

Emails from Hershatter, Lubeck, Pudup, and Rofel

Inquiry Email from CAF Chair Connery

Dear Angela, Bettina, Gail, Lisa, Paul, Ronnie, and Terry, and Mary Beth,

This year the Senate Executive Committee charged the UCSC Committee on Academic Freedom to respond to complaints about Anti-Israel bias in campus events and curriculum. This complaint was brought by the Scholars for Peace in the Middle East, whose signatories are Tammi and Ilan Benjamin. The complaint mentions no faculty by name. I am writing to you because you are known to have had interactions with the Benjamins or SPME around Israel-related issues.

Our committee does not plan to investigate incidents of this alleged bias, but seeks rather to determine if, connected to the complaint in any way, including the activities of those making the complaint, there is anything that threatens academic freedom on our campus.

Academic freedom--the freedom for faculty to pursue the production of knowledge without outside political, commercial, or other forms of interference--is a precious and vital resource on our campus, and our committee is charged with its safeguarding.

To help us in our final report to the SEC, I wanted to ask you to inform our committee of any issues of concern to academic freedom that may have arisen in your own interaction with Professor and Ms. Benjamin, with SPME, or with related groups. If you choose to reply, it would be most useful if you could write a non-confidential reply, which I could append to the committee report to the SEC. If you would prefer a confidential reply, that is of course fine, though it might limit its utility. If you would prefer to speak by telephone, that is also fine. We are not seeking excessive documentation, such as e-mails you may have received, but relatively concise statements, if applicable, pertaining to issues of academic freedom. If you know of others to whom I should write, please let me know.

The CAF response to the SEC request is intended as information only. We are not a disciplinary body, and nothing our committee does will result in disciplinary action for anyone. We are an advocacy committee, and the object of our advocacy is academic freedom on this campus.

We would be very grateful to have your e-mail by the end of this week (Saturday). If you would like to speak with me about it, please call 459 9362 (home) or 459 2761 (office). (I have copied Susanna Wrangell, our Senate staff member, on this request).

Gratefully yours,
Chris

1)Hershatter Email

Dear Chris: thank you for your request. I am pleased that the CAF is considering this issue.

During the academic year 2006-07, the Center for Cultural Studies co-sponsored with a small amount of funding an appearance at UCSC by veterans of the Israeli Defense Forces speaking about their experiences, as part of a national tour entitled "Breaking the Silence. The Institute for Humanities Research provided minor cosponsorship funding to a conference on Alternative Histories of Zionism, featuring a number of prominent Jewish scholars. I have on record by rough count(I may have deleted some) 9 emails protesting the former event, and 41 protesting the latter event. They came from around the country and were apparently in response to a posting on the web site standwithus.com by Tammi and Ilan Benjamin, or an alert issued by that organization (I did eventually locate the text, but I do not have the exact URL) asking people to let UCSC know that our campus had "crossed the line." Some of these emails were respectful in tone (if misinformed and composed mainly of cut and paste from the web site); some were abusive. After receiving some especially disturbing emails, I initiated a correspondence with Tammi Benjamin, which I am forwarding under separate cover (you will have to read from the bottom up). I would be willing to forward all of the outside emails to you if your committee requires it.

The "Breaking the Silence" event was the sort of eyewitness report that UCSC hosts in the dozens every year, from people who bring perspectives on various international events around the world. The Zionism conference was an academic presentation of research, which of course has bearings on controversial contemporary political issues. It was especially disturbing, in the latter context, to see the research denounced as anti-Semitic, anti-Israel, appropriate for German beer halls, genocidal, etc., by people who were not present (in some cases, I cannot tell where they were, given the email addresses). It seems to me that a web site call for this sort of bombardment of researchers and campus organizing units can be considered an infringement of academic freedom. It is certainly an attempt to raise the harassment factor so that campus units will avoid sponsorship of such discussions in future. This distresses me, as my correspondence with Tammi Benjamin makes clear.

I look forward to hearing the results of your investigation.

All best,

From: Tammi Benjamin <tbenjami@ucsc.edu>

Subject: Re: request from a colleague

Date: Mon, 30 Apr 2007 23:19:21 -0700

To: Gail Hershatter <gbhers@ucsc.edu>

Dear Gail,

I am baffled by your conclusion that it is inappropriate for me to email details of the anti-Zionist conference to people who are all stakeholders in higher education. As I see it, there is nothing whatsoever inappropriate about informing these individuals about how their kids are being educated, how their tax or donor dollars are being spent, and how the social contract between the public and the University is being violated. I did not tell anyone how or what to write, only who was responsible for this egregiously anti-Israel event.

