

College Literature: A Journal of Critical Literary Studies
Vol. 39, No. 2 (Spring 2012) ISSN 0093-3139

Commentary

Reflections from UC Davis: On Academic Freedom and Campus Militarization

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The autumn of 2011 offered extraordinary images of police brutality against students (and not students alone) on University of California campuses. Two stand out, both seemingly following on from the national Occupy movement. On November 9, students attempting to ‘occupy’ a grassy area at the edge of Berkeley’s famed Sproul Plaza, next to the Mario Savio Steps, were batoned by riot police summoned to campus by Chancellor Robert Birgeneau, first during the day, and then again that night when Occupy Cal returned. In no small part because a couple of professors were among the beaten, the event became a national news story. This would pale in comparison to events on the Davis campus nine days later, when a low-key tent occupation on the quad—Occupy UC Davis—was broken up by riot police summoned by Chancellor Linda Katehi from

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three jurisdictions. The images of one corpulent and distressingly nonchalant officer disbursing military-grade pepper spray to the faces of a couple dozen seated students would swiftly become one of the iconic images of the year, not just for the campus or the university but globally.

In train, there has been considerable discussion of removing the Chancellors who either authorized such actions or were too incapable to command the situation adequately. There has also been a perhaps more consequential debate around the presence of police on college campuses, regarding either their presence *per se* (for those familiar with the internationally and historically common situation of police-free universities), or in terms of their increasingly militarized form. And these changes in campus dynamics—toward the heavy hand bearing advanced weaponry—have prompted concerns about the implications for the intellectual and academic pursuits of the university, and what we might expect to develop from here.

I want to argue as directly as possible that grasping this new security regime as primarily pertinent to campus intellectual climate is misguided. While this line of inquiry is no trivial matter, it confuses and obscures core issues.

The confusion comes from two entangled commonplaces regarding these dramatic events (and others like them in kind, if not in media saturation). The first is the assumption that we can identify in each case a two-part sequence of cause and effect, in which students protest and police overreact disastrously. The second (with evident implications for the question of academic freedom *tout court*), is that this to-and-fro is to be conceived exclusively as a freedom of speech issue.

These assumptions form a unity. In this understanding, students first protest, as students are wont to do. The question arises as to the limits of protest, and to what extent certain actions—in this case, politicized camping—count as protected speech. ‘Time, place, and manner’ provisions are invoked; the police are summoned, heavy with tools. Orders to disperse are given, no dispersal is forthcoming, and then the intolerable thing happens, and everyone scrambles to understand and manage the aftermath.

There can be no doubt that these ‘overreactions’ are judiciously calculated to produce a chilling effect on student struggle. As with the endless nuisance charges levied against student (and other) organizers, they are designed to exhaust resources, both inner and material. And further there can be no doubt that this chilling effect spills over to the entire campus. In this sense it is certainly reasonable to consider the implications of these actions for free thought and intellectual exploration.

But there are also good reasons—better reasons, I believe—not to shift the debate onto the terrain of thought, ideas, expression, and so forth. It has

suited all sides to allow that this drama revolves around First Amendment issues. Under considerable internal and external pressure, both Chancellors conceded that in these cases, the riot police may indeed have curtailed what really should be protected rights of speech and assembly. Katehi insisted (twice; she is in the habit of using the same formulaic language in multiple press releases) that: “Our campus is committed to providing a safe environment for all to learn freely and practice their civil rights of freedom of speech and expression” (2011a, 2011b); her counterpart at Berkeley, Chancellor Birgeneau, extolled the same virtues. Meanwhile, students did not hesitate to pillory both administrations for having failed the Bill of Rights, while dismayed if still-timorous faculty demanded that Birgeneau “respect freedom of speech and assembly on the Berkeley campus” (UC Berkeley Academic Senate 2011).

The fantasy at play here is that what has gone wrong somehow concerns the excessive assertion of First Amendment rights by students, or conversely, the excessive limiting of same by the administration. The logical remedy is inevitably discovered to be a rebalancing of these matters, extending adequate protections to ‘protest’ and ‘expression’ as abstract ends in and of themselves.

The underlying reality is radically different. What must first be recognized is that in neither case did we see the abstract two-part motion, *protest/repression*. The unity of each event is considerably more concrete: *administrations must deploy force to implement austerity policies*. The initiating acts were not student protests but university policies designed to assure that the costs of running an educational system increasingly devolve to students, who are at once ever more compelled to pursue higher education for competitive advantage in a forbidding employment landscape, and concomitantly less able to afford the same without increased debt and workloads.

This misrecognition of the sequence of substantive events is compounded by another, whereby the campus protests are presented as arising from the charisma of Occupy Wall Street and the ensuing national movement over the course of the preceding months. As the Occupy movement has not made a significant issue of education, and as students (especially at purportedly elite or top-tier universities) are often thought to be cushioned at least temporarily from the buffets of the economy (especially the employment market), the inference is frequently drawn that the campus variants of Occupy are lacking real content of their own, and are thus reducible to protest for the sake of protest.

