

# Faculty Welfare Committee/AAUP

## Excellence in Education



### **From the FWC/AAUP President:**

Welcome to a February edition of the FWC/AAUP Newsletter. As you are buried in papers and meetings, we hope this issue provides you with some interesting information and connects you to the larger world of the AAUP and higher education. We have a lot of news to report - on page 2 are recent events and on page 3 upcoming events. The issue of banning foreign scholars based on “ideological exclusion” has been a major issue for the AAUP for a number of years now. On pages 4 and 5, we report some good news on this front. As dues-paying AAUP members, we can all take pride and feel a tiny bit responsible for this good news. Enjoy the newsletter and we look forward to seeing you at FWC events in the next few months!

Kathryn Nantz

Faculty Welfare Committee/AAUP President

### **An update on FWC/AAUP membership.**

The Faculty Welfare Committee/AAUP is a committee of the General Faculty and an affiliate of the National American Association of University Professors. Our mission is to promote the professional and economic interests of the faculty, which include academic freedom and tenure, the economic status of the faculty, and faculty governance. We provide support to standing committees and to the faculty governance structure following the policies and standards recommended by the National AAUP wherever possible and appropriate. In short, the FWC/AAUP *promotes faculty welfare, broadly defined*. All of our activities are open to all members of the General Faculty, but we are funded entirely by our dues-paying members.

The news from Membership Director, Betsy Bowen, and FWC/AAUP Treasurer, Rick DeWitt, is that we have the highest number of members we have had in years. Of the approximately 240 Fairfield faculty members eligible for membership, 163 are dues-paying members (68%), up from 161 at our last membership report. Our membership consists of 70% of eligible tenured faculty and 63% of eligible untenured faculty. If you are interested in joining, please contact Membership Director Betsy Bowen. If you have any questions at all about the FWC/AAUP, contact any member of the Executive Committee, whose membership is listed on page 6.

### **IN THIS ISSUE:**

Page 1

✓ From the FWC/AAUP President

✓ Membership Update

Page 2

✓ FWC/AAUP Recent Events

Page 3

✓ FWC/AAUP Upcoming Events

Page 4-5

✓ AAUP Fighting Ideological Exclusions:  
Some Good News

Page 6

✓ From the Archives

# FWC/AAUP and AAUP RECENT NEWS AND EVENTS

## **AAUP Hosts a Governance Workshop and CBC Regional Meeting in New Haven**

On January 16, the AAUP's Collective Bargaining Congress held a regional meeting in New Haven which was preceded by a workshop, organized by National AAUP's Committee on College and University Governance (Committee T). The half-day workshop included a discussion on the implications of recent court decisions on faculty speech by Larry Gerber, Chair of Committee T, a review of the Supreme Court's "Yeshiva Decision" which inhibits faculty at private institutions from unionizing by Pat Shaw, AAUP National Staff, and a panel on "Unions and Faculty Governance: Problems and Possibilities" featuring Louis Kirshenbaum, VP of URI AAUP, Dave Witt, Akron University and CBC Vice Chair, Lenore Beaky, CUNY LaGuardia Community College and Committee T, and Irene Mulvey, President, CT State Conference, and Committee T. The afternoon session consisted of each of the nearly 60 attendees discussing what's going on at their institution. This was, as you might imagine, enlightening!



## **Fairfield's FWC/AAUP Offers Assistance to a Fledgling Chapter**

Faculty members at Franklin University in Ohio were put in touch with FWC chapter leaders by members of National AAUP so that we could assist them and answer questions about forming an advocacy chapter and dealing with governance issues on their campus. Prof. Rick DeWitt took the lead on this project and met with Prof. Suzan Waller at Franklin in Ohio over the semester break. Rick and Prof. Waller continue to be in touch with each other and with the Executive Director of the Ohio State Conference, who remembers "Team Fairfield" fondly from our presentation at their state conference meeting last April. As always, National AAUP is very grateful for our expertise and that we are willing to offer assistance when called upon.