You say "colleagues owe one another more respectful (and less insulting) treatment". Then why is it that...

- 1) our "colleagues" have, over and over again, ignored the concerns that my husband and I have respectfully raised about the unmitigated anti-Israel bias of departmentally-sponsored events?
- 2) our "colleagues" have refused to sponsor events concerning Israel which offer other legitimate scholarly perspectives, even when respectfully invited to do so by our faculty group?
- 3) our "colleague" tore down flyers advertising one of our faculty group's speakers?
- 4) my "colleague", head of the Committee on Academic Freedom, effectively kicked me off that committee when I respectfully requested that she add to the CAF's agenda the issue of the departmental sponsorship of politically motivated and directed events? So much for academic freedom. And so much for respect.

Actually, I believe this is not a matter of respect at all, but rather of academic truth, integrity and accountability -- all of which seem to be sorely lacking in many quarters of this university.

Sincerely,

Tammi

On Apr 30, 2007, at 6:56 PM, Gail Hershatter wrote:

Dear Tammi: No one is suggesting that you don't have the right, and the freedom, to express your opinion. I would also defend your right to organize programs expressing whatever opinion you like, and would consider it inappropriate (although, of course, not illegal) to organize a network to bombard you with emails impugning your integrity. I'm merely suggesting that colleagues owe one another more respectful (and less insulting) treatment than that as ever,

gh

At 12:15 PM 4/30/2007, you wrote:

Dear Gail,

How can you say that "Among the speakers ... I heard a variety of positions"...

when speaker #1 claimed that Israel was, from its inception, a racist entity and explicitly and implicitly linked Israel's current state policies and practices to those of the Nazis;
when speaker #2 claimed that Zionism was a racist and therefore illegitimate ideology, and argued for the creation of a secular democratic bi-national state;
when speaker #3 is a self proclaimed anti-Zionist activist;
when speaker #4 claimed that Holocaust films have facilitated and justified the propagation of a racist Zionist ideology;
and when speaker #5 said that Zionism was an essentially racist doctrine, which led to the creation of an apartheid state, and used her analysis to argue for divestment from Israel ?????

All I, my husband and my parents heard during the 3 and a half hours that we sat at the conference was the same message: Zionism is a racist ideology and a Jewish state has no legitimate right to exist. This, coming from Jews, is especially painful. Furthermore, it is disingenuous and hypocritical to wrap departmental sponsorship of this "conference" in the mantle of academic freedom, but to deny me, my husband, and other concerned citizens our constitutionally-guaranteed freedom to express our outrage at this egregious abuse of academic freedom and violation of public trust. That's called free speech.

Sincerely,
Tammi

Dear Tammi: thank you for your prompt response. I can see that there is much about which we are unlikely to come to agreement, but I think it is worthwhile to try to clarify one point. Our differences do not divide along the lines of pro-Israeli government vs. anti-Semitic exterminationist. Among the speakers and organizers of that conference, who were, as you are aware, all Jewish, I heard a variety of positions. Every person's life and relatives had been touched personally by the Holocaust, most if not all have close relatives in Israel, and one was an Israeli citizen. Among people deeply concerned about the current situation (I think your word "agonizing" is the right one), there are those who think that the state must be protected at all costs, those who worry that peace can never be possible with an occupation at the heart of it, those who feel that the state's problems were inherent in the initial Zionist project, those who are Zionists but opposed to current state actions, those who are gravely concerned that the current occupation feeds worldwide anti-Semitism, and dozens of other positions you could probably elaborate as completely than I. Acknowledging this complexity is not a matter of academic amusement at this moment; it is, for many of us, a recognition of the perilous moment we are in. I believe that airing these various positions is part of the difficult work that needs to be done, since the current situation is neither stable or sustainable.

The university is one important place where that work should go on. Characterizing this process and those who participate in it as anti-Semitic misdiagnoses the problem and misunderstands the good will, conscience, and concern of the people who have undertaken it. I listened very carefully at that conference, and I didn't like everything I heard, but I did not hear hate speech or anti-Semitism. Sounding the alarm on an email network and having your colleagues inundated with international email accusing them of anti-Semitism is, I believe, not a productive way to proceed, and I would even say that it generates speech and conduct inappropriate to a university community. I repeat my request that you reconsider your approach to your colleagues.

