

# RADICAL TEACHER

A SOCIALIST, FEMINIST, AND ANTI-RACIST JOURNAL ON THE THEORY AND PRACTICE OF TEACHING

## Islamophobia, Dirty Water Tactics, and Student Encampments for Gaza: Threats to Free Speech at San Jose State University

by Sang Hea Kil



STUDENTS AT SAN JOSE STATE UNIVERSITY HAVE SET UP MORE THAN A DOZEN TENTS ON THE GRASS IN FRONT OF CLARK HALL TO PROTEST THE UNIVERSITY'S LACK OF RESPONSE TO THE DEATHS IN GAZA. PHOTO BY B. SAKURA CANNESTRA.

**O**n Monday, May 13, 2024, the San Jose State University (SJSU) administration engaged in what in my opinion amounts to Islamophobic repression of peaceful student protest—what I will refer to as “dirty water tactics,” as unsafe water from the sprinkler system was sprayed on our pro-Palestine encampment while we occupied it. The soaking occurred on the first night of the Muslim student encampment established next to the famous statue called the “Victory Salute” that commemorates Tommie Smith and John Carlos’s Olympic black power salute at the 1968 Mexico City Olympics (both athletes are SJSU alumni). *Spartan Daily*, the campus student newspaper, was present and reported that a SJSU administrator:

...told students that the sprinklers would be turning on at 10:30 p.m. via megaphone outside the administration building at 8:46 p.m. Senior Director of Media Relations [...] said there was an effort by the administration to quell the sprinklers, but the valves were not shut off in time....[Another SJSU administrator] said the water is designated as “purple pipe” water, meaning that even though it is not potable, it is not gray water, and is chemically treated.... Environmental studies professor Rachel O’Malley said that the sprinkler system can be shut off at any time, and SJSU administration had more than two hours to shut off the water system, which works on a cycle....O’Malley said that even though the water is chemically treated and approved for agricultural use, it is not treated for human standards. “Unfortunately, it is not safe –it’s not authorized for human consumption or human contact,” she said. (<https://sjsunews.com/article/sprinklers-spray-sjsu-student-protesters->)

At the time the encampment was established, I was the faculty advisor for Students for Justice for Palestine (SJP) on my campus (before my job suspension -- more on this later) and co-chair of the Palestine, Arab, and Muslim Caucus (PAM) of my faculty union (California Faculty Association) that covers twenty-three California State University (CSU) campuses. I was on campus that night to protect and support the students (even though SJP for its own reasons was not an official endorser of this camp) and witnessed this affront to our democratic rights to protest a genocide. I posted on social media a screenshot of a SJSU’s administrator’s job page with the caption, “This sjsu admin turned the water on peaceful, mostly Muslim protesters/campers last night at 10.30 pm soaking everybody. The optics of using water as a weapon against students protesting a genocide is hideous! Shame on sjsu! Shame!” Here is the link to that post: <https://www.instagram.com/p/C681KaRRI6M/>.

This essay is an attempt to describe some aspects of the SJSU student encampment from my perspective as the only faculty member who camped with the students and openly supported them in the news media. I detail how both liberalism and the neoliberal university system enabled the silence about the Israeli genocide of the Palestinian people through its Diversity, Equity, and Inclusion (DEI) Program and how the Office of the President promoted Islamophobia toward the Muslim

student encampment and suppressed free speech at SJSU.

## SJSU Silence and the Matrix of Administrative Domination (MAD)

Paulo Freire (1970) talked about the culture of silence in his book *Pedagogy of the Oppressed*. He explained that the dispossessed have few tools and little motivation to resist their oppression because of the complex, paternalistic dynamics of economic, social, and political domination, which “submerges” them as victims and diminishes their capacity for critical awareness and resistance. He was particularly focused on the educational system as one of the major institutions that maintained this culture of silence.

