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Response to Cary Nelson Robert Warrior

Abstract

Pointing out the many errors of fact and interpretation in an essay by Cary Nelson about the appointment of Steven Salaita at the University of Illinois in this same issue, this response seeks to set the record straight against Nelson's accusations. Though Nelson paints his campus colleagues in American Indian Studies as incompetent perpetrators of academic fraud, the facts from this response by one of the administrative principals and a direct witness to documents and records suggest that Nelson is in fact the one grinding a political ax.

Cary Nelson bases his serious charges of professional dereliction, scholarly incompetence, and perpetration of academic fraud in the conduct of the search and appointment processes that resulted in the recommendation of Steven Salaita to the faculty of the American Indian Studies Program (AIS) at the University of Illinois at Urbana-Champaign on speculation, misinformation, faulty assumptions, hearsay, and unreliable evidence.¹ In spite of the measured rhetoric Nelson employs in his essay in this volume of the *Journal of Academic Freedom*, his tactical commitment to distorting facts or claiming that his political positions constitute facts is not different in this venue than what he has written in more obviously partisan forums.

Nelson details his investments in what I will refer to as the 2014–15 Illinois censure case, but leaves out his history of activism against the boycott, divestment, and sanctions (BDS) movement focused on Israel, arguably the connective tissue of his article.² Nelson correctly identifies me as one of more than 1,200 US academics who have endorsed the US Campaign for the Academic and Cultural Boycott of Israel (USACBI). But my primary investment here is in responding to lies—not in defending or promoting that boycott or

academic boycotts in general—and in setting the record straight in regard to the most significant errors in Nelson's essay.³ Less significant errors I have relegated to the notes or left for readers to, I hope, surmise on their own or from my other remarks. I would also be willing to answer unanswered questions via phone or e-mail (though Nelson and I have been departmental colleagues in English since 2008, not long before he retired, he has not availed himself of that option at any point during the time since the Salaita case broke.)⁴ I have listed the following corrections and comments in the order in which the related content appears in Nelson's essay.⁵

1. Nelson calls into question my qualifications for writing the 1989 essay "Canaanites, Cowboys, and Indians: Deliverance, Conquest, and Liberation Theology Today" for Christianity and Crisis, a news and opinion magazine.⁶ He argues that my argument fails because of how I "tried to walk the unstable line between fact and myth in the Old Testament," no doubt because I am, in his words, "no specialist in ancient history" (3). In fact, at the time I wrote the essay, I was a PhD student in systematic theology at Union Theological Seminary in New York City. The essay was adapted from a longer, unpublished academic paper written under the direction of a member of UTS's Old Testament faculty in part as preparation for a doctoral examination focused on the history of the theological doctrine of election from its scriptural roots to its contemporary expression in liberation theologies. Before my PhD program at Union, I had studied Koine (nonclassical, or common) Greek as an undergraduate for three years (I could read the New Testament in Greek in its entirety with the aid of a dictionary); taken Hebrew for one year; done two summers of archaeological work in Israel as a volunteer for the Israeli Department of Antiquities and Museums (this work included professionally guided site visits to almost every significant ancient archaeological site in Israel and the West Bank and nightly lectures on the history of ancient Israel and Israeli archaeology); and completed a master's degree at Yale Divinity School, during which I focused on the history of Christian doctrine, hermeneutics, and twentieth-century theology. I had also had a yearlong survey of the Christian Old Testament/Hebrew Bible with Robert Wilson, an incredibly astute scholar who I found to be a remarkable teacher. The line between historicity and narrative (or fact and myth, as Nelson would have it) is, in fact, the primary subject of my graduate studies, the essay, the paper from which the essay derived, and much of my subsequent nontheological scholarship.7

2. Nelson writes: "Warrior and other UIUC faculty played key roles in the drive to promote the [Native American and Indigenous Studies] Association's boycott resolution" (4). This is not correct. I had served, as Nelson says, as NAISA's founding president and was one of those who organized the effort to persuade the NAISA council, on which I no longer served by that point, to endorse the academic and cultural boycott of

Israel in 2013. One other AIS faculty member also helped organize the effort. The successful organizers, however, had nothing to do with writing the council's boycott resolution.⁸

I should also note that, even though three AIS core faculty members at that time had endorsed the USACBI call to boycott (both of the others have now left Illinois), only one of those faculty members served on the search committee. Other AIS faculty members, both core and affiliate, have had no record of support for the USACBI, nor have they made public endorsements of BDS.

