

Forensic Intelligence and the Deportation Research Clinic: Toward a New Paradigm



Jacqueline Stevens

Since 2012, the Deportation Research Clinic, part of the Buffett Institute for Global Studies at Northwestern University, has been pursuing research on government misconduct under the rubric of what Jacqueline Stevens calls “forensic intelligence.” The Clinic uses law and publicity, including scholarship, to create new realities, which in turn produce new facts and knowledge. Stevens draws on scholarship by S.M. Amadae, Noam Chomsky, Philip Green, Chalmers Johnson, Kenneth Osgood, Ido Oren, Michael Rogin, and Frances Saunders to explain the relation of “forensic intelligence” to the “national intelligence” paradigm now organizing mainstream political science research. The article concludes by describing how U.S. government and economic elites distort research and teaching priorities, and provides examples from Northwestern University.

And when one writes a text, what does one do? When one writes a text, one tries to write in such a way that the reading is *immediately* affected by it, and also—something irrecoverable—in such a way as to produce long term effects.

—Jacques Derrida, “Negotiations”¹

The Deportation Research Clinic at Northwestern University was launched in 2012 as an experiment with a new framework for political studies, one

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dedicated to using public, legal analyses, i.e., forensics, to produce scholarship conscious of its iterative role in creating new realities. I came to realize the need for such a research enterprise after noticing that my publications on misconduct in deportation proceedings in popular and academic venues were producing new cases whose understanding implicated remediation, and that the political science methods repertoire provided no tools for engaging this dynamic. I noticed as well that my own presence in immigration jails and courts elicited symptomatic resistances that also warranted scholarly attention. Absent any research models that used publicity to acquire new information and that prioritized defeating government secrecy to produce intelligent scholarship about the nation-state, I prevailed on the generosity of my colleague Hendrik Spruyt, then Director of what is now the Buffett Institute for Global Studies, and Associate Director Brian Hanson, as well as their terrific staff, to provide the Clinic an institutional home.²

The Clinic’s³ overarching research agenda and our specific investigations develop with the awareness that the questions we ask become part of the records, procedures, and outcomes that we seek to understand and remediate. Thus, the Clinic is more than a conventional scholarly research enterprise. It is a form of praxis that collaborates with those brutalized by deportation proceedings to procure and produce information for redress of government misconduct, especially that experienced as injustice, and then documents outcomes. I first describe the Clinic’s structure and operations, including the research team and funding. Next I briefly explain the paradigm of *forensic intelligence*⁴ that provides the theoretical framework for the Clinic and

related research, and offer snapshots of selected active Clinic projects that advance forensic intelligence. I conclude by reviewing some of the obstacles to this research and reflecting on some ways to overcome them.

The Deportation Research Clinic as Scholarly Praxis

As its website, originally designed and maintained by the Buffett Institute's Krzysztof Kozbuzki, states, the Clinic

- Studies the misconduct of federal, state, and local agencies implementing deportation laws. Working with a global network of U.S. residents who have been issued deportation orders, as well as with attorneys, law professors, journalists, policy-makers, and students, the Deportation Research Clinic;
- Uncovers, investigates, and analyzes geographical and policy "hot spots" of misconduct among law enforcement agencies implementing deportation laws;
- Works with communities in Illinois and beyond to discover and test new legal, political, and economic strategies to prevent and ameliorate the harms U.S. residents endure because of misconduct by government officials during deportation proceedings;
- Has special expertise on the unlawful detention and deportation of U.S. citizens and the unlawful dollar-per-day wages paid to U.S. residents in custody under immigration laws.

