

Brandeis professor says his right to free speech violated

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Students took offense to his use of word in class

By Stephanie V. Siek, Globe Staff | January 25, 2008

A professor at Brandeis University says his rights to free speech and due process were violated after he was disciplined for using the word "wetback" during a political science class.

The professor, Donald Hindley, has said he was simply describing the use of the word while teaching his Latin American politics course last fall.

But the university has said that students in the class who lodged a complaint heard him use the word in a way that was offensive.

The Foundation for Individual Rights in Education, a Philadelphia-based nonprofit that advocates for free speech on college campuses, has been publicizing Hindley's case.

In a news release issued this week, it maintained that Hindley was subjected to an investigation by school officials before he was even told about the nature of the complaint.

On Oct. 30, a letter from Brandeis's director of employment, Jesse Simone, informed Hindley that he had made statements "that were inappropriate, racial, and discriminatory."

A monitor was then assigned to watch Hindley's classes, and he was ordered to attend antidiscrimination training, which he refused.

"One thing we're confident of is that he did not use this word, 'wetback,' in his own voice, as if he was using the word," said Hindley's attorney, Andrew Good. "He was talking about the fact that people did and still do" use the word in a pejorative sense.

Good said that he and Hindley repeatedly asked the university administration for written documentation of what Hindley was accused of saying that day.

Good said he and the university had reached an agreement in which that information would be given to them by mid-January.

Instead, Hindley received a letter on Jan. 7 from Provost Marty Krauss stating that "the university now considers this matter closed." Good said he's unsure of exactly what that means.

"I take it to mean they don't want to talk about it anymore," said Good. Hindley has been teaching his classes, unmonitored, since the new semester began.

A university spokesman did not immediately return messages from the Globe seeking comment.

But Brandeis spokesman Dennis Nealon told the Associated Press yesterday: "The university feels that this is a personnel and private matter, and above all else the university is obligated to protect the confidentiality of the individuals involved in this case."

In a statement released by his lawyer, Hindley said he had been unfairly denied the chance to appeal the charge against him.

"A university worthy of the name Brandeis would never act in this manner," Hindley wrote.

Brandeis University is named for former US Supreme Court Justice Louis Brandeis, who was famed for his defense of free speech.

Material from the Associated Press was used in this story. Stephanie V. Siek can be reached via e-mail at ssiek@globe.com. ■

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