

**NOTE:** The following does not necessarily reflect the views of DU-AAUP chapter members.

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**Subject** AAUP and Ward Churchill

Myron and Friends: FYI, I posted the following to Inside Higher Education this morning, in its thread on "Ward Churchill and Academic Freedom". I believe this needed to be said. But I'm more committed than ever to making AAUP work at DU and in the state. Cheers,

Dean

### **AAUP MIA**

"Brown may have backing...from the national AAUP. Jonathan Knight, who heads the association's academic freedom program, said that it was too early to say how the group would end up viewing the case."

Well, to quote Yogi Berra, "it's getting late early" here in Colorado. While the national AAUP foot drags, Colorado's local AAUP chapters are struggling to bring some critical perspective to a case that deserves an especially large dose given its national visibility and implications. Our DU chapter—consisting of faculty from across the arts, sciences, and professional schools—recently considered key documents in the case. These faculty neither know nor particularly care for Professor Churchill. In a secret ballot we voted overwhelmingly to support Marki LeCompte and the CU-Boulder chapter's published concerns about (1) the obvious political motivations behind the Churchill inquest, (2) process issues relating to (a) the legality of the then-Interim Chancellor's role as both complainant and judge and (b) the quality and objectivity of peer review, and (3) the proportionality of the recommended punishment given the

Investigative Committee's analysis of Churchill's scholarship.

The Committee's analysis clearly identifies mistakes, exaggerations, and other serious problems. It also includes significant misses and nitpicks. Some of these have recently been exposed by Eric Cheyfitz and Michael Yellow Bird. The Investigative Committee has already admitted to missing documentary evidence regarding the cultural geography of infectious disease in the American northeast that lends support to one of Professor Churchill's claims. Perhaps most significantly, the analysis includes major equivocations. The Committee notes and even applauds the "extensive" and "impressive" volume of Churchill's published work. It acknowledges the investigation's very limited inquiry—defined by a handful of problematic paragraphs and pages—into that body of work. It expresses uncertainty about whether the discovered problems are "typical" of the whole Churchillian corpus. It recognizes that some mistakes were in fact corrected over time, an observation that undermines the case for intentional deception. The Committee is even willing to cut Professor Churchill some slack on his most controversial claim—US Army complicity in spreading Mandan smallpox—by noting that native oral traditions contain some potentially confirming evidence. Most significantly, the committee acknowledges that Churchill is fundamentally right about certain core truths of history, such as the targeting of American Indians by racist government policies over the last 400 years. These are not minor admissions and concessions.

Thus, the Investigative Committee's case is a certifiable mixed bag, with perhaps the surest indicator being the lack of consensus about sanctions at three different levels of faculty review. Members of the Investigative, Standing, and Privilege/Tenure committees were equally divided between termination and non-termination. It's obvious that the last faculty committee to consider the case—the Privilege and Tenure Committee—saw something in the record of hits, misses, equivocations, and new witness testimony that caused it to recommend a one year suspension and demotion. The committee also seems to have downplayed the seriousness of Churchill's alleged "misrepresentation" of the General Allotment Act, perhaps finding, with Cheyfitz, that the basis for policing Indian identity that's implied by the Act—whether blood quantum or something else—is an area of legitimate scholarly debate. President Brown chooses to disagree, and insists on termination while he, too, violates due process (see Churchill attorney David Lane's letter to Brown that's available on the Denver Post and Rocky Mountain News websites). Somewhat remarkably, Brown also implies to IHE that he really has nothing at stake in this decision. While Brown's job isn't on the line his legacy certainly is, given that he's already been widely canonized here in Colorado as the savior of the state's flagship institution.

Meanwhile, ACTA crows about a big victory for professional standards and congratulates itself on defending due process even though it was publishing anti-Churchill screeds (and, with David Horowitz, endangering the careers of even scrupulously honest scholars) as the investigation unfolded. Colorado governor Bill Ritter yesterday joined his predecessor Bill Owens in calling for Churchill's firing while, again, the case is still proceeding and without understanding, like his predecessor, much of anything about university autonomy, due process, and academic freedom. Something tells me that John Dewey is spinning in his grave. And that makes the national AAUP's paralysis all the more troubling and even tragic.

[Dean Saitta](#), Professor of Anthropology at University of Denver, at 9:40 am EDT on

May 31, 2007

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