What strikes me about Freire’s analysis is that, regarding the current genocide against Palestinians in Gaza, this silencing applies more to the faculty than the students. Out of over 2,000 faculty members at SJSU, I was the only one to camp with the students in their 10-day encampment protest. I think faculty on my campus are “submerged” under three layers of silence in their dispossession and could not muster more support for our students’ protest against the genocide. First, the SJSU administration never acknowledged the Israeli genocide against the Palestinians. Second, our campus Academic Senate also refused to acknowledge the genocide in Gaza. Third, our campus faculty union (SJSU-CFA) refused to hear a resolution drafted by PAM that called for a ceasefire on the genocide, an end of aid to Israel, and the protection of academic freedom for those that speak out for justice in Palestine. SJSU-CFA even took an emergency vote (13 No, 1 Yes, 1 Abstain) to strike the resolution from the executive board agenda, barring both co-chairs of the PAM caucus from introducing the resolution to the campus union and its membership. To date, no administration or official faculty campus entity at SJSU has used the word “genocide” to describe what the Israeli government is doing to Palestinians.

This triple layer to the “culture of silence” at SJSU amounts to what Patricia Hill Collins (1990) calls the Matrix of Domination. The Matrix of Domination is made up of intersecting oppressions (race, class, gender, sexuality, and more) organized along interpersonal, hegemonic, disciplinary, and structural domains of power. I am modifying her concept for SJSU and beyond as a “Matrix of Administrative Domination” (MAD) because campus administrators are the key drivers of faculty dispossession that faculty find hard to resist. Many SJSU faculty are intersectionally oppressed as a class in a tiered job system, which gets more intersectionally complicated as there are more women than men, more whites than non-whites, and more part-timers than tenured/ tenure-track faculty (<https://bit.ly/3YiJM90>). About 60% of SJSU faculty are lecturers and do not have as much job security as those with tenure or on tenure-track lines. And those who are on the tenure-track can fear retaliation, abuse, and loss of tenure, which supports the culture of silence and SJSU’s MAD. And this fear can be more real at these

intersections for women, people of color, queers, non-citizens, and the disabled on the tenure track. By the time faculty make it to associate or full professor, where there is more job security and less at stake, the MAD continues to pressure these more privileged professors to not openly resist and effectively organize against the academic and political repression at our campus.

## Liberalism, DEI, and “Free Speech is not an Absolute Right”

Critical race theory (CRT) advocates like Derrick Bell (1989) have pointed out that liberalism, the political philosophy that is concerned with the individual and state relationship and values limiting state intrusion on liberties, ignores inherent differences in social group categories that adversely affect the individual, and treats such differences as naturally random. CRT holds that the rule of law does not work for racial minorities, but always for the more empowered, privileged groups (Delgado, 1996). CRT treats race neutrality as a new form of racism (Bonilla-Silva, 2017; Gotanda, 1991), where only “aggressive, color conscious efforts to change the way things are will do much to ameliorate misery” (Delgado & Stefancic, 2001, p. 27). This trajectory of CRT can help make sense of why DEI programs on universities are ineffective and create a facade of racial remedy in the face of worsening racial disparities. Sara Ahmed (2012, p. 13) describes such efforts as a type of “diversity management” -- an administrative practice that contains dissent or conflict.

On February 19<sup>th</sup>, 2024, a few months prior to the SJSU student encampment, I sent an email to the DEI office and other departments asking them to withdraw their official co-sponsorship of a Zionist speaker who denied that what was happening to Gaza was a genocide. At a campus action to protest this speaker, I saw a SJSU history professor assault a Palestinian protester (<https://www.insidehighered.com/news/faculty-issues/academic-freedom/2024/02/27/professors-evacuated-put-leave-heckic-pro-palestine>).

An investigation was later opened on me for reasons that are murky and unclear to me but based on this event. Later the investigation would expand and also include my support of the student campers.

On May 9<sup>th</sup>, I received another email from an SJSU administration official. She wrote:

On May 8, 2024, you spoke at a protest at SJSU organized by Students for Justice for Palestine, an SJSU student group for which you are the current advisor.

Per witnesses, you directed student protestors to disregard SJSU's Time, Place, and Manner (TPM) Policy, specifically instructing them to march through the SRAC and to establish an encampment on the lawn by the statues. However, the students in attendance adhered to the TPM policy and did not follow your directives....

We never marched through the SRAC or student recreation aquatic center and I never ordered the students to put down a camp because the protest mentioned in the email was on the first day of a sit-in demonstration against the genocide so it was very easy for me to reply that I “categorically deny these claims.”