In brief, respondents who encounter misconduct, their attorneys, or family members contact us and we track responses of information, publicity, and law, much of which are provided by other legal or media professionals whom we alert about these cases, and then we publish what we learn.⁵ The substantive foci dramatize insights from more theoretical work. Deporting U.S. citizens as aliens highlights the contingencies of national identity, the fragility of rights for respondents in deportation proceedings, and the incoherence of the nation-state.⁶ Paying immigrant labor one dollar per day in the name of a policy for protecting labor markets reveals the opportunism of immigration detention policies and the prison industry behind them.⁷

Some may wonder why this is for political scientists and not other academics, or how this is scholarship and not activism. While many communities of scholars may be moved by injustice, it is the ability to develop and use intelligence of theory, history, and contemporary information specific to *injustices of politics, law, and government* that renders this topic suitable to deeper inquiry by those who study these matters as their vocation, and not scholars in other fields or citizens who care about the state. The purpose of iterative research of the sort undertaken through the Deportation Research Clinic is to attend to the knots in law: to notice where they lie, how they develop, and how they

affect other sites and events, and to ease the kinks or create new pathways, not to make the law perfect, but to attend to the spasms that create injustice, and then to observe the effects of interventions intended to lessen this injustice.⁸

The Clinic has no dedicated staff but receives ad hoc administrative support through the Buffett Institute. Our core team includes six undergraduate and two graduate students working together, along with faculty affiliates and collaborators at Northwestern and beyond, to obtain documents from the federal government, produce reports for the public and attorneys, and conduct research for scholarly publications. In addition, we host an annual student-initiated public event through the Buffett Institute. Funding is project specific and to date has drawn on resources internal to Northwestern. Sources have included the Sexuality Program at Northwestern (\$28,000); the Political Science Department Farrell Fellows (\$3,000 to \$5,000 annually); and funding from the Residential College (\$1,500). Other labor comes from student volunteers. Each year about a half-dozen students volunteer; their work is ad hoc and often task specific, e.g., transcribing a hearing recording. Other expenses are covered from my Northwestern discretionary funding, about \$1,000 annually.

The Clinic work would not be possible without Andrew Free, a Nashville-based civil rights attorney with an unusual range and depth of legal expertise. Free represents the Clinic in our Freedom of Information Act (FOIA) litigation, and also has pursued lawsuits responsive to Clinic research findings, much of this pro bono. The federal government covers the FOIA litigation, per the FOIA statute authorizing fees if the Plaintiff "substantially prevails."⁹ The Deportation Research Clinic also has ongoing collaborations with Samuel Tenenbaum, Clinical Law Professor, Northwestern Law School's Bluhm Legal Clinic; Mark Fleming, Litigation Director, National Immigrant Justice Center;¹⁰ Daniel Kanstroom, Director, Boston College Law School Post-Deportation and Human Rights Project; and Andrea Saenz, Immigration Justice Clinic, Cardozo Law School.¹¹

The Clinic activities at present include projects at different stages of scholarship, litigation, and information production. These projects (described later) are all inspired by a *forensic* approach to political inquiry that places a premium on research that uses publications as well as lawsuits to critically expose unlawful operations of a U.S. deportation regime¹² that typically protects its perpetrators by deporting the evidence of their malfeasance, including U.S. citizens whom Immigration and Customs Enforcement (ICE) has no legal authority to detain.¹³

Forensic Intelligence

To ask how you may be guarded from harm, or injury, on that side where the strongest hand is to do it, is presently the voice of

faction and rebellion: as if when men quitting the state of nature entered into society, they agreed that all of them but one, should be under the restraint of laws. . . . This is to think, that men are so foolish, that they take care to avoid what mischiefs may be done them by pole cats, or foxes, but are content, nay, think it safety, to be devoured by lions.

—John Locke, *Second Treatise*, § 93.

My decision to conceive of this work as a Deportation Research Clinic, rather than as a “project,” “center,” or other research vehicle more familiar to the social sciences, was shaped by my evolving reflection on three particularly important research experiences. First, for two decades I had been studying laws and political theories of membership since antiquity and was aware of how quickly intergenerational group differences instantiated by the state can erupt in systemic violence, including deportations.¹⁴ Second, in 2007 I was studying the controversial historiography of Latvian Jews from the early twentieth century through the post-Soviet period.¹⁵ Insights from political scientist Raul Hilberg’s three-volume masterpiece, *The Destruction of the European Jews*, alerted me to the consistency of grotesque and unlawful deportation operations amidst a chaos of written policies.¹⁶ Meanwhile, the spike in U.S. deportations (from 28,829 in 1988 to 174,813 in 1998 to 358,886 in 2008)¹⁷ and the violence, often unlawful, associated with this, prompted me to wonder if it might be possible to shorten the cycle of accountability by initiating processes of remediation and studying their possibilities and limits.¹⁸