## **AAUP Launches a New Online Journal on Shared Governance**

The inaugural issue of the Journal of Academic Freedom, an online journal published by the AAUP, was launched in January. The journal is intended for scholarly articles related to academic freedom and its relation to shared governance,

tenure, and collective bargaining. The inaugural issue contained a diverse collection of nine essays including an analysis of the Ward Churchill case, an analysis of a case from the Cold War era, a review of the history of the relationship between academic freedom and shared governance, and more. Find it all online at [www.academicfreedomjournal.org](http://www.academicfreedomjournal.org)



## **Two Fairfield Faculty Members Attend ASC New Leaders Workshop**

Prof. Rona Preli and Prof. Irene Mulvey were selected to attend the AAUP's New Leadership Training in DC, on February 26-27, 2010. The program is an intense two-day workshop organized by the Assembly of State Conferences (ASC) for only 20 faculty members and all expenses are paid by the ASC. Prof. Preli, chair of the Academic Council and a member of the Faculty Salary Committee, attended sessions designed for chapter leaders. Prof. Mulvey, in her first year as President of the CT State Conference, attended sessions designed for new state conference leaders.



# FWC/AAUP and AAUP UPCOMING NEWS AND EVENTS

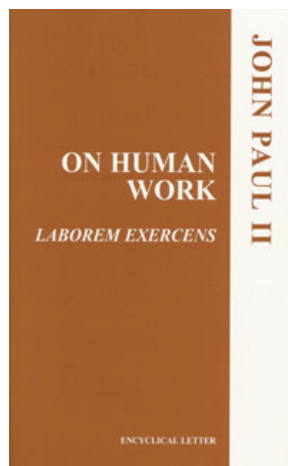
## Brown Bag Lunch Discussion

The Academic Council recently created a subcommittee to draft Guiding Principles for a Phased Retirement Plan. We are in the process of organizing a Brown Bag Lunch Discussion in March in order to help the faculty provide input to the committee. Watch your email for more information.



## And More Brown Bag Lunch Discussions

We are planning two additional Brown Bag Lunch discussions in addition to the one described above. The ever-popular “How to choose an appropriate *Handbook* Committee” will be re-run sometime after the call for nominations for *Handbook* Committees. Also, on April 27, we are planning a Brown Bag Lunch discussion on the Yeshiva Decision and Catholic social teaching on collective bargaining. Watch your email for more details or contact any member of the FWC Executive Committee.



## Faculty Welfare Committee/AAUP Elections of Executive Committee

According to our FWC/AAUP constitution (online at the FWC website, see footer), we elect our Executive Committee (four officers and four at-large members) this spring for two year terms. If interested in serving or finding out more, check out the Constitution for job descriptions or contact any member of the current Executive Committee. (The membership is listed on page 6.) More information will follow.



## Softball Game and Family Picnic Planned for Spring

Save the date: Tuesday, May 18. The FWC picnic is the only event for all faculty and faculty families and friends to gather and socialize. If interested in pitching in, so to speak, contact a member of the Executive Committee. No steroids, *please*.



## CT State Conference Annual Spring Meeting

Save the Date: Thursday, May 6 at the Graduate Club in New Haven. Social hour followed by dinner. The theme is “Kitchen Table Issues in the Ivory Tower.” Lots more details in our next edition.

## AAUP Annual Conference on the State of Higher Education

June 9-12 at the Omni Shoreham Hotel in DC. Details at [www.aaup.org](http://www.aaup.org)



We are very gratified that our government has lifted the ban on Tariq Ramadan, restoring the First Amendment rights of our members, and all Americans, to engage with a key figure in the international dialogue about democratic and religious values in an interconnected, interdependent world.