3. Nelson's assertion that "Illinois' American Indian Studies program has been seeking to expand its mission to include indigenous studies" (4) is demonstrably false insofar as our program had *already* been an intellectual leader in the development of global indigenous studies since nearly the program's inception. AIS, for instance, appointed two Pacific Islander American scholars who work in Pacific Native studies to its faculty in 2011. One of AIS's earliest faculty appointments was of Jodi Byrd, whose work engages global comparative issues of indigeneity. The program has had dozens of speakers from the broader field of indigenous studies and has sponsored lecture series, a two-year hemispheric initiative, and several symposia reflective of our commitment to global indigenous studies.

4. Comparative indigeneity," Nelson writes, "is an interesting recent field. One might compare the historical status of American Indians with Australian Aborigines or New Zealand Maoris and thus expand the reach of the American Indian Studies Program in a way verified by evidence about indigeneity" (5). Nelson's brief description of what he perceives comparative indigenous studies to be doesn't reflect the nuance and complexity of the work scholars in this field do. Most critically aware scholars would raise multitudinous issues around a phrase like "verified by evidence about indigeneity," even as they would seek to contextualize and problematize the political dynamics in each of the concepts at work in the phrase for actual people living within the realities the phrase includes and excludes.

5. "Comparisons between American Indians and Palestinians have no basis in responsible scholarship because there is no convincing evidence that Palestinians are an indigenous people. . . . AIS was unwittingly seeking to perpetrate a fraud on the campus" (5). Responsible scholars in indigenous studies make comparisons between many groups without determining ahead of time whether they fit a specific definition of indigeneity. Again, Nelson doesn't seem to know much about what scholars in indigenous studies do or how we formulate our work. Why would he? During the public lecture Steven Salaita gave while visiting the University of Illinois at Urbana-Champaign campus to interview for the position he was eventually offered in AIS, he said clearly that he was not endorsing or denying comparisons that Palestinians or Israeli Jews made between themselves and American Indians, but was examining these claimed affinities within a scholarly framework for the purpose of illuminating and better understanding them. Why, he asked, were so many Palestinians and so many Israeli Jews interested in identifying themselves as connected to the narrative of American Indian survival and persistence? This is very much in line with what many of us in AIS at Illinois and in the broader field have come to call a "critique of indigeneity" at the heart of indigenous studies. Indeed, the operative comparative analytic here is indigeneity rather than indigenous. I will also note that the field of settler colonial studies (which Nelson alludes to at one point in his essay) regularly focuses on Israel/Palestine as an example of a particular sort of colonization by settlement. I would hazard a guess based on his essay here and other writings that Nelson would disagree, though he advocates an economic boycott of Israeli products manufactured in Israel's internationally condemned settlements on Palestinian lands it occupies, and illegally settling the lands of another people sounds a lot like settler colonialism.⁹ Needless to say, simply defining entire peoples or even just academic fields out of existence is not sufficient proof that they aren't real or legitimate.¹⁰