Third, and finally, the synecdochal relationship between individual and political bodies in political theory—e.g., Plato’s inquiries of justice in an individual taking the form of investigating its presence in a political society, or the Hobbesian sovereign, a singular entity embodying all of a society’s individuals—helped me see the relevance to political research of paradigmatic assumptions of public health.¹⁹ To respond to the individual medically and also politically entails understanding the larger groups in which we are embedded: to remedy individual symptoms of, say, asthma, entails the closing of a toxic incinerator near an elementary school, not the prescription of inhalers. The Research Clinic model embraces the approach public health scholars have used in addressing gun violence and even civil war,²⁰ drawing on individual experiences to produce findings about unlawful state violence as suggestive of systemic, community-level etiologies and responses.

The work of the Deportation Research Clinic is linked to a growing body of work by scholars of politics that is occurring under the rubric of what I am calling *forensic intelligence*,²¹ a research framework that may address the questions, frustrations, and commitments among political scientists who have been struggling to work within the prevailing *national intelligence* paradigm, one in service of a state that prioritizes the existence of the nation over the rule of law and attempts to procure information appropriate to that end.

The most significant challenge to mainstream political science research today comes not from attacks on specific methods, but from problem-driven scholarship pursuing knowledge of the government and not its citizens. One version of this is the “policy-focused political science”²² that Jacob Hacker and Paul Pierson hope will supersede the priority now given to formal modeling and survey research. Hacker and Pierson, along with a growing number of scholars studying human rights, citizenship, migration, and governance, including regional and international courts and jurisdiction, are moving into subject areas largely uncharted by their dissertation advisers. Other examples include Ido Oren’s findings on the tendency of research on politics to produce “self-disconfirming analysis”²³ and Charli Carpenter’s reflections on how her research publications on child refugees may affect outcomes and “undermine the scientific enterprise,”²⁴ a risk she both credits and decides is outweighed by other values. And there are bold efforts that surpass entirely these positivist parameters, for instance, Bronwyn Leebaw’s problem-driven, cross-disciplinary work urging change in how international law addresses environmental war crimes,²⁵ and Heather Johnson’s disavowal of neutrality in her research on migrant experiences: “I am part of the dialogue, and in recognizing my own precariousness and subjectivity and the ways in which my own perspective has changed I hope to remain a part of it in a way that is productive of positive change within the global migration and asylum regime.”²⁶ The fact that some political scientists find current questions and methods inapposite for their research, and others have simply taken up new approaches and new questions altogether, provides evidence of important disciplinary rethinking of the goals, questions, and tactics for intelligent research.²⁷

To consider the contours of these changes requires moving away from debates about science, theory, and methods narrowly conceived, and regrouping to consider the primary goal of all research, including that on politics, law, and governance: *intelligence*. According to the *Merriam-Webster Dictionary*, intelligence means “the ability to learn or understand or to deal with new or trying situations.”²⁸ Intelligence, not scientific objectivity, nor even knowledge per se, is the objective of all important thinking and analysis. The methods used in the natural sciences also are responsive to demands of intelligence and not valuable in themselves. To the extent that a certain method assists us in measuring and predicting the relatively stable physical world, techniques in service of that method serve intelligence.²⁹ However, it is as sensible to believe that a method that works for measuring the galaxies will work for measuring people as it is to assume that because we can design cars to convert gas into energy we might create people so they could do so as well. There are neither logical nor metaphysical reasons, nor empirical evidence, to suggest that a technique used successfully in

one domain will be the best choice of tool for intelligence about negotiating our existence in another.

