

University of Illinois Official Who Fired Palestinian Professor Steven Salaita Admits to Destroying Evidence

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Global Research, August 12, 2015

[Electronic Intifada](#) 10 August 2015

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Philanthropist Lester Crown, left, presents the Simon Wiesenthal Center's "Spirit of Courage" award to former Univ. of Illinois trustee Christopher Kennedy for overseeing the firing of Steven Salaita, 11 June, in Chicago. Simon Wiesenthal Center

More than 1,000 pages of newly released emails expose unethical and possibly illegal behavior by campus officials regarding the University of Illinois' decision to fire [Steven Salaita](#) after he made tweets critical of Israel's assault on Gaza last summer.

The emails show that top officials colluded to conceal information and one administrator even destroyed what might be key evidence.

But just as stunning are the developments leading up to the university's release of the emails.

On Thursday, 6 August, a federal judge [cleared the way](#) for Salaita's [lawsuit](#) to proceed against university administrators and trustees for breach of contract and violation of his First Amendment free speech rights.

Salaita alleges that the officials fired him to appease, among others, pro-Israel donors.

The judge's ruling all but demolished the university's key arguments that it did not have a valid and binding contract with Salaita. But the judge did not allow the claims against as yet unnamed donors to proceed.

The very same day as the court ruling came the surprise resignation of Chancellor [Phyllis Wise](#), the top official at the [University of Illinois at Urbana-Champaign](#) (UIUC) campus where Salaita had been due to teach.

[Explaining](#) her departure, Wise, whose \$594,000 annual salary makes her one of the highest paid public officials in Illinois, alluded only to "external issues [that] have arisen over the past year that have distracted us from the important tasks at hand."

But by Friday, it was clear that Wise - notwithstanding a \$400,000 golden parachute and a faculty position with a \$300,000 salary - was leaving the chancellor's office under a gathering cloud.

Cover-up culture

“The University of Illinois became aware in late April that certain members of the Urbana-Champaign campus administration and other campus employees might have used personal email accounts for university-related communications, and that those emails may not have been made available to those at the university responsible for responding to Freedom of Information Act (FOIA) requests,” a [university statement revealed](#).

Under university policy all records related to university business are subject to FOIA regardless of whether they were sent or received on an official or personal account.

“Emails from certain personal email accounts that were responsive to 10 FOIAs from eight requestors previously submitted to the university were not produced to the university’s FOIA team for review and potential production. These FOIA requests sought information related to James Kilgore, Steven Salaita, and the proposed Carle Illinois College of Medicine,” the university added.

(Kilgore is an adjunct faculty member who served prison time for a second-degree murder conviction related to his involvement in the radical Symbionese Liberation Army in the 1970s. His contract was not renewed in 2014 after a media storm over his past crimes. After setting up a review committee, the university relented and has [allowed Kilgore to remain eligible to teach classes](#).)

The university said it had launched an internal “ethics inquiry” into the email practices it disclosed.

Deleting emails

[The Electronic Intifada](#) and others, including [Urbana attorney Andrew Scheinman](#), have previously alleged that there was a deliberate cover-up over the Salaita matter, including possible destruction, or “spoilation,” of evidence. But rarely does one find such clear support for such suspicions as in this case.

The emails [released by the university Friday](#) – 294 pages related to Salaita, 773 pages related to the College of Medicine, and 33 pages on Kilgore – make it amply clear that evading public disclosure laws and concealing information that may be relevant to Salaita’s litigation was a key motive for Chancellor Wise.



University of Illinois at Urbana-Champaign Chancellor Phyllis Wise (Ronald Woan/Flickr)

In an 18 September 2014 email related to Salaita, for instance, Wise wrote from her private account that university spokesperson Robin Kaler “has warned me and others not to use email since we are now in litigation phase. We are doing virtually nothing over our Illinois email addresses. I am even being careful with this email address and deleting after sending.”

Wise’s admission that she selected emails [could have damaging consequences for the university’s position in court.](#)

There are several instances of Wise herself coaching others on how to act in ways that she – falsely – believed would stop communications becoming public.

In an 18 March 2014 email related to the College of Medicine (COM) project, for instance, Wise instructed Kaler to tell a subordinate to print out a certain email and “hand carry it to all of the people” in a list she provided.

The exchange makes clear that Wise believed that this would put the hard-copy documents out of reach of FOIA. Though Wise was mistaken in this, it would have made the documents easier for the recipients to destroy without trace were they inclined to do so.

In the same exchange, Wise asked Kaler if using an electronic dropbox to leave documents for others to see would help evade scrutiny. “Do you think that box is secure?” Wise asked. “Can it be FOled?”

Kaler responded that the dropbox “doesn’t protect documents from FOIA, but it does reduce the number of electronic copies floating around campus.”

“Un-FOIAble”

In a 10 July 2014 email, Wise admonished an external consultant for sending an email that suggested that two university officials – Vice President Christophe Pierre and then President Robert Easter – were supportive of her controversial plan for a college of medicine, saying its disclosure would put Pierre in a “compromised” position.

“You may not be used to the ‘FOIA-everything’ atmosphere that we are working in at Illinois,” Wise wrote. “I would really recommend that you ‘recall’ your email. I believe that makes it un-FOIAble.”

In a later email to another colleague, Wise confirmed that the consultant had destroyed the email as she had asked him to do.

There appears to be no reference in the emails to the famous “two-pager” memo on Salaita handed to Wise by a major donor days before she sent Salaita a letter informing him that his job no longer existed.

The Electronic Intifada made [extensive efforts to try to retrieve the memo](#) under the Freedom of Information Act. Wise and the university could not explain what happened to it.