On May 24, 2024, I received an email from an Administrator at SJSU that informed me of the temporary suspension of my job duties. In her letter, she alleged that I violated Collective Bargaining Agreement (CBA) Article 17 on “Temporary Suspensions” that states the “President may temporarily suspend with pay a faculty unit employee for reasons related to (a) the safety of persons or property, (b) the disruption of programs and/or operations, or (c) investigation for formal notice of disciplinary action” (<https://www.calstate.edu/csu-system/faculty-staff/labor-and-employee-relations/Documents/unit3-cfa/article17.pdf>).

I believe the accusations SJSU made against me are false. In fact, I believe that my temporary suspension is part of an academic freedom suppression campaign to control and silence all faculty on campus. I have been an outspoken critic of the genocide in Gaza as well as an advocate for faculty rights as a CFA union member and leader. In my capacity as a scholar-activist, I mentor all students who want a free Palestine, and it was within my duties to support these students in their campaign to bring greater awareness to the university community. It is their constitutional right to protest the Israeli genocide of Palestinians and the layers of complicit silence on campus.

One of the key mechanisms that the CSU is using against faculty who support their students are Time, Place, and Manner (TPM) Policies. These policies can diminish the First, Fourth, and Fifth Amendment rights on university campuses. Here is some reasoning from my campus on TPM issues about the First Amendment:

Freedom of expression is not an absolute right. It coexists with other rights and the need for public order. To ensure that the exercise of the right of free expression does not interfere with University functions, imperil public safety, or obstruct or damage university facilities, the University will enforce campus regulations regarding the Time, Place and Manner of the exercise of free expression by individuals and groups. (<https://www.sjsu.edu/president/priorities-and-initiatives/free-speech/time-place-manner/>)

However, these policies are selectively enforced. When we have sporting events, people on campus are free to make noise and encouraged to do so, but when it is about political protest then "Freedom of expression is not an absolute right."

Mohanty (2013) writes that "representational politics in neoliberal landscapes requires a profound flattening of difference. ... We must attend closely to notions of diversity that embrace generic conceptions of difference that are flattened, privatized, and shorn of a critique of power" (pp. 972-973). The fact that both the history professor who had assaulted the Palestinian protester and I were put on leave and placed under investigation is an example of this "flattening of difference." It seems his physical assault of a protester has been equated with my support of students organizing against genocide. This allows neoliberalism to thrive via the MAD, enabled by its DEI office, as well as the faculty's "culture of silence" on SJSU's campus.

## The Neoliberal University and the Domestication of a Radical Symbol of Emancipation

Neoliberal transformations in higher education contribute to the MAD that feeds the culture of silence at SJSU. Chandra Talpade Mohanty (2013) argues that neoliberalism negatively impacts higher education in two contrasting ways: 1) through government policies that prioritize the market through commodification, financialization, privatizations, and the "proliferation of difference" through cosmopolitanism that facilitate financial mobility; and 2) "authoritarian, national security-driven penal state practices" that criminalize and incarcerate people (p. 970). The result has been cutting public funding for education and the rise of privatization globally, where radical theory and knowledges are then commodified and disconnected from their emancipatory origins and insurgent activism and instead re-circulated as a sign of prestige for the neoliberal ivory tower.

The Victory Salute statue I mentioned in the introduction is an example of a radical symbol as a neoliberal prestige commodity. Below is an excerpt from an SJSU webpage about this important statute:

Designed by artist, Rigo 23, this larger-than lifesize fiberglass and mosaic monument, centrally placed on San José State University's Tower Lawn, depicts the heroic and symbolic action of two African-American athletes and San José State University alumni,



SAN JOSE STATE UNIVERSITY ADMINISTRATORS ASSESSING NEXT STEPS WITH THE STUDENT ENCAMPMENT. PHOTO BY B. SAKURA CANNESTRA

Tommie Smith (24) and John Carlos (23), who during the medal ceremony for the [200-meter running final](https://www.sjsu.edu/ha-public-art-tour/public-art/black-power.php) in the Olympic Stadium in Mexico City on October 16, 1968, performed the Black power salute, raising their fists in silent protest. (<https://www.sjsu.edu/ha-public-art-tour/public-art/black-power.php>)

Harry Edwards was the founder of the Olympic Project for Human Rights and organized the placement of the Victory Salute on campus (Kuhn, 2015). On May 15<sup>th</sup>, 2024, he wrote the following email addressed to the student protesters that was released by *Spartan Daily*. The message was accompanied by pictures of the statue with a Palestinian Flag that the student protesters draped on Tommie Smith's figure. I include an excerpt below from the letter Harry Edwards, Tommie Smith, Ken Noel, and John Carlos submitted to the *Spartan Daily*:

