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No Convictions for Al-Arian

Sami Al-Arian, who was fired in 2003 by the University of South Florida, was cleared of some charges while a jury deadlocked on others Tuesday. He was [not convicted of anything](#) — raising new questions about whether the university was justified in taking away his tenured position.

Al-Arian remains in jail while federal prosecutors — who charged him with involvement with terrorist groups — decide whether to seek a new trial on the charges on which the jury deadlocked.

The university issued a brief statement Tuesday, indicating that Al-Arian would not be returning to South Florida. “The University of South Florida is watching the recent legal developments. USF ended Sami Al-Arian’s employment nearly three years ago, and we do not expect anything to change that,” the university said, adding that officials would not elaborate.

Al-Arian’s dismissal, following years of skirmishes over his employment at South Florida, angered many faculty members as a violation of his academic freedom. But while the university’s handling of the case was repeatedly derided by experts on due process and academic freedom, the indictment two years ago quieted much of the criticism.

The university first suspended Al-Arian shortly after 9/11, when comments he made on a television show struck some people as supporting terrorism (an interpretation he denied), and USF first said that he needed to stay off the campus for his own safety, and later because of the disruption his presence might create. As time passed, Al-Arian and others charged that the suspension was becoming the equivalent of a dismissal and that he was effectively losing his job — without due process — because he had expressed unpopular views.

The university tried without success to get a court order allowing it to fire Al-Arian. Many Florida political leaders, alarmed by reports suggesting that a tenured professor had supported terrorism, called on the university to fire him.

Al-Arian was fired shortly after he was indicted, with the university saying that the indictment had confirmed its view that he had been using his university position inappropriately.

Roy Weatherford, president of the university’s chapter of the United Faculty of Florida — a union affiliated with both the American Federation of Teachers and the National

Education Association — said that the union and most faculty members had been deeply troubled about how the university had treated Al-Arian, especially prior to his indictment.

“The way they initially tried to fire him was so ludicrous and unjustifiable that it was widely seen as a violation of academic freedom,” said Weatherford, a professor of philosophy.

He said that the eventual firing — after Al-Arian was jailed — was more complicated. Besides the fact that there were formal, serious charges against Al-Arian, Weatherford noted that “he was incarcerated so he couldn’t physically do his duties.”

Weatherford said he was concerned about the university’s statement Tuesday that it did not expect any change in Al-Arian’s employment status. He said that if the additional charges are dropped, or if they are pursued and Al-Arian is found not guilty, the university should reconsider its dismissal of him. “If the university persists in its view that the judgment of the court is irrelevant to what they have done, a lot of people will be very angry,” he said.

The American Association of University Professors has also raised questions about how the university treated Al-Arian. In a [report](#) in 2003, the association’s Committee A on Academic Freedom found numerous problems with the way Al-Arian was treated before his indictment. Among them, the association said, were denial of due process, failure to provide a hearing prior to imposing sanctions, and suspending him “without demonstrable cause.” The association report acknowledged that the indictments complicated the situation, but added, that it “does not view the professor’s arrest and incarceration as excusing the administration’s grave departures from association-supported standards of academic due process.”

Jonathan Knight, director of the Department of Academic Freedom and Governance at the AAUP, said that the university’s latest statement was “quite disappointing,” given that Al-Arian has not been convicted of anything. “It underscores the deeply problematic nature of the administration’s dismissal of him,” Knight said.

— [Scott Jaschik](#)