

August 14, 2002

## **THE REGENTS OF THE UNIVERSITY OF CALIFORNIA**

At our July meeting, I indicated that faculty at the Berkeley campus were continuing to explore the issues surrounding the course description for the English R1A section, "The Politics and Poetics of Palestinian Resistance." I promised to provide a status report at a later date, and I am writing now to do so.

English R1A is a regularly offered course at UC Berkeley designed to provide undergraduates with enhanced skills in reading and writing. Approximately 60 sections of the course are offered, each of them designed and taught by a graduate student instructor. Students have the option of choosing from any one of these sections. There is an upper limit of 17 students per section to ensure maximum attention for each of the students, and "The Politics and Poetics of Palestinian Resistance" section is fully enrolled for the Fall 2002 semester.

The current description of the section, which is posted on the Web site of the UC Berkeley English Department, reads as follows:

This is a course on Palestinian resistance poetry. It takes as its point of departure the Palestinian literature that has developed since the creation of the state of Israel in 1948, which has displaced, maimed, and killed many Palestinian people. The Israeli military occupation of historic Palestine has caused unspeakable suffering. Since the occupation, Palestinians have been fighting for their right to exist. And yet, from under the weight of this occupation, Palestinians have produced their own culture and poetry of resistance. This class will examine the history of the Palestinian resistance and the way that it is narrated by Palestinians. The instructor takes as his starting point the right of Palestinians to fight for their own self-determination. Discussions about the literature will focus on several intersecting themes: how are Palestinian artists able to imagine art under the occupation; what consequences does resistance have on the character of the art that is produced (i.e. why are there so few Palestinian epics and plays and comedies); can one represent the Israeli occupation in art; what is the difference between political art and propaganda and how do the debates about those terms inflect the production of literature; how do poems represent the desire to escape and the longing for home simultaneously (alternatively, how do poems represent the nation without a state); what consequence do political debates have on formal innovations and their reproduction; and what are the obligations of artists in representing the occupation. This 1A course offers students frequent practice in a variety of forms of discourse leading toward exposition and argumentation in common standard English. The course aims at continuing to develop the students' practical fluency with sentence, paragraph and thesis-development skills but with increasingly complex applications. Students will be assigned a number of short essays (2-4 written pages) and several revisions.

Regents, faculty members, and members of the public have raised concerns about this course section description over the last several months. These individuals have condemned the course description because it appears to adopt a politically controversial position that rebukes Israel in a one-sided way. I have received many letters on this subject, some anguished, many hostile. Some ask that the Berkeley campus cancel the course; others ask that the course description be edited to remove its harsh political rhetoric; still others urge that the description be amended to provide a balanced political perspective.

Several changes have been made to the original course section description. The statement, "Conservative thinkers are encouraged to seek other sections" has no place in a University course description and was removed from the description very early in this sequence of events. Subsequently, the graduate student instructor further amended the course description to clarify the scope of the course and the methodology for achieving the instructional purposes of the course—that is, the ways in which the course would teach reading and writing skills.

These changes have not assuaged most of the course description's critics. I, too, have been angered and disappointed by the course description. I regard aspects of the description as inflammatory and in no way necessary to describe the course or to convey the perspective from which it will be taught. I also am concerned by the suggestion, particularly in the earlier version, that students were not welcome in the course if they had viewpoints differing from that of the instructor. On balance, were I a faculty member of the committee deliberating on this particular matter, I would not have voted to support the current course description.

However, my obligation as president of the University of California is not to impose my own perspective on faculty and students. My obligation is to safeguard the educational mission of the University by upholding the principles of shared governance. My authority in this matter is prescribed by Standing Order 105.2 of The Regents, which delegates directly from The Regents to the Academic Senate the responsibility to "authorize and supervise all courses and curricula" offered at the University of California. The Senate has assigned this responsibility to its campus divisions and, in practice, responsibility for course descriptions is exercised by the faculty's Committees on Courses operating at each campus. The Regents have decided that the assessment of teaching is a question of professional judgment, and for that reason they have vested in the expertise of the faculty the responsibility for supervision of courses and course descriptions.

The Berkeley Academic Senate, acting first through its Committee on Courses and subsequently through its Divisional Council, has reviewed the course section description for "The Politics and Poetics of Palestinian Resistance." The Senate has determined, after substantial discussion, that the course description meets the faculty's pedagogical standards. Under Standing Order 105.2, which reflects basic

principles of shared governance, the administration cannot overrule this determination.

Like all of you, I am distressed by the hostility and recrimination that this matter has brought to the University. I wish it were otherwise. However, by upholding the right of the Berkeley faculty to approve this course description, we defend commitments that lie at the very heart of the University of California. I cannot emphasize strongly enough that it would be, in my judgment, the far worse course of action for us to abandon these commitments.

I believe there are several actions we must take going forward, however, to more completely address the issues raised by this series of events:

1. I believe it would be helpful to begin a thoughtful review and discussion of our overall standards for course descriptions in order to help clarify the principles on which we base these decisions, for the benefit of broader understanding throughout the University community. Therefore, I will convene a forum, under the auspices of the Center for Studies in Higher Education at UC Berkeley, to explore the issues raised by this series of events in greater detail. This forum, informed by the contributions of experts on academic standards, free speech, and constitutional law, will seek to identify some principles that may help guide our future collective thinking on the subject of standards for course descriptions.

At my request, Professor Robert Post, a Boalt Hall Law School faculty member and one of the nation's foremost scholars on First Amendment law, has provided an analysis of how the University should contend with the issues of academic freedom and academic responsibility raised by this course. I enclose his analysis and believe you will find it of value. I am inviting other experts in this field to provide their commentary as well, and their papers will serve as a starting point for the forum.

2. The English Department at the Berkeley campus has assumed responsibility for regular observation and mentoring of the graduate student instructor leading "The Politics and Poetics of Palestinian Resistance" course section. The department chair will attend the first class and will explicitly advise students enrolled in the section of their right to free expression and to have their work evaluated free of discrimination or harassment. A faculty observer will attend all sessions of the course to ensure open discussion, and students will be asked to evaluate the course and instructor before the semester midpoint, leaving sufficient time for any necessary adjustments to be made. These actions are being taken to ensure that the teaching of this section is conducted in a manner fully consistent with academic standards.

3. Professor David Dowall, chair of the Berkeley Division of the Academic Senate, has provided assurances that the English Department is taking steps to improve the review of course section descriptions and to establish norms for evaluation of those course section descriptions.
4. A related issue is adequate faculty supervision of graduate student instructors generally. This area also must be reviewed and strengthened, and again, Chancellor Berdahl and Chair Dowall have provided assurances that the necessary steps are being taken in this regard. This fall, a joint faculty-administration task force at UC Berkeley will convene to focus on the improved training and development of graduate student instructors.

I appreciate your patience and your contributions to this conversation. I also look forward to working with all of you as we implement the actions outlined above. In the meantime, please be in touch with Chancellor Berdahl or me if you have questions or concerns.

Fiat Lux,

Richard C. Atkinson  
President

Enclosure

cc: Chancellors