[...]It is our position that to drape the Smith-Carlos Statue with flags and other political paraphernalia and artifacts and to post an array of signs, banners, and other messaging displays on the associated surrounding ellipse that are unrelated to, if not incongruous with the established purposes of the site is to defile and diminish the intent of that space and to approach desecration of the statue and the Movement it has come to represent and symbolize. There is also the real risk going forward that tolerating the Statue and ellipse site as a stage for protest encampments will invite any and every other emerging "cause" to commandeer the ellipse and Statue as backdrops for their diverse protests. For those of us who fought and forged the OPHR Movement, and -- for that matter -- for the University community, such an outcome would be utterly inappropriate, unacceptable, and intolerable.[...]

([https://www.instagram.com/spartandaily/p/C7BNq0uuOkB/?img\\_index=4](https://www.instagram.com/spartandaily/p/C7BNq0uuOkB/?img_index=4))

The signers of the letter demanded the student encampment be dismantled immediately.

It is important to note that one day prior, on May 14, 2024, the SJSU president wrote an email to the campus community titled "Update Regarding Unsanctioned Encampment" that stated:

Violence, vandalism, and unprotected speech that promotes a hostile or harassing environment is prohibited by the law and [CSU policy](#). Those in violation of the TPM policy and/or breaking the law will face consequences. SJSU students, faculty, staff, visitors, and/or organizations will be held accountable for any vandalism, damage or misconduct. ([https://pages.sjsu.edu/index.php/email/emailWebview?email=NjYzLVVLUS05OTgAAAGUUT58b8Wjg89HXycxRx8MG0RAOBZsKtUh8nAqs1pICxDq4Zik\\_1SMIYrLThuAKoPj80hj4PrI9QHhpXnEjzIzNISW\\_Oso9pZrg](https://pages.sjsu.edu/index.php/email/emailWebview?email=NjYzLVVLUS05OTgAAAGUUT58b8Wjg89HXycxRx8MG0RAOBZsKtUh8nAqs1pICxDq4Zik_1SMIYrLThuAKoPj80hj4PrI9QHhpXnEjzIzNISW_Oso9pZrg)).

It is my belief that the President's framing of Muslim student campers with Islamophobic tropes, by associating them with violence and hate speech, helped to drive a division between our black alumni Olympians and Muslim student protesters. I did reach out to Harry Edwards to support my students but we were not able to come to any agreement on the issue.

The impact of this press release on my students was harmful. Given the unique unfolding of the encampment, I can only talk about my perspective of the encampment and I cannot speak for or describe that of my students. At the sit-in protest I gave an impromptu speech that inspired a student to approach me about the possibility of an encampment. We did not know each other but I immediately helped this student with advice on what to expect in launching one. Because these students decided they wanted a Muslim-focused encampment, they used code names, masks, and head coverings to protect themselves from the Islamophobia I warned them was coming, so I never really got a sense of these students as I did not ask any personal questions for fear of risking their safety. Due to the threat of doxing, they asked me to be their spokesperson for the news media and later as a liaison for the administration. The students even made me part of their encampment demands as they were aware of some of the emails I had received.

Overall, I think the encampment was a success for my students. They did something truly brave and historic given the campus climate at SJSU. Some faculty did come and support their programming. However, the culture of silence/MAD, the President's email, the "Victory Salute" press release, and the lack of meaningful progress between the campers and administrators frustrated the students, in my opinion. My hope is that they will keep fighting this genocide despite the overwhelming challenges.

While SJSU was the last campus to launch a student encampment in the CSU system in the spring 2024 semester (there were seven camps in total), SJSU was unique in the sense that it was the only mostly Muslim encampment of all seven CSU camps. And what made this encampment unique and historic also made it vulnerable to Islamophobia. I urged the students I worked directly with to consider the utility of broad-based coalitions moving forward in their protest endeavors before I was suspended and cut off from communicating with them at the urging of my union. Currently my union has declined to represent me in both of the statutory grievances I have filed related to my job suspension and told me to "advocate for yourself," though my union has provided me with a field representative for my investigation to serve as a witness.

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