All best,

Gail

At 12:15 AM 4/30/2007, you wrote:

Dear Gail,

I am sorry you are receiving "hate email". This was of course not my intention. You should understand, however, that an "academic" conference at which 5 self-proclaimed anti-Zionists conclude that Zionism is a racist and illegitimate ideology and question the existence of the Jewish state will be highly offensive to many in the Jewish community. I (and many others in the community) disagree with both you and Prof. Butler: The discussion of whether Zionism is a legitimate ideology and whether a Jewish state should exist took place before 1948, but that discussion is over, except among those who wish to see an end to the Jewish state. To have this discussion now when Israel is fighting for its life against the worst kind of inhumane terror is unacceptable and agonizing for many. This discussion may be an academic one for Prof. Butler,

and perhaps for the faculty who sponsored this talk. It is not for me, definitely not for my husband and not for many in the community who have had family members murdered or maimed to make the dream of a Jewish state a reality.

Prior to this conference, my husband and I sent a letter to the administration and heads of the 8 sponsoring departments detailing our concerns. However, not one of our "colleagues" had the courtesy to reply to us. We felt it was important that the community at large -- parents, taxpayers, donors and concerned citizens -- understand what is happening at UCSC. And while I can appreciate that you are disturbed by some of the emails you are receiving -- I, too, find the language you quoted disturbing -- these people have every right to express their concerns about the egregiously anti-Israel event that took place at this public university, and which was co-sponsored by your department.

Sincerely,

Tammi

On Apr 29, 2007, at 9:23 PM, Gail Hershatter wrote:

Dear Tammi: after some thought, I have decided to write to you as a colleague, because I think you must not be aware of some aspects of the emails people have written as a result of your international calls (you appear to have made two such calls) for a response to the March conference on Zionism. I understand you to be a deeply concerned and committed person. I am sure there is much about which we disagree, but as Judith Butler said at the beginning of her presentation, "This is a difficult discussion, but one that we [the larger community "we"] can have." It cannot be had on the basis of abuse, however, and the misinformation and violent language of many of these emails is not a constructive contribution. UCSC should not properly be compared to Nuremberg or a German beer hall, the faculty should not be likened to Goebbels, and each of us personally (Jewish or not) should not be addressed with sentences such as "You weren't satisfied when Hitler gassed the Jews, and you're still not satisfied." This sort of vituperative rhetoric, generated by people who generally don't identify themselves and who write from great distances with no firsthand knowledge of UCSC, has no place among colleagues. I can only think of two explanations: 1) you have no respect for the people with whom you work, or 2) you are genuinely unaware of the effect your actions have produced. For the moment, I prefer to go with the latter explanation. We need to operate on the basis of mutual respect, perhaps especially when we address difficult questions about which feelings run high. I hope you will reconsider your approach to your colleagues and this community of which we are all a part.

Sincerely,

Gail Hershatter

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Gail Hershatter

Professor of History

Director, Institute for Humanities Research
Co-Director, Center for Cultural Studies

Humanities Academic Services
University of California
1156 High St.
Santa Cruz, CA 95064
831-459-4041 (phone)
831-423-4780 (fax)
gbhers@ucsc.edu

2) Lubeck Email

Date: Wed, 23 Apr 2008 08:48:34 -0700
To: cconnery@ucsc.edu
From: Paul Lubeck <lubeck@ucsc.edu>
Subject: Corrected Version of Lubeck Letter to CAF. Fwd: submission to
CAF regarding harassment and attacks on academic freedom.

X-UCSC-EDU-ClamAVCheck: not spam, ClamAV(signature=none)
X-Mailer: QUALCOMM Windows Eudora Version 7.1.0.9
Date: Tue, 22 Apr 2008 17:56:02 -0700
To: cconnery@ucsc.edu
From: Paul Lubeck <lubeck@ucsc.edu>
Subject: submission to CAF regarding harassment and attacks on academic
freedom
Cc: lubeck@ucsc.edu

Dear Chris,

I am writing to inform you about the behavior of Ilian and Tammi Benjamin and the threat they pose to academic freedom at UCSC. For a number of years, they have engaged in a pattern of intimidation, misrepresentation and personal attacks on a faculty members and students at UCSC. All of which constitutes a vicious threat to academic freedom at UCSC.

Your committee is aware of my formal complaint against Ilian Benjamin. The documentary evidence I submitted is overwhelming proof of my allegation. If you require more supporting documents to confirm the pattern of intimidation Ilian Benjamin and others engaged in, please contact me.