6. "The co-chair of the search committee," Nelson states, "automatically charges anyone who raises such questions with racism. I have been among his targets" (9). Vicente Diaz, cochair of the search committee to whom Nelson is referring, does not "charge anyone who raises such questions with racism." Rather, in the online essay Nelson cites, Diaz quotes from an opinion piece by David Lloyd in the online journal Jadaliyya, who there argues that Nelson's "views toward Palestinians and other Indigenous peoples" are "racist, calloused, and morally reprehensible."¹¹ Nelson is not among Diaz's, that is, Lloyd's, targets; he is the target. Lloyd's opinion piece came out in the early days of the controversy, commenting on Nelson's statements he quotes, such as "Salaita's extremist and uncivil views stand alone," as remarkable, coming as they do on the heels of Israel's military campaign against Gaza in which actual bombs and real bullets killed more than 2,100 Palestinians (including 1,500 civilians and more than 500 children), along with 66 Israeli soldiers and 6 civilians in Israel.¹² "Deeply held racist attitudes get coded in the terms Nelson uses," Lloyd writes in Jadaliyya, because Nelson portrays Salaita's words as seemingly trumping the mounting carnage in the war zone. As important for Lloyd is a statement from Nelson regarding the demand of many Palestinians for a right to return to lands and properties their families held prior to Israel's takeover in 1948. Lloyd offers as a pointed example Nelson arguing against a Palestinian right of return to their ancestral homes in what is now Israel by saying that "adults who lived in Arab-owned homes ... are now almost all dead" and thus do not have a real need for the right to the homes they seek a right to return to.¹³ "Imagine the furor," Lloyd retorts in Jadaliyya, were "I to tweet that the descendants of Holocaust victims should no longer have the right to the return of artworks stolen from them by the Nazis, because the owners 'are now almost all dead." He calls Nelson's position a "ghoulish dismissal of the victims, this callous spitting on their undeserved fates" before saying that "Nelson has proven himself of late Zionism's most servile and clownish lackey."

7. "The question of the search committee's competence to judge Salaita's work should arise repeatedly for those concerned with events at Illinois" (9). Search committees at Illinois advise executive officers (heads, chairs, and directors), who make recommendations to deans, who recommend appointments to the provost, to whom the chancellor delegates appointment power in these matters. Search committees play a key role, especially in initially screening candidates and narrowing fields of candidates ahead of deliberations by colleagues in their academic unit. This particular search committee benefited greatly from having highly respected scholars (Byrd and Diaz) as its leaders, both of whom are deeply familiar with comparative indigenous studies. Search committees' initial work, of course, is followed by on-campus interviews and, in a case like this one involving tenure, putting together a dossier demonstrating scholarly ability that passes through multiple stages of scrutiny in the college and on the campus level before an offer is made. Just imagine for a moment, though, what it would be like to follow Nelson's line of reasoning here. How does a search committee chair report to faculty colleagues that some truly excellent candidates applied for the position their unit advertised, but since the committee's competence has been challenged by emeritus faculty and those in other colleges, the committee has deemed it prudent to take a pass on the candidates?

8. "Salaita's work," Nelson writes, "is relentlessly thesis-driven, with reassertions and variations on descriptions of settler colonialism on page after page. It is a postcolonial variation on one of the formulaic applications of literary theory one began to see in the 1980s. A critic sets up an interpretive machine and then processes text after text through it with little variation" (11). Clearly, Nelson doesn't like the sort of criticism Salaita practices. He does, however, praise Salaita's later critical work. Given that four AIS faculty members who participated in the search process also hold or have held appointments in English (three core and one affiliate, including me), I would suggest that this represents a difference of scholarly opinion rather than a matter of Nelson being right and the four of us being politically motivated.

9. In his essay, Nelson aligns himself with the now-censured and disgraced administration at the University of Illinois in being convinced that Steven Salaita's political convictions would necessarily affect his classroom teaching. Yet, as such questions have arisen, dozens of former students have written unsolicited letters in support of Salaita, while I know of no former students from the four universities where he has taught who have reported the sorts of classroom abuse Nelson and the University of Illinois administrators so confidently predicted.

10. Nelson discusses names and excerpts from external reviews that appeared in documents made public following Freedom of Information Act (FOIA) requests from press outlets. He writes as if these names have been released properly as part of these FOIA requests when almost certainly they should have been redacted; such language promising the university's best efforts to protect the reviewers' anonymity appears in the letters soliciting their reviews. (Tellingly, the names of donors who spoke with high-level university administrators in

the days and hours leading up to the meetings in which important decisions about the appointment were discussed and made were carefully redacted, except in a few cases that were highly embarrassing to Illinois administrators.) In my experience of being included in numerous FOIA requests at Illinois over the past seven years, the university does not regard the privacy or confidentiality of those at the academic unit level with much priority or care, nor, it seems, do campus administrators practice the same care in granting promised anonymity of external reviewers as they do in protecting the identity of those with whom they dine or share drinks to discuss donations. When I receive such FOIA requests, by the way, they come from the same office that runs the campus's operation of the Big Ten Network, a cable television sports operation. As someone who writes a lot of tenure and promotion letters, I would certainly think twice about agreeing to evaluate a case for an institution that has a similar record of institutional carelessness.