The research clinic model for scholarship about politics and governance grasps that techniques of inquiry that depend on cumulative findings of political science provide just one pathway toward information instrumental to intelligence, and it prioritizes the ends of intelligence broadly considered over those of one version of science for its own sake. Indeed, much of political science in the twentieth century has been directed toward the goals of intelligence, more specifically national intelligence, which, as a paradigm for research entails an axiomatic belief in the existential priority of the nation as an enduring truth to which all other heuristics and research questions must be subordinated. (A corollary to this is the privileging of national security over all other needs or interests.)³⁰ The national intelligence paradigm, broadly conceived, summons surveillance of the public's attitudes, opinions, and behaviors, as well as party identifications and campaign trends, on behalf of government and elites who comprise the audience for, and are not the object of, academic inquiry.³¹

At stake in this description is not a battle about methods per se, but intelligence values and objectives, and thus research priorities and audiences. As S.M. Amadae,³² Noam Chomsky,³³ Philip Green,³⁴ Chalmers Johnson,³⁵ Michael Rogin,³⁶ Ido Oren,³⁷ Kenneth Osgood³⁸ and Frances Saunders³⁹ have pointed out, numerous academic luminaries have eschewed positivist frameworks and have presented findings instrumental to national intelligence that were at best biased and at worse crude lies on behalf of the military-industrial complex, effective in part because of hidden agendas, narrow interests, and delusional thinking dressed up as rationality.

The agendas based on the fantasy of a nation and its enemies persistently produce massive new grants,⁴⁰ as well as advanced degree programs, the paranoia *de jour* being those for studying "homeland security."⁴¹ Meanwhile, the government is not, for example, soliciting requests for proposals to study the numerous safety risks to its citizens posed by the private prison sector, the industry behind the appropriation Act requiring ICE to "maintain a level of not less than 34,000 detention beds,"⁴² a law that leads ICE to use "bed availability" as a "risk factor" for individual custody decisions and produces many of the illegal government actions that the Clinic encounters.⁴³

The emergence of scholarship organized by principles of the research clinic and not distanced observations is thus not a move away from objectivity and toward activism, but rather, a move away from the heuristics and techniques of the national intelligence paradigm⁴⁴ and toward other paradigms of political intelligence, especially forensic intelligence—what I am proposing as

the most important resource for contemporary political inquiry. The national intelligence paradigm consists of concepts and techniques conducive to providing knowledge elicited by a national power elite,⁴⁵ that is, CEOs, board directors, hedge fund managers, university and large non-profit foundation leadership, and government officials, especially those working for military and security agencies and their contractors. Much of the information they accumulate remains secret, thus creating a panopticon from which elites view foreign and domestic publics without our knowing the precise nature of this surveillance, who is conducting it, or its objectives.

Forensic intelligence reverses the direction of the telescope.⁴⁶ Scholars accumulate knowledge of elites, government policies, protocols, and actions in service of intelligence about law and governance.⁴⁷ The shift toward these questions can be seen in recent American Political Science Association presidencies⁴⁸ and in new scholarship shifting our attention from questions about the public to those about who runs government. This may mean using large-n datasets, for instance those on which Jeffrey Winters and Benjamin Page drew to characterize U.S. power as oligarchic,⁴⁹ or painstaking and expensive efforts to assess elites through interviews, as undertaken by Page, Larry Bartels, and Jason Seawright, who studied the political activities and policy preferences of the "top one-tenth of 1 per cent of wealth-holders."⁵⁰ Consistent with the narrative of political research indicated here, Page, Bartels, and Seawright observe that "it is striking how little political scientists actually know about the political attitudes and behavior of wealthy citizens."⁵¹ They note as well a "boost [to studies of political inequality] from the APSA taskforce led by Theda Skocpol and Lawrence Jacobs."⁵² The authors discussed here and the trends they cite⁵³ suggest at least part of the discipline is moving far afield from the demands of national intelligence.

Why call this work forensic? Now colloquial for the techniques of gathering evidence from crime-scenes, the meaning of "forensic" is much broader: "belonging to, used in, or suitable to courts of judicature or to public discussion and debate."⁵⁴ Forensic intelligence discovers, elicits, and produces knowledge of law and force with the ultimate objective of thwarting injustice.⁵⁵ In other words, how do our laws, as well as the use of physical and discursive force by the government and private parties, produce injustice and what actions can citizens, including citizen scholars, take to thwart this?⁵⁶

Of course there are important disparities between some of the scholarship cited and a specifically forensic research agenda, the latter of which explicitly prioritizes investigations into the dynamics among law, force, and injustice, as well as a) *visibility*, locating injustice to critically explain that which was previously unseen; b) *proximity of time and location*, narrating locations of time and place that may seem distant to reveal their contiguities

with injustices of this moment; c) *transparency*, access to information from government and elite institutions more generally, including our colleagues and research universities; and d) *critical intelligence*, iterative scholarship that affects government through its questions, attracts new information in the wake of publicizing research, and learns from its mistakes.