Salaita alleges in his lawsuit that Wise destroyed the two-pager. The federal judge threw out that part of his complaint, so it may never be known what really happened to it.

Salaita, it should be recalled, [also had to sue the university](#) – successfully – to release thousands of other pages of emails about his case that it had attempted to keep from public view.

But Wise has now admitted in writing that she deleted emails – in effect destroying evidence – not just because of FOIA but because she expected litigation by Salaita.

“Something changed”

The emails confirm that up until the morning of 24 July 2014, Wise and her campus colleagues were preparing for Salaita to take up his tenured position in the American Indian Studies program a few weeks later and there was no talk of firing him.

Their plan amounted to giving him a stern lecture about his tweets when he arrived on campus.

But after a closed meeting of the board of trustees on 24 July, Wise seemed to have her marching orders. The board would be “considering carefully whether to approve” Salaita’s appointment at its subsequent meeting in September, she wrote to colleagues, adding, “Definitely not a given.”

[Anand Swaminathan](#), one of Salaita’s lawyers, [told *The News-Gazette*](#) that the emails indicate that “something changed” around the time of the 24 July board meeting.

“We think these documents in some ways raise more questions than they answer,” Swaminathan added. “It’s very clear that the university administration understood all the way through, at least through 24 July, that they had obligations and commitments to Professor Salaita. Something changed in their attitude since then.”

It is known that Salaita's tweets – almost certainly as selected and spun by hostile, pro-Israel websites – were discussed at that board meeting.

But even after 24 July, Wise appeared to know that she was about to take part in something potentially disastrous.

On 31 July, the day before she sent her letter to Salaita informing him that his job had been rescinded, Wise wrote, in an apparent reference to a redacted draft university lawyers had sent her: "It will be the beginning of a lawsuit, I am sure I will be deposed no matter who sends the letter."

"You may need to get ready as well," she advised her correspondent, Provost Ilesanmi Adesida.

"We did the right thing"

In a 14 December 2014 email to Adesida, Wise complained that a [critical report](#) on the firing of Salaita by the faculty senate's Committee on Academic Freedom on Tenure blamed her for the decision.

"What angers me about this report is that they believe that I made the decision and that the [board of trustees] followed my recommendation," she wrote. "That is just plain not true. I have been carrying the water since [public relations consultants] Edelman said that we have to stay as one voice. I don't think I can do that any longer."

The implication is that she was pushed to do it by, among others, board chair [Christopher Kennedy](#).

Kennedy, who had pushed for the removal of Kilgore, also became an outspoken critic of Salaita.

Yet in other exchanges, Wise is ready to own the decision to fire Salaita. In a 6 August email to Nick Burbules, a faculty member who was one of the chancellor's closest advisors, Wise wrote: "we did the right thing, though I know I am in for a lot of criticism and a lawsuit."

Wiesenthal award

In June, Kennedy, the son of the late Senator Robert F. Kennedy, [accepted](#) the "Spirit of Courage" award from the [Simon Wiesenthal Center](#).

The pro-Israel organization had sent a 28 July 2014 letter to Univ. of Illinois President Robert Easter urging that Salaita's appointment be rescinded. (The letter, made public as part of an earlier FOIA release by Andrew Scheinman, is below.)

The Wiesenthal Center, which actively supports efforts to suppress and censor Palestinian rights activism and speech, presented Kennedy with the award in recognition of the fact that he "led the board in their denial of final approval of the academic position offered to Steven Salaita, a professor who posted controversial and anti-Semitic rants on social media about Israel and her supporters."

“Bullying and blackmail”

What is completely absent from the Salaita emails – during the entire period they cover from July 2014 to May 2015 – is any reflection by university officials on whether this kind of characterization of Salaita by his strident critics was fair, accurate or complete.

Not once did they ask seriously why so many people, including thousands of academics inside and outside the university, and major bodies like the [American Association of University Professors](#) (AAUP), saw the matter so [differently](#).

Instead, a siege mentality, where all critics were, at best, misinformed and, at worst, enemies, took over.

Amid mounting campus and national protests, Burbules advised Wise on 13 August 2014: “You can’t say this, but you can’t give in to bullying and blackmail. Bringing this guy [Salaita] in now, and empowering the groups who will feel that they forced you into reversing the decision, would only guarantee year after year of further problems along these lines.”

Burbules was particularly concerned that reversing course would empower the Campus Faculty Association, potentially boosting faculty unionization drives he – and the chancellor – strongly opposed.

“Externally, the petitions and boycotts are clearly driven by people who are getting the *Readers Digest* version of this story (young Palestinian scholar fired by U of I because of his position on Israel),” Burbules wrote. “Some consciously promote that distortion – others are just lazy and easily swayed by soundbites.”

Total acceptance of shallow accusations was coupled with a grim determination to pursue a course that has only led the university from one disaster to the next.

Costly mess

[At the AAUP’s *Academe* blog](#), John K. Wilson argues that when all the emails on Salaita, Kilgore and the College of Medicine are taken in together, “a startling picture emerges that these three cases are actually intertwined. You can’t understand what happened to Salaita without seeing the other two events.”

Having read all the emails, I concur and will offer some additional observations in another post.

Chancellor Wise’s resignation comes just weeks after Tim Killeen arrived from the State University of New York to take over as the new president of the University of Illinois.

This means that almost all the top figures implicated in the Salaita firing – Wise, former president [Robert Easter](#) and board of trustees chair Christopher Kennedy whose term ended – have left the scene.

The timing of Wise’s less than voluntary departure and the disclosures regarding the hidden emails give rise to the question of how far the new president wants to go to keep defending someone else’s costly mess.

Whether these extraordinary turns means the university will be more willing to restore Salaita's rights and reverse its attack on free speech without a protracted court battle remains to be seen.

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