11. Nelson further indicates that the letter writers who were identified through the FOIA documents are BDS supporters and, thus, should have been disqualified. All the reviewers were selected strictly because of their scholarly credentials. I do not keep running tabs on who supports the USACBI or other groups in the BDS movement, and I certainly did not conduct any political litmus tests on these reviewers. An action Nelson cites as demonstrating one reviewer's commitment to BDS occurred after the writing of the letter, and that action was part of a collective action that has not been followed by any individual action on the part of the reviewer. While this doesn't make that single proboycott action disingenuous, it does make the accusation anachronistic and the eventual commitment not nearly as clear as an individual, public endorsement.

12. Something else is compelling in regard to Nelson's analysis of these confidential external review letters: Nelson hasn't read them. Though I have read them, I am not at liberty to discuss their content. I can say, though, what is self-evident from documents now available to the public. That is, these letters speak sufficiently and comprehensively enough to the quality of Steven Salaita's merit as a scholar that the elected executive committee of the College of Liberal Arts and Sciences supported the dean of the college's recommendation of Salaita for a tenured position. Documents the university has released under the Freedom of Information Act show that these same letters were then regarded without question or comment to be sufficiently strong evidence of the candidate's merit such that the appointment should be made. Nelson implies what he has indicated more directly in another recent publication, which is that those responsible for scrutinizing our recommendation were hesitant to challenge us.¹⁴ I gather from such comments that Nelson considers academic units like ours and the scholars who build their academic careers in them to be scrutinized less seriously than those in other units. I am accustomed to this sort of assumption after nearly a quarter-

century as a Native American scholar and can only point to my academic record and, in this case, to the achievements of my colleagues in response. Three of us who were core faculty members in AIS during the Salaita search were also appointed in English, and Nelson was an active faculty member when we were under consideration. His argument in regard to the Salaita appointment that we acted incompetently and his suggestion that we have succeeded because deans, provosts, and chancellors are hesitant to challenge us makes me wonder what Nelson thought of us and said about us during those appointment processes.

13. Nelson builds toward the conclusion that "The American Indian Studies program was faced with a dilemma in preparing Salaita's appointment papers" (24), and proceeds, with next to no citations, to lay out a series of events involving an effort to broker a deal to have Professor Salaita appointed jointly between AIS and the English Department; this series of events, quite simply, did not happen. Nelson is wrong, or at least more than a decade behind in his knowledge of how appointments work at Illinois, in stating that ethnic studies programs at Illinois (in the College of Liberal Arts and Sciences or otherwise) are required to split appointments with other units. Nelson further distorts the facts in saving that the English department ever considered the appointment, because the possibility of a joint appointment was only ever a discussion between the department head of English and me. That discussion occurred as part of Salaita's campus visit, well before any recommendation had been made regarding the search process, not during the process of putting together appointment papers. Nelson also incorrectly points to the appointment in English of another specialist in Anglo Arab fiction as a reason in favor of considering adding someone else in the area, when, in fact, the opposite was the rationale that the department head offered against considering a joint appointment; no one knew at that point whether the new course offering in Arab fiction would generate sufficient student demand, so what rationale could the head use to move the idea of a joint appointment that would generate yet another course in Arab fiction from his office to the next stages of consideration by the department? The English Department, thus, never considered the merits of Salaita's scholarship because the department never considered him for an appointment at all.¹⁵

14. "Most English faculty . . . are now incensed at the affront to shared governance represented by . . . [the] . . . decision not to approve Salaita's conditional offer" (25). The vote of no confidence in English Nelson refers to would be more accurately described as nearly unanimous rather than as "most" faculty members being in favor.¹⁶ The offer Nelson describes here as "conditional" (27) is one that, as the censure case has made clear, has been the basis for many years for many hundreds of Illinois faculty members, including me (and, presumably, Nelson), to relocate to Urbana- Champaign ahead of board approval. In good faith, people have sold houses, purchased houses, resigned from jobs, chosen new schools for their children, loaded and unloaded their belongings, attended receptions, and all the rest of the things people do as new faculty members, on the basis of those offers.

