College Freedom (ICF). ICF would engage in five main projects: research, education, policy advocacy, defense of individual rights, and global advocacy for academic freedom (Wilson, *Patriotic Correctness* 212-13). Most of all, this organization (or another like it) would help make an effective defense of academic freedom and help change the public debate and media coverage of free speech on campus.

In recent years, the right-wing movement has launched a new attack on a familiar target: higher education. The rise of the conservative campus groups has been accompanied by the rise of explicitly conservative media outlets, creating an echo chamber effect where stories of “political correctness” reinforce these mythical stereotypes about universities. The power of the media to shape this message has a real impact on funding for higher education as well as the right-wing efforts to censor dissent on campus.

## Note

<sup>1</sup> For more information on the Douglas Giles case, see Joe Berry's essay in this volume of *Works and Days* entitled "Contingent Faculty and Academic Freedom: A Contradiction in Terms."

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## II. "Speaking in the Teeth of Power"



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