Jacques Derrida describes institutions, including the university, as a “body made up of knotted speeds or rhythms, or knotted differences in rhythm. A knot that represents the vibrations of different speeds. It is not representable, but this is what an institution is, nonetheless. Every institution is this. Language is this. A phrase is this.”⁵⁷ If one understands a specific institution, idea, or phrase as a point on what appears to be a linear thread of time, and that each of these, as well as each organization, policy, or event, also manifests outcomes of related institutions, ideas, and phrases, as well as of a past that is unknown or seems completely separate, then the knots becomes a metaphor for how these distant points meet up and become entangled and enmeshed. My goal for the Clinic research is to observe these knots and to address our attention to the ones that manifest the most injustice. To do so intelligently means encompassing insights and pursuing tangents far afield from the more focused, professional pursuits of lawyers or legal scholars. Forensic intelligence demands theoretical, historical, and literary expertise that normal legal research does not require. Forensic intelligence, and not just knowledge of legal facts, entails understanding current symptoms in their totality, moving back and forth between the adjacent surfaces of, say, California jails as the source for U.S. citizens deported from Arizona detention facilities and California as the fictional island in a fifteenth-century romance taken to be factually accurate by the expedition of Hernán Cortés that “discovered” the imaginary Amazonian island in 1532.⁵⁸ It entails understanding the Correction Corporation of America detention facility in Lumpkin, Georgia in relation to the decrepit town’s eponymous Wilson Lumpkin, the House member who in 1828 introduced the Indian Removal Act and in 1831, as Georgia’s governor, presided over its implementation.⁵⁹ It entails studying the dynamic between the refugees terrorized by war and the United States and European governments turning them away or whining about their burdens on the economy, while subsidizing military and weapons manufacture and sales producing bloodshed.⁶⁰

The model of forensic intelligence that animates Clinic work can perhaps best be clarified by some examples of the work we do:

- ***Dollar Per Day Wages in Immigration Jails.***⁶¹ Portions of this Clinic research were reported on the front page of the *New York Times* and drew the

attention of Chicago attorney Andrew Szot,⁶² who initiated a collaboration of his law firm with Professor Tenenbaum and also Andrew Free. Northwestern Law School students from the Bluhm Legal Clinic are collecting statements from current and former ICE facility residents and advocates on civil and labor rights violations.⁶³ An article on the prison industry’s use of labor by respondents in ICE custody and the new litigation responsive to this will appear in the *Georgetown Immigration Law Journal*.⁶⁴

- ***Immigration Judge Misconduct.*** Assistant Professor Heather Schoenfeld, a sociologist in Legal Studies and the School of Education and Social Policy, and I are supervising Farrell Fellows Ary Hansen and Elizabeth Meehan in a study of 794 recently released individual case summaries on how the Executive Office of Immigration Review responds to immigration judge misconduct complaints. This data and EOIR protocols for coding were released responsive to our FOIA requests.⁶⁵ The students used Excel to code the responses and generated descriptive analyses, many at their own initiative.⁶⁶
- ***Sexual Intimacies and the Bona-Fide Marriage.*** Clinic Program Associate and J.D./Ph.D. student Charles Clarke is the co-Principal Investigator in a study comparing the rate and character of non-matching answers during spousal “green card” interviews with the rate and character of non-matching answers on “The Newlywed Game,” the latter a television game show premised on the assumption that bona fide couples will have non-matching answers to questions about which couples share the same information. (Our hypothesis is that, for both sets of couples, questions that elicit information implicating the heteronormative marriage script are less likely to produce matching responses than questions on less fraught topics such as habits for washing dishes.)
- ***ICE Office of Inspector General (OIG) Cover-up.*** We recently concluded FOIA litigation over an ICE OIG report responsive to an attorney complaint about ICE agents robbing his client of \$1,200 cash in the St. Paul/-Minneapolis airport. The FOIA complaint itself was drafted and filed at the federal courthouse in downtown Chicago by then-freshman Sam Niuro. Andrew Free entered the case as our attorney. For negotiations over the release of relevant airport video, student volunteer Christina Seminara reviewed and tracked events on a partial OIG video release and located local vendors for pricing estimates allowing us to refute the government’s claim that redacting third-party images would be cost-prohibitive. We ultimately received three sets of video recordings corroborating the

account of the deported legal resident, who has since returned from Nigeria at ICE expense and in June naturalized as a U.S. citizen, owing to the heroic efforts of her pro bono attorney Richard Breitman.