Your committee and the administration should also be aware of the fact that Tammi Benjamin attends the organizational meetings for the Muslim Studies initiative chaired by the Deans of the Divisions of the Humanities and Social Sciences. She takes hand written notes on the participants public statements including mine. This has a chilling effect on free expression of ideas.

I mention this intrusive behavior because I and others are uncertain what she does with the notes. To whom does she forward them is the question. What are they used for? Does she intend to intimidate? Is there a history of spying and transfers of information you may wish to ask?

To answer the last question, it is important for your committee to realize that during the 1980's and 1990's, students engaged in the anti-apartheid movement asked me to be the faculty sponsor for a campus student group affiliated with the African National Congress and the ANC leader, the Nobel peace prize winner, Nelson Mandela. The exact name of the student group escapes me now but it was affiliated with the ANC youth organization.

Accordingly, after serving as faculty sponsor, in 1993 I received a letter from the San Francisco Police Commission informing me that the commission was conducting an investigation into a violation of their guidelines, and further that they were required to notify me that "we have discovered that information about you may have been gathered, stored and/or disseminated in violation of the guidelines." (Letter dated May 26, 1993). When I wrote them they sent a small paper listing the youth group of the African National Congress and no other explanation.

I am forwarding you a scan of this letter by separate email and various articles explaining surveillance and dissemination of information by another zealot organization (Anti-Defamation League) which was sued in the San Francisco spying case, which continues to harass, intimidate and block Professors from practicing their right of academic freedom. The case of Tony Judt of NYU provides all the evidence your committee will need for documenting how and why these these vicious attacks on academic freedom have continued unabated.

I am also forwarding you a variety of journalistic articles on the behavior of the San Francisco police toward anti-apartheid and other groups. My point is that there is a long standing pattern of intimidation, spying and attacks on academic freedom carried out by self appointed zealots who share the Benjamin's views.

Finally, I wish to make absolutely clear that the Benjamins' behavior constitutes a threat to my right of academic freedom and most importantly that their pattern of harassment is actively intimidating faculty from speaking freely in classes or organizing forums on controversial issues on campus. Rather than risk being smeared personally, often via the Internet, or spending vast amounts of time as I did in preparing my submission to your committee several years ago, many faculty simply avoid dealing with these issues. I urge you to do all in your power to end this pattern of intimidation and overt attack on academic freedom.

Sincerely,

Paul M. Lubeck
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3) Pudup Email

April 20, 2008

Chris Connery, Chair
COMMITTEE ON ACADEMIC FREEDOM

Dear Professor Connery:

Thank you for the opportunity to share with you and other senate members my experiences related to the organization Scholars for Peace in the Middle East (hereafter SPME).

As you know, I was contacted last summer (2007) by two SPME members, Professor Ilan Benjamin and Lecturer Tammi Rossman-Benjamin, in regard to a summer session course then being taught by Dr. Dalit Baum.¹ The SPME made a variety of allegations about Dr. Baum's course and her fitness to teach the course and, ultimately, about my fitness as department chair in approving the course for summer session. I did not respond to SPME because I believed their allegations lacked merit. Because of my non-response, SPME took the issue to Dean Sheldon Kamieniecki for his review, again on the same grounds (Dr. Baum's course, her fitness to teach it and my fitness as department chair). Dean Kamieniecki felt compelled to respond to SPME and therefore conducted an investigation into the allegations. He also found they lacked merit and reported thusly to SPME. Professor and Lecturer Benjamin expressed their disagreement with the Dean's conclusion and vowed to pursue the matter further. I should note for the record that communications among SPME, me and Dean Kamieniecki were copied to higher level administrators including the EVC and Chancellor.

In the ensuing months, this experience has ramified in my work as a professor and department chair. During the fall, my continuing role as department chair necessitated that I once again conduct a call for summer session (2008) courses. At the time, I was unsure what I would do if Dr. Dalit Baum proposed courses (the same or different) to be offered through the department. If she did propose the courses and I approved them, I worried that I would again be subject to allegations that are both time-consuming and, frankly, potentially threatening to my professional advancement. As a long-standing department chair, such

¹ I had received earlier communication from SPME related to Community Studies sponsorship of a campus event during the previous year, but in this memorandum will focus on SPME actions directed exclusively at me and my department.

concerns have never entered into my decision making about summer session courses. I believe the simple fact that I had such doubts about whether I would again green light Dr. Baum's course is an abridgement of academic freedom. Courses and instructors should be judged solely on their merits, not on whether their teaching and presence may be deemed controversial by third parties.