*Kwame Anthony Appiah*  
President

**PEN American Center**

## **AAUP Fighting Ideological Exclusions: Some Good News**

As you know, Fairfield's AAUP chapter, the Faculty Welfare Committee/AAUP is an affiliate of the National American Association of University Professors. In fact, a large portion of the FWC/AAUP dues that each member pays goes to the National office for your national AAUP membership which supports the organization and the very important work it is involved in regarding all aspects of American higher education. One project, which has been ongoing for at least seven years and had its origins in the USA Patriot Act recently yielded some very good news. In this article, we will discuss this work fighting ideological exclusion of foreign scholars and the AAUP'S role in this work. We will restrict our attention to the cases of Professor Tariq Ramadan and Professor Adam Habib since the exclusion of these two scholars was effectively ended by orders signed by Secretary of State Hillary Rodham Clinton in January 2010.

The USA Patriot Act was signed into law by President Bush on October 26, 2001, following the terrorist attacks of September 11. It contains a provision that applies to aliens who have used a "position of prominence within any country to endorse or espouse terrorist activity." The practice of so-called "ideological exclusion" had been used in the past to exclude suspected communists, but was revived by the Patriot Act and applied to foreign scholars, artists, politicians and others. The language in the statute allowed the administration to exclude individuals on vague ideological grounds and without justification.

### **Tariq Ramadan**

Tariq Ramadan, a Swiss national and a highly respected Islamic Studies scholar, is currently a Visiting Fellow at the University of Oxford. He has visited the US often to attend conferences and lecture. In January 2004, Ramadan accepted a tenured position as the Henry R. Luce Professor of Religion, Conflict and Peacebuilding at the University of Notre Dame's Kroc Institute for International Peace Studies. A few weeks before the beginning of the appointment, as he prepared to move his family from Switzerland to Indiana, the US government revoked Ramadan's visa with no explanation provided to either Ramadan or Notre Dame. Subsequently, to the press, the ideological exclusion provision of the Patriot Act was invoked. Professor Ramadan said that although he had condemned the war in Iraq and "US unilateralism," "[n]othing in my intellectual work could be construed as supporting terrorism." Prof. Ramadan addressed the annual meeting of the AAUP in 2005 via prerecorded video and answered questions by phone from Cologne, Germany.

### **Adam Habib**

Adam Habib is a South African political analyst and Deputy Vice Chancellor at the University of Johannesburg. He visited the US numerous times and holds a Ph.D. from CUNY. In October 2006, he flew into JFK airport, scheduled for addresses and meetings at Columbia University, the National Institutes for Health, and the Social Science Research Council. Upon arriving at JFK, he was intercepted, detained, and his visa was revoked without explanation, denying him entry into the US. In an unusual move, subsequently the visas of Habib's wife and two young children were also revoked. In his career, Prof. Habib had repeatedly condemned terrorism and urged governments to respond to terrorist threats with policies consistent with human rights and the rule of law. Prof. Habib addressed the AAUP's annual meeting in June 2008 via audio; his address was on threats to academic freedom in South Africa.

All the information in this article is from articles on Prof. Habib, Prof. Ramadan, and ideological exclusion on either the AAUP website or the ACLU website.



### Litigation

In September 2007, the AAUP joined the American Civil Liberties Union (ACLU) in filing suit on behalf of the AAUP, the American Sociological Association, the American-Arab Anti-Discrimination Committee, the Boston Coalition for Palestinian Rights against the Department of State and Homeland Security for blocking Habib from entering the US. In January 2006, the AAUP joined with the American Academy of Religion and PEN American Center in a lawsuit filed by the ACLU contesting the exclusion of Professor Ramadan.

Without going into a detailed timeline of the litigation, both suits challenged the constitutionality of the provision of the Patriot Act which had been used to bar foreign scholars. The lawsuits contended that censorship at the border, without a legitimate and bona fide explanation, prevents US citizens and residents from hearing speech that is protected by the First Amendment. In short, the AAUP's role continued its historic and ongoing defense of academic freedom.

