

# The firing of Ward Churchill: Attack on academic freedom in US escalates

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The firing on July 24 of University of Colorado ethnic studies professor Ward Churchill on charges of historical fabrication and falsification must be opposed by all those who defend democratic rights.

The attack on Churchill has serious implications for academic freedom in the US, which has come under steady assault. The committee report sustaining the charges of academic misconduct against Churchill represents an attempt to set down an officially-sponsored version of American history for the purposes of excluding and victimizing those who hold views considered out of the mainstream.

The University of Colorado's Board of Regents voted 8-1 to fire Churchill, after receiving the report of a special investigating committee. The University convened the committee in the wake of a controversy that erupted in January 2005, fanned by the media, over an article Churchill had earlier written about the September 11, 2001 terrorist attacks.

The dismissal of Churchill is blatantly political. University of Colorado President Hank Brown, who recommended the firing, was a founder of the ultra-conservative American Council of Trustees and Academics along with Lynne Cheney, wife of US Vice President Dick Cheney.

In a July 11 open letter to the University of Colorado Board of Regents, the American Civil Liberties Union noted the "lynch-mob furor" surrounding initial calls for Churchill's dismissal. It said that his firing would send a "warning to the academic community that politically unpopular dissenters speak out at their own peril."

In an editorial comment published in the July 26 edition of the *Wall Street Journal*, entitled *Why I fired Professor Churchill*, Brown acknowledged that the right-wing outcry surrounding Churchill's article about September 11 sparked the university's investigation. He went on to declare that the school would use the Churchill case as the basis for enacting "tenure reform," that is, the vetting of faculty members based on their political beliefs.

Churchill, a member of the leadership council of the Colorado American Indian Movement, is a long-time faculty member at the University of Colorado, known for his nonconformist outlook based on an extreme form of identity politics. He is hostile to Marxism and to any effort to win the American working class to a socialist program.

Churchill's response to the September 11 tragedy was reactionary and callous. In an article published shortly after the event, he commented that those who worked in the World Trade Center had "formed a technocratic corps at the very heart of America's global financial empire ... If there was a better, more effective, or in fact any other way of visiting some penalty befitting their participation upon the little Eichmanns inhabiting the sterile sanctuary of the twin towers, I'd really be interested in hearing about it."

Naturally, this comment, when it came to light, produced widespread revulsion. Predictably, the right seized on this to launch a furious campaign against him. From the authorities' point of view, Churchill's comments made him something of an easier target; however, his case is only the thin end of the wedge. The ultimate target will be left-wing

opposition to capitalism.

Bill Owens, the Republican governor of Colorado, called for Churchill's firing. However, the constitutional guarantee of free speech clearly covered his statements regarding September 11 and could not serve as the basis for dismissal. Therefore, the school decided to form a committee to investigate Churchill's scholarship.

All those assigned to investigate Churchill had solid establishment credentials. The Chair, Marianne Wesson, a law professor at the University of Colorado, has served as a commentator for the major cable news networks. The committee also included two other law professors, an expert in criminology, a professor of English literature and a history professor, specializing in the Tudor period in Britain. No one on the committee had expertise in the area of Native American history.

The charges of academic misconduct related to only a handful of passages, representing an insignificant fraction of Churchill's published work. Churchill is the author of scores of books and essays, generally concerning the history of the oppression of Native Americans. Prior to 2005 there is no public record of a complaint about his scholarship.

After a year of deliberation the committee published its findings on May 9, 2006. In the introduction, the committee notes that the circumstances surrounding its work raise questions about its impartiality. Referring to the fact that school officials only launched the investigation after public controversy arose about Churchill's essay concerning September 11, 2001, the introduction notes, "Thus, the Committee is troubled by the origins of, and skeptical concerning the motives for, the current investigation." (for the full text of the report see here)

Troubled, but not swayed from the task at hand. Despite its reservations, the committee found Churchill guilty of historical falsification, fabrication and plagiarism. In reaching this conclusion, the committee attempted to impose its own interpretation on controversial historical questions. This is a sinister precedent.

Several of the charges against Churchill are based on the allegations of one individual, Professor John P. LaVelle, who now teaches at the University of New Mexico law school. Churchill and his supporters charge that LaVelle's criticisms were factionally motivated—Lavelle is a political opponent of Churchill and aligned with a rival faction of the American Indian Movement (AIM).

LaVelle alleged that in several of his writings, Churchill misrepresented the contents of the General Allotment Act of 1887 and the Indian Arts and Crafts Act of 1990. The General Allotment Act of 1887, sometimes called the Dawes Act, provided for the parceling out of tribal lands into individual allotments, undermining the old system of communal land ownership. It had a disastrous effect on Native Americans; over the course of several decades, large sections of tribal land ended up in the hands of settlers and business interests.

The Indian Arts and Crafts Act of 1990 prohibited the labeling of products as Indian-made that did not meet certain standards of authenticity.

LaVelle disputed Churchill's interpretation of the two Acts, which, he asserted, effectively established requirements for a "blood quantum," that is, a certain degree of Native American ancestry.