I have engaged in the same line of thinking with respect to requests for campus events (lectures, films, visiting speakers, etc.). More than once I found myself evaluating requests through the lens of how this might or might lead to allegations being made against me and/or the department because of our sponsorship. Again, as a long standing chair who holds the position that the promotion of free speech is essential function of a higher education institution—particularly a public one—the fact that I even engaged in this kind of thinking demonstrates how academic freedom can too easily be abridged in small but cumulatively large ways.

During the winter (2008) quarter, I was approached in my office by a student then enrolled in my Economic Justice seminar about the allegations made by SPME. As fate would have it, this same student was then enrolled in a Hebrew language course being taught by Lecturer Rossman-Benjamin. It was actually through this student that I learned about how the email communications from SPME to me had been posted on the SPME website. I was shocked and saddened that a student—one of my own academic advisees, no less—in some way was drawn into this matter and appeared deeply conflicted about it. For the record, I told the student that I did not believe it appropriate to discuss faculty matters with students (formally or informally), so I did not ask the student about his motivation for printing out the SPME weblinks related to the email I received from SPME or did I offer my own ideas or commentary. It would be impossible for me to describe the concatenation of feelings that overtook me during this meeting.

During the current quarter (Spring 2008), one of our very best Community Studies undergraduate students is conducting a student directed seminar for his senior thesis capstone project, under the direction of Professor Paul Ortiz, on the Middle Eastern Diaspora. Given the array of events over the past several years around classes and events related (in whole or part) to the Middle East, late in winter quarter I became very concerned that the student's course could become a focus of SPME action. Let me hasten to say immediately that to date and to my knowledge, there have been no SPME actions related to this course. My point here is that based on my prior experience, and my knowledge of the experience of others on campus, I felt compelled to meet with Professor Ortiz and ask that he maintain a careful eye for any third party attempts to disrupt and/or monitor the student's course. Such discussions are indicative of the kind of chilling effect on academic freedom that can be caused by actions taken by SPME.

In sum, my experiences with SPME have had measurable effects on the conduct of my work both as a professor and department chair. My experiences suggest how a new and insidious calculus can easily insinuate itself into decision making processes related to course approvals and special event sponsorship, a process that must be checked if academic freedom is to endure as a fundamental tenet of

higher education. Furthermore, SPME actions have the potential to compromise faculty-student relations in ways that are not easily resolvable.

Please don't hesitate to contact me with any questions. Because I have specifically mentioned experiences related to students, I am concerned about the question of how this document may affect them. I would appreciate your advice on the confidentiality matter.

Yours sincerely,

Mary Beth Pudup
Associate Professor and Chair

Rofel Email

Date: Sun, 13 Apr 2008 06:24:47 -0700
To: Chris Connery <cconnery@ucsc.edu>
From: Lisa Rofel <lrofel@ucsc.edu>
Subject: Re: academic freedom issues

Dear Chris, I would like to respond to your request for information on my experiences concerning academic freedom as they relate to the matters you raise below. Unfortunately, I will only be able to respond briefly, as I am on leave and doing research in China at the moment. I wish I could develop a lengthier response, as I believe the matter deserves one. I have experienced a great deal of harassment at the hands of the Benjamins and their SPME. The issue of Israel/Palestine is a sensitive one that deserves a lot of considered dialogue. It is also a controversial topic. The academy is the best place to explore sensitive and controversial topics, in a scholarly manner. Whenever I have invited speakers to campus, the Benjamins have done a number of things that I consider to be harassment. I do not mind at all an engagement with one another over our disagreements, but I think that their actions have gone beyond that. First, they have written letters of complaint to the EVC and my Dean. These letters do not just state their intense disagreement with the speakers I have invited but have invited the EVC and the Dean to take disciplinary action against me by trying to argue that I have broken the rules of academic freedom by having speakers who disagree with their position on the matter of Israel/Palestine. Second, they have put my name up on their website and invited people from all over the world to write me with their complaints about the events I have organized. I have been flooded with emails from all over the world describing me as akin to Hitler and Goebbels. These are from people who have only the Benjamins' description of the events, people who did not attend these events. I consider all of these activities to be pure harassment, designed to stop me and others from inviting speakers who disagree with the Benjamins' position on Israel/Palestine. The harassment got so bad at one moment I considered hiring a lawyer. I believe our campus should vigorously condemn such harassment, as it is precisely designed to stop me from exercising my academic freedom. As has always been true historically, one sees this issue most clearly when the

issues are most controversial.

I hope this response suffices for now.

Best,
Lisa Rofel