In the Ramadan case, the government shifted from its original explanation of why he had been excluded and instead claimed he had donated to terrorist organizations. The donations had been made to registered charities in France and disclosed by Ramadan to the US government, and the organizations were deemed terrorist organizations by the US in 2003, after Ramadan's final donation. In December 2007, a district court granted summary judgment to the government. In April 2008, the AAUP and other plaintiffs, through the ACLU, filed an appeal. In the Habib case, a judicial opinion paved the way for both sides to continue toward trial - dismissing the government's motion for a summary judgment, rejecting the government's argument that where no reason is given for a visa denial, no judicial review is permitted, calling the incentive given to the government in this case "perverse."

### The Good News.

On January 21, 2010, Secretary of State Hillary Rodham Clinton signed orders to end the exclusion of Professor Habib and Professor Ramadan. It is anticipated that the State Department will grant both scholars visas expeditiously. AAUP President Cary Nelson welcomed the decision and hoped that "such ideological exclusions are now entirely in our past, that our freedom of association and intellectual exchange will never again be compromised." On behalf of his family, Professor Habib called the decision "not only a personal victory but also a victory for democracy around the world, and we hope this signals a move by the administration to begin restoring the liberties and freedoms that have been so badly eroded in recent times."

From: Habib, Adam  
Sent: Thursday, January 21, 2010 3:19 PM  
To: Rachel Levinson  
Subject: FW: Appreciation

Dear Rachel

I meant to send you this email yesterday, but I could not track down your address. I only managed to get it from Melissa this evening so please excuse this delayed note of appreciation. The decision by the US State department to settle the case of my deportation and visa denial by no longer applying the rationale for my exclusion would not have been possible had it not been for the principled stand taken by the American Civil Liberties Union, the American Sociological Association, American Association of University Professors, the American-Arab Anti-Discrimination Committee, and the Boston Coalition of Palestinian Rights. Your organisations's commitment to the principles of academic freedom and the free exchange of ideas represent not only the more progressive face of the US and global acadamy, but it also provides hope in a world where civil liberties and tolerance has been eroded, and democracy is imperilled. Please communicate to your President and executive my appreciation for the stand your organisation took with regards to my exclusion.

If I can reciprocate your action or if I can assist your organisation in any way in the future, please do not hesitate to call on me.

Best  
Adam  
  
Adam Habib  
Deputy Vice-Chancellor  
Research, Innovation & Advancement  
University of Johannesburg, Kingsway Campus

This email was sent from Professor Habib to Rachel Levinson, Senior Counsel in the Legal Department at National AAUP, on 1/21/2010, and is reprinted here with permission of the author.

**FROM THE ARCHIVES:**  
Snippets unearthed by the Secretary of the General Faculty...

The Mission of the  
AAUP:

*to advance academic  
freedom and shared  
governance, to define  
fundamental professional  
values and standards for  
higher education, and to  
ensure higher education's  
contribution to the  
common good.*

The following motion was passed by the Academic Council in 1993:

**Motion.** The Academic Council directs the Committee on Conference [with the Board of Trustees] to remind the Board of Trustees of the University's obligation to provide parking stickers and parking places for the faculty as stated in Section III.2 of the *Faculty Handbook*. The Council further affirms the interpretation in all of Section III that "provides" implies without charge to the faculty and the University may not charge the faculty for use of office space, parking, mail boxes, tickets to University sponsored events, use of the Faculty Dining Room, academic gowns, or interlibrary loan.

Faculty Welfare Committee/AAUP Executive Committee: Kathy Nantz (President), Joe Dennin (Vice-President), Bill Abbott (Secretary), Rick DeWitt (Treasurer), at-large members Bob Epstein, Marcie Patton, Cheryl Tromley, Kate Wheeler. Newsletter Editor: Irene Mulvey. Membership Director: Betsy Bowen.

**Faculty Welfare Committee/AAUP**

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