Nelson ends his critique of Steven Salaita's scholarship, and his speculations about the appointment process through which he came to receive an offer at the University of Illinois, with a rehashing of what he has spent the previous fourteen thousand words arguing: that AIS at Illinois failed in its responsibility to properly do the work of searching for, scrutinizing, and recommending a candidate for an appointment to a tenure-stream faculty position at this top-notch university. We were, in his eyes, motivated by political agendas and blinded by our ideological commitments. In his last paragraph, Nelson warns that the faculty of the University of Illinois has a large and growing number of adherents to the BDS Movement (though he once again fails to mention how invested he is in working against the movement.)

To close, though, let me point out that when Steven Salaita accepted his position at Illinois, by my count seven tenure-stream faculty members on our campus, out of more than 1,800, had endorsed the US Campaign for the Academic and Cultural Boycott of Israel. As of the start of the 2015–16 academic year, four of us remain, all of the others having chosen to accept positions elsewhere. (Two of them departed before the censure debacle even began.) That's the growing threat Cary Nelson strikes out at in his essay. All I can say, in the end, is this: someone's political and ideological agenda seems to be succeeding on the Illinois campus, and it is not that of BDS supporters.

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Notes

^{1.} The author thanks the following scholars for reading drafts or otherwise providing assistance in the preparation of this response: Jean O'Brien, K. Tsianina Lomawaima, Vicente Diaz, J. Kēhaulani Kauanui, John McKinn, Curtis Perry, Michael Rothberg, Christine Taitano DeLisle, and Margaret S. Kelley.

^{2.} Nelson is a founding member, for example, of the academic advisory council of Third Narrative, an organization that has anti-BDS organizing as one of its major activities (<u>http://thirdnarrative.org/get-involved/academic-advisory-council/</u>, accessed July 9, 2015). He is also a coeditor of a recent volume of essays focused on the case against academic boycotts of Israel. See Cary Nelson and Gabriel Noah Brahm, eds., *The Case Against Academic Boycotts of Israel* (Chicago: MLA Members for Scholars' Rights, 2014).

^{3.} A list of endorsers of the US Campaign for the Academic and Cultural Boycott of Israel and other information about the USACBI is available at http://www.usacbi.org.

^{4.} My e-mail address is <u>rwarrior@illinois.edu</u>. Since coming to Illinois in 2008, I have been jointly appointed in American Indian Studies (75 percent) and English (25 percent). In a later note in which Nelson distorts the facts in multiple ways regarding Illinois faculty member Joy Harjo, he demonstrates again that he might have benefited from using this basic communication tool rather than from speculation. As one of the unit executive officers involved, I am not at liberty to discuss the details as to why Harjo decided to move her appointment from American Indian Studies to English, but I can say that Nelson could have attempted to ask Professor Harjo about her motivations, rather than offering us an account of what "may" have happened. He bases his conjecture in large part on an erroneous assertion that American Indian faculty members were highly critical of a decision Harjo made to accept an invitation to read and lecture in Israel in 2012. The context of the paragraph indicates that Nelson both refers to American Indian Studies faculty and asserts that almost everyone was highly critical of Harjo's decision. In fact, two AIS faculty members, including me, made very short public pleas asking Harjo not to take her planned trip and then said nothing else publicly. No other AIS faculty member, to my knowledge, made any public statement critical of Harjo's trip.

⁵ Cary Nelson, "Steven Salaita's Scholarly Record and the Problem of His Appointment," *Journal of Academic Freedom* 6 (September 2016). All references to Nelson's essay are to this version.

^{6.} Robert Warrior, "Canaanites, Cowboys, and Indians: Deliverance, Conquest, and Liberation Theology Today," *Christianity and Crisis* 49, no. 12 (September 11, 1989): 262–65. The essay has been reprinted with permission in numerous publications, then posted on websites without permission, including in the form cited by Nelson. *C&C* ceased publication in 1992, and copyright reverted to the original authors. I provide permission to use the article in its original form to anyone who requests it at <u>rwarrior@illinois.edu</u>, and I also provide a PDF version of it. ^{7.} I want to point out, if only briefly, that the passage Nelson quotes from my 1989 essay as being obviously pointed toward a post-Holocaust Jewish audience was not intended as such, nor do I agree with him that the essay's context obviates this reading.