What is forgotten is that the Occupy movement, doubtless inspired by 2010’s ‘Arab Spring’ and Europe’s ‘Movement of the Squares,’ has its local roots in recent US campus organizing, specifically the anti-privatization campaigns of 2009–2010 on UC campuses. They have been ongoing if uneven, and characterized throughout by police violence. The shock over recent

events at Berkeley and Davis this November must be taken with a grain of salt. After all, only two Novembers before, both Chancellors called riot police from multiple jurisdictions onto the same campuses to break up anti-privatization occupations. Both times, the police attacked non-violent protestors, and lawsuits are still pending. In short, we are looking at a clearly defined confrontation that has been in progress for some time, on the concrete terrain of economic crisis—not a timeless confrontation between academic freedom and policing, on the abstract terrain of rights.

So we might say that a mistaken assessment of the sequence of events, both this November and over the last few years, allows for a misrecognition of the fundamental issue. This seems perhaps a neutral slippage; aren't rights good for everyone? However, this reflexive motion—in which future political organizing and action turns on itself to address the formal conditions of previous actions rather than the preceding causes—in actuality serves the university administration admirably by displacing the debate into the arena of form rather than content. The administration can offer a remedy, with tonalities of magnanimous self-correction: they can promise to be more thoughtful and diligent about respecting the right to protest, and thus seem to slip out of their position in the struggle, that is, as enthusiastic co-authors of the privatization process. They themselves turn to become a context, not a class antagonist.

This is indeed precisely what has happened. One suspects there will be some payouts to injured students, and that a cop or two will be pastured. And the matter will be tentatively resolved, despite the economic content remaining entirely unaddressed; thus, the administration wins by 'losing.'

One can see that this movement has become a substantial quagmire for the professoriat within this political cycle: what is sometimes called 'the articulation trap.' It is a double truism of the faculty member's position, especially the professor's, that she is not identified clearly with either side of the current struggle between the economic interests of students and administrators; at the same time, her job's basic supposition (especially in the humanities) is that position-taking is itself an action. These two factors supply a powerful if implicit determination toward intervening not by entering into the content of this struggle, but by offering, at a remove, often-eloquent assessments that tend toward seemingly neutral ethical (or pseudo-ethical) categories like rights and freedoms. I fear we professors are quite often guilty of looking for our car-keys under the streetlight—that is, participating in this particular antagonism in the ways we are best equipped for, rather than in the ways that the conditions and goals demand.

In thinking about campus militarization, UCSC professor Bob Meister provides an extraordinarily useful account of the relation between campus

securitization and securitization of university economies, as they have recently developed. In his talk on “Debt, Democracy, and the Public University,” he sets forth the cruel historical developments through which William Bratton was retained to lead the investigation into the pepper spray incident, and what it reveals about “the link between the privatization of public universities, the financial services industry and the national security industry” (Meister 2011). Meister observes that:

Since 9/11 the US defense industry of the Cold War has morphed from being mainly in the military hardware business into a new role as global provider of security services that enables government and corporations throughout the world to outsource intelligence, policing, background checks, construction of secure sites and various operations that may need to be deniable—as well as the public relations efforts necessary to support such deniability.

Most Americans do not know that there is a huge domestic market for services provided by the defense industry....The fastest growing market for the defense and security services industry is in the area of local government and public agencies that feel threatened by political protests, such as the Occupy movement, and that have reporting and other obligations under the Patriot Act. Former LA Police Chief William Bratton was hired to build this market for Kroll Security by its parent company, Altegrity, a defense contractor that is itself now owned by a private equity firm that also invests in both for-profit higher education and financial services (Meister 2011).

While the specifics of such connections inevitably vary from place to place and situation to situation, the systemic logic is plain enough. Heightened campus security is inextricably linked to heightened campus securitization in its two main forms: the decision of universities to pursue a certain line of investment strategies which move money away from educational services and into capital projects; and the corresponding decision to cover those educational costs by shifting burdens to students at a rate which can only be financed through student loans, concomitantly providing profitable investment for banks laden with otherwise fallow capital. The rise in tuition and indebtedness within the context of economic crisis simply *is* the militarization of campus; they are one and the same.

It is impossible to conclude other than this: even if one does adhere to the belief that the matters of intellectual freedom, free speech, and free assembly are fundamental to this unfolding political economic sequence, the place where such things will be arbitrated is not on their own terrain—the terrain of formal rights—but elsewhere. The necessary arena in which such rights might be protected presently and for the longer *durée* is the arena of direct antagonism between, on the one side, those fighting against backdoor privatization and austerity programs on campus, and on the other, those who

implement and enforce them. This is not a rhetorical struggle, and moreover, the retreat into the sphere of articulation risks affirming the misrecognition of the struggle's character. Such formal rights are far less an enabling condition for this struggle than an outcome of its material content.

Professors: stand with your students, literally. It is the best thing to be done for academic freedom; it is the least you can do for them.

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