

The War on Ideas

Censoring Political Dissent at the Border

During the Cold War, successive administrations used “ideological exclusion” laws to deny visas to foreign citizens who were thought to be sympathetic to communism. The laws were used to exclude, among others, celebrated Palestinian poet and best-selling author **Mahmoud Darwish**; Italian playwright and Nobel Laureate **Dario Fo**; Colombian novelist and Nobel Laureate **Gabriel Garcia Márquez**; Chilean poet and Nobel Laureate **Pablo Neruda**; and former Canadian Prime Minister **Pierre Trudeau**.

Unfortunately, the Bush administration is once more misusing the immigration laws to “protect” Americans from ideas perceived to be dangerous. In some cases, the administration has relied on a provision of the USA Patriot Act that renders inadmissible anyone who “endorses or espouses terrorist activity.” Though ostensibly directed at terrorism, the provision focuses on words, not conduct, and its terms are broad and easily manipulable. One indication of the provision’s reach is that the State Department has interpreted it to apply to those who have voiced “irresponsible expressions of opinion.”

In other cases, the government has excluded foreign intellectuals by invoking the “material support” laws, using those laws to exclude not only people who have given money to designated terrorist organizations but also those who have donated money—with entirely laudable intent—to charities that were blacklisted by the U.S. long *after* the donations were made. In still other cases, the government has simply failed to adjudicate visa applications; in these cases, the government excludes foreign scholars simply by failing to act.

Over the last six years, dozens of foreign scholars, artists, and human rights activists have been denied entry to the United States not because of their actions but because of their political views, their writings, and their associations. We are once again living in an era in which the government uses the immigration laws as instruments of censorship. President Bush and senior members of his administration have contended that the United States is fighting a “war of ideas.” But it sometimes seems that what the administration is fighting is not so much a war *of* ideas as a war *on* ideas.

Ideological exclusion is raw censorship. To allow the practice is to allow the government to decide which ideas Americans can hear and which they cannot. It’s a practice that skews political and academic debate in the U.S. and that deprives Americans of information that they have a constitutional right to hear. It’s a practice that Americans should reject. Now more than ever, Americans should be engaged with the world, not isolated from it.

To learn more, go to www.aclu.org/exclusion or www.aaup.org/AAUP/pubsres/academe/2007/S0/NB/excluded.htm.



Unfortunately, the list of those who have been excluded on ideological grounds is long and growing. Others who have been denied entry in circumstances suggesting ideological exclusion include:

Turkish journalist
Haluk Genger (2002)

Canadian organizer
John Clarke (2002)

Cuban scholar
Carlos Alzugaray Treto (2003)

Canadian Muslim clerics
Sheikh Ahamad Kutty and
Sheikh Abdool Hamid (2003)

Canadian physicist
Karim Meziane (2004)

61 Cuban Scholars (2004)

Filipino professor
Roland Simbulan (2004)

Indian cleric
Kalbe Sadiq (2005)

Bolivian lawyer
Fernando Rodriguez (2005)

Indian cleric
Mirza Mohammed Athar (2005)

74 Korean Activists (2005)

Egyptian Islamic scholar
Zaki Badawi (2005)

Cuban scientist
Vicente Vérez-Bencomo (2005)

Canadian Islamic scholar
Yahya Ibrahim (2005)

French activist
José Bové (2006)

59 Cuban Academics (2006)

Bolivian government official
Rene Orellana (2006)

Egyptian professor
Mohammed Salama (2006)

20 Iranian Professors (2006)

Four Egyptian Muslim Clerics
(2006)

Iraqi medical professor
Riyadh Lafta (2007)

Since 2001, dozens of foreign intellectuals have been barred from the U.S. in circumstances that suggest ideological exclusion.

Tariq Ramadan is a world renowned Swiss scholar of Islam who was offered a professorship at the University of Notre Dame in 2004. A week before classes began, the government revoked Ramadan's visa, citing the Patriot Act's "endorse and espouse" provision. After the ACLU brought a lawsuit on behalf of AAUP, the American Academy of Religion, and PEN American Center, the government abandoned its accusation that Ramadan had endorsed terrorism and said instead that it would exclude him because of small humanitarian donations he made to European charities working in the Middle East. However, the U.S. blacklisted those charities several years *after* Ramadan made his donations.

Adam Habib is the Deputy Vice-Chancellor of Research, Innovation and Advancement at the University of Johannesburg, a distinguished South African scholar, human rights activist, and sought after political analyst. Habib has been excluded from the U.S. since October 2006. The government has said that Habib "engaged in terrorism" but it has provided no basis for the accusation, and South African government officials have dismissed the accusation as absurd. The AAUP, ACLU, the American-Arab Anti-Discrimination Committee's Massachusetts Chapter, and the Boston Coalition for Palestinian Rights have filed a legal challenge to Habib's exclusion from the U.S.

Dora María Téllez is a Nicaraguan historian who in the 1970s was involved in the overthrow of the brutal dictatorship of Anastasio Somoza. Téllez was slated to teach at Harvard's Kennedy School but the U.S. government denied her visa application on the grounds that she had "engaged in terrorist activity." In response to Téllez's exclusion, John Coatsworth, former director of Harvard University's Rockefeller Center for Latin American Studies, noted that "With the new Homeland Security rules, George Washington would have been denied a visa."

Yoannis Milios is a Greek professor of economics who has been excluded from the U.S. since June 2006. He was denied entry after being interrogated about his political beliefs at J.F.K airport in New York. Milios has submitted a new visa request but the government has simply failed to act on it.

Waskar Ari is an indigenous Bolivian historian who was to take up a teaching post at the University of Nebraska in August 2005. Instead he was excluded without reason until the University brought a lawsuit seeking his admission. Ari was ultimately granted a visa, but not until July 2007—two years after he was slated to begin teaching.

M.I.A. is an English hip-hop artist of Sri Lankan dissent who was excluded from the U.S. in March 2005, reportedly because some of her politically charged albums include lyrics that, in the U.S. government's view, express support for the PLO and Tamil Tigers. M.I.A. was ultimately granted a visa, but not until July 2007—two years after her initial exclusion.

Iñaki Egaña, a Basque historian, sought to enter the U.S. to conduct research on Mario Salegi, who came to the U.S. in 1944 and was an outspoken proponent of the Basque nationalist cause. After arriving at J.F.K., Egaña was interrogated about his research, detained for 24 hours, and ultimately sent back to Spain. The U.S. government has refused to explain why Egaña was excluded.