While the committee could not point to any serious falsification on the part of Churchill regarding this matter, even indicating at one point that Churchill's general conclusions were "accurate, or at least reasonable," it cited him nonetheless for research misconduct for deviating in several minor aspects from the committee's reading of the two acts.

The most overtly political section of the indictment against Churchill involves his writings concerning the alleged use of smallpox and other diseases by Europeans as a deliberate means of mass extermination of native populations in North America.

The committee found Churchill guilty of fabrication relating to references in several essays to Captain John Smith (of the Pocahontas story) as the possible source of a smallpox epidemic that decimated the Wampanoag Indians, who lived in what is now southeastern Massachusetts between 1616-1618, just prior to the arrival of the Pilgrims from Britain. Smith traveled extensively in the area prior to the outbreak.

To uphold the charge against Churchill, the committee resorted to little more than sophistry, asserting for example that it is impossible to prove what disease killed the Wampanoags. (In fact, several historical accounts refer to smallpox.) It then went on to discuss Smith's motives, clearly a highly speculative undertaking, concluding the British adventurer could not have wanted the Indians dead because he viewed them as a potential source of cheap labor.

The committee also investigated charges related to the origins of the smallpox outbreak of 1837-1840 that ravaged Native American tribes on the Great Plains.

What exactly happened at Fort Clark, a fur trading post on the Missouri River in present-day North Dakota, remains shrouded in fog. It is pretty firmly established that a steamship carrying trading goods to Fort Clark from St Louis brought the smallpox to the Mandan Indians in the late spring or early summer of 1837, spreading it to tribes upriver as well. Accounts vary on who was responsible, with the traders, as one would expect, absolving themselves of blame. Indian accounts saw the introduction of the disease as deliberate. In either case the epidemic resulted in the decimation of Indian tribes over a vast area, facilitating white settlement.

In several essays, primarily devoted to the systematic decimation of Native Americans, Churchill refers in passing to this episode. He cites it as another example of the use of smallpox as a weapon against the Indians, noting the well-documented case of British General Lord Jeffrey Amherst, who in 1763 proposed giving out infected blankets to quell an Indian uprising in the Ohio River valley.

The committee evidently invested great importance in this matter. Forty-four pages of the committee's 124-page report are devoted to this one case. The report adopts a hostile, prosecutorial tone, leaving little doubt of the committee's distaste for Churchill's views. Nevertheless, the committee had to absolve Churchill of fabrication in relation to the smallpox blankets. Apparently feeling they had to produce some charge against Churchill, the committee cited the professor for poor scholarly practice because he provided incomplete reference notes, although, as it noted earlier, the passage in question related to a broad account where "extensive notes would not be expected or required." In a cynical twist, the committee also charged Churchill with not respecting "Indian traditions."

The final allegations involved three separate charges of plagiarism. There is virtually nothing of substance to the complaints. One allegation the committee had to dismiss outright. In the second case, the committee upheld claims of plagiarism involving use of material from a Canadian environmental group—Churchill cited the group in his footnotes, but did not credit the organization in the body of the text. In the final case, the

committee agreed with claims that Churchill plagiarized an article, even though it was a piece that appeared with his ex-wife's name on it and which he claims to have ghostwritten.

In a statement issued following the initial release of the report in May of last year, Churchill wrote, "I have published some two dozen books, 70 book chapters and scores of articles containing a combined total of approximately 12,000 footnotes. I doubt that any even marginally prolific scholar's publications could withstand the type of scrutiny to which mine has been subjected."

In the event, only one of the five voting committee members recommended Churchill be fired; two said he should be suspended without pay for two years; the two others recommended a five-year suspension without pay. The University administration chose firing.

The attack on Churchill is part of a continuing trend of victimization of academics. DePaul University in Chicago recently denied tenure to Professor Norman Finkelstein, the son of Holocaust survivors and an outspoken opponent of Zionism. The university capitulated to a right-wing smear campaign equating Finkelstein's criticism of Israeli policies with anti-Semitism.

In another prominent case, right-wing forces targeted tenured University of South Florida professor Sami Al-Arian because of his pro-Palestinian views. Following a witch-hunt in the media, federal authorities arrested him in 2003 on terrorism-related charges while the university fired him from his job. In the subsequent trial, the jury failed to convict Al-Arian on a single charge, yet the government continues to hold him in prison.

Churchill has the support of many students and faculty at the University of Colorado and has filed a civil suit against the school contesting his dismissal.

On May 10, 2007, eleven academics filed a document supporting Churchill, claiming research misconduct on the part of the investigative committee, including the suppression of historical evidence contradicting its views.

The WSWs holds no brief for Ward Churchill's political beliefs, as we have explained on a number of occasions. Nonetheless, the issues here are crystal clear. At the behest of right-wing politicians and media types, behind which stands the Bush administration, the University of Colorado has fired a professor because of his political views. Such attacks on academic and intellectual freedom are inevitably bound up with laying the foundation for authoritarian rule.



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