^{8.} Much of the history of NAISA—which was founded in 2008 and now has well over one thousand members including names and terms of officers and the text of the boycott resolution, is available on the association's website (http://www.naisa.org.) The resolution is available at <u>http://www.naisa.org/declaration-of-support-for-</u> <u>the-boycott-of-israeli-academic-institutions.html?highlight=YToxOntpOjA7czo5OiJwYWxlc3RpbmUiO30%3D,</u> accessed July 9, 2015.

⁹ See Nelson's online response to volume 4 of this journal:

http://www.aaup.org/sites/default/files/files/JAF/2013%20JAF/Responses/Response-Nelson.pdf.

¹⁰ Settler colonial studies is related to, though not the same as, Indigenous studies. It traces its formation to approximately the year 2000. See Lorenzo Veracini, "Settler Colonialism': Career of a Concept." *Journal of Imperial and Commonwealth History* 41 (no. 2, 2013): 313-333. In 2010, Veracini established a scholarly journal for the field, *Settler Colonial Studies*. Examples of articles on Israel-Palestine in the journal include Patrick Wolfe, "Purchase by Other Means: The Palestine Nakba and Zionism's Conquest of Economics," 2:1 (2012), 133–171; Ilan Pappe, "Collaboration in Struggle in Palestine: the Search for a Thirdspace," 4:4 (2014), 396–406; and David Lloyd, "Settler Colonialism and the State of Exception: The Example of Palestine/Israel," 2:1(2012), 59–80. One example of work in settler colonial studies that takes up the comparative field Nelson argues against is Mike Krebs & Dana M. Olwan, 'From Jerusalem to the Grand River, Our Struggles are One': Challenging Canadian and Israeli Settler Colonialism, *Settler Colonial Studies* 2:2 (2012), 138–164

Arab Bedouins also live under Israeli occupation, a fact often left out of discussions like this one. See Mansour Nasasra, "The Ongoing Judaisation of the Naqab and the Struggle for Recognising the Indigenous Rights of the Arab Bedouin People," *Settler Colonial Studies* 2:1(2012), 81-107.

¹¹ David Lloyd, "Cary Nelson: The Lackey of Power," Jadaliyya August 11, 2014

(<u>http://www.jadaliyya.com/pages/index/18866/cary-nelson_the-lackey-of-power</u>). Subsequent quotations from Lloyd are from this same article.

¹² Lloyd's quote matches some of what the news site *Inside Higher Ed* quotes Nelson as saying in its story on Illinois's action against Salaita on August 6, 2014 ("Out of a Job,"

https://www.insidehighered.com/news/2014/08/06/u-illinois-apparently-revokes-job-offer-controversial-scholar). ¹³ This comment from Nelson appears in an online response to volume 4 of this journal. See http://www.aaup.org/sites/default/files/files/JAF/2013%20JAF/Responses/Response-Nelson.pdf. Accessed

September 8, 2015.

¹⁴ In a recent essay in *Inside Higher Ed*, Nelson writes of administrative scrutiny of AIS, "Perhaps there was an understandable inclination not to challenge the American Indian Studies Program." See Cary Nelson, "Lessons of the Salaita Affair," *Inside Higher Ed*, July 31, 2015. The free pass I allegedly took advantage of in recommending Salaita's appointment was not available when I asked *Inside Higher Ed* to publish a response to Nelson's disparagement of my colleagues and me. *IHE* editor Scott Jaschik told me by email that "We have just run too many pieces on Salaita" (email correspondence, September 6, 2015).

^{15.} I have corroborated events in this paragraph via e-mail correspondence with Curtis Perry, former head of the Department of English, University of Illinois at Urbana-Champaign, July 6, 2015.

^{16.} I was present at the first faculty meeting in English in which my colleagues and I discussed these issues, and the department's current head, Michael Rothberg, asked me to speak and answer questions. I was not at the later meeting for the formal vote, but it was reported to me, and I have verified it via e-mail correspondence with Michael Rothberg, July 6, 2015.