

Shhh! Free speech crackdown on campus

By Margery Eagan | Sunday, January 27, 2008 | <http://www.bostonherald.com> | Columnists

This is scary stuff.

Yet it's been tolerated on college campuses for years.

Suppose it moved from campus to your office, your company?
Suppose it threatened your job?

Here's the plot. Brandeis University, named after Supreme Court Justice Louis Brandeis (a famous champion of free speech), just insisted on sensitivity training and threatened to fire a professor after one student - maybe two or three - complained about the professor's speech. In a Latin American politics class, professor Donald Hindley, 74, who's taught at Brandeis for nearly 50 years, used a word he's used many times - "wetback" - to explain the nastiness aimed at Mexican immigrants who entered the United States over the Rio Grande.

The student(s) complained. Anonymously.

The administration launched an investigation into his "discriminatory" remarks, never telling Hindley what those remarks were. In one statement provost Mary Kraus praised the "courage" of the anonymous student(s) "to speak up against discrimination." She also said three students suffered "significant emotional trauma" as a result of hearing the remarks.

(Quick questions: What sort of person suffers "significant emotional trauma" after hearing the word "wetback" used in a historical context? What sort of college administration wants to validate such an overreaction instead of advising a student who claims it to seek psychotherapy? And why should anyone's career be ruined based on an anonymous complaint from a person(s) who won't come out of the shadows?)

But I digress.

Luckily for professor Hindley, he is 74, not 34. Otherwise, it's fair to say this anonymous accusation would likely, on today's sensitivity-crazed college campus, have ended his academic career. Luckily he was able to get help from F.I.R.E., an organization that defends individual rights in higher education (co-founded by Boston lawyer Harvey Silverglate). F.I.R.E.'s Web site documents all the nutty and illegal free-speech restrictions at colleges around America, making them sound instead like colleges in old Soviet Russia. Luckily Hindley hired lawyer Andy Good, but at his own expense.

"He gave me the academic rate," Hindley said yesterday in an interview from his Wayland home. And luckily Brandeis University, no doubt mortified by ridicule surrounding this case, has backed down. Still, this has been difficult and scary to Hindley as well.

"When the university sent me two letters out of the blue saying I am guilty of racial harassment and discrimination, and this is your sentence, up to and including termination, well, this has not been easy," said Hindley. "Basically, I see it as intolerance by the administration for people who speak out on matters they strongly disapprove of."

In fact, Hindley believes the "wetback" incident was but a "pretext" to punish him for years of outspoken free speech in other areas: criticizing the college administration, certain department heads and ideology, including the Israeli government's treatment of Palestinians, which he characterized yesterday as "disgusting."

Brandeis, as you may know, has been in the news before for moving eagerly to shut down free expression it does not like. The university, for example, closed down an art exhibit by Palestinian children and tried to put conditions on speech given there by former President Jimmy Carter, who, like Hindley, has criticized Israel and described Israeli treatment of Palestinians as "apartheid."

Louis Brandeis, says Harvey Silverglate, "Must be turning over in his grave. This is the worst I've seen." But as F.I.R.E. documents, guillotine-style sanctions for using so-called racial and ethnic and sexist words - even when meant, however insensitively, as poor jokes or bad parody or used in historical context, as at Brandeis - has become the university norm.

It's also become a backdoor way to oust a troublesome teacher, or student, whose politics somebody higher up doesn't like.

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