- ***Fraudulent Denial of Marriage Petitions to Procure FBI Informants.*** Kennan (not his real name) provided the Clinic with recordings of FBI agents threatening his deportation if he did not become an informant.⁶⁷ He refused and ICE issued a deportation order. Unsure of whether use of these one-party consent recordings of government agents was lawful, I contacted Professor Tenenbaum and Bluhm Legal Clinic intern Joe Delich conducted research and concluded that federal agents have no special privileges that would trump state recording laws.⁶⁸

Additional lawsuits include three by Free on behalf of detained or deported U.S. citizens, two of whom were encountered through the Deportation Research Clinic and one of whom encountered Free through reference to these cases on the Clinic blog.⁶⁹

Each of the Clinic's research projects is a collaborative effort to combine investigative research with political theorizing about the nation-state and definitions of citizenship, with an eye toward producing new knowledge that can be characterized as "belonging to, used in, or suitable to courts of judicature or to public discussion and debate."⁷⁰

The Future of Forensic Research: Opportunities and Challenges

All political inquiry would benefit from a greater appreciation of the dynamic relationships between knowledge production and political outcomes. As a result of inexpensive information technologies, researchers are initiating studies and collaborations that until recently would have required the resources and thus permission of gatekeepers whose commitments often were to the panopticon and not the citizens. For instance, not only the Scholars Strategy Network⁷¹ and the Social Science Research Network,⁷² but free blog creation and hosting services enable immediate public exposure of one's expertise that would be unavailable to earlier generations of scholars absent significant institutional financial support for, say, expensive design, printing, and distribution of brochures or reports. Likewise, e-mail, including list-serves, enables instant exchanges with a range of scholars, students, policy-makers, journalists, attorneys, and non-profit advocates outside one's own academic professional network.

Information is not just more easily distributed but also almost effortlessly acquired. Digital data technologies enable sending FOIA requests by e-mail for thousands

of pages of documents in a few minutes. Professional scholars of politics also can cull cutting-edge research, databases, and laws that until fairly recently would have required hours or even weeks of legwork. Undergraduates can perform simple controls on Excel spreadsheets and track interesting results for thousands of cases. Electronic resources developed over the last twenty years make a mockery out of our current subfields, whose specialization was a capitulation to time constraints that no longer exist or are greatly diminished, including for area studies, now that cheap international travel and the internet facilitate scholarly study and collaborations across great distances, enabling further currently missed opportunities for political intelligence in the discipline as it is now constituted. In each of these ways, new communications technologies facilitate the kinds of investigations, disclosures, and sharing of information and perspectives that are at the heart of the forensic research practiced by the Clinic.

At the same time, such forensic research faces an uphill battle against powerful interests used to working without oversight. The main impediment to research on government misconduct is, not surprisingly, the government itself. Not only does the government not support research into its own abuses; the government, and especially its military, security, and surveillance components including federal, local, and state law-enforcement agencies organized through the Joint Terrorism Task Force, actively impede the kind of critical research practiced by the Clinic. This takes a number of forms, each with different frequency and severity: 1) the unlawful denial of access to information, immigration courts,⁷³ and detention facilities, which makes it extraordinarily difficult to undertake research;⁷⁴ 2) illegal surveillance, creating a climate of intimidation and fear;⁷⁵ and 3) the close ties between the state and many important research enterprises and universities, which can affect access to research support and thus create an uneven playing field for scholarly productivity, and can also foster a general atmosphere of corporatist compliance. The challenge such linkages to the state present to critical scholarship was sharply posed by Senator William Fulbright in a 1967 floor speech that still holds true today:

Among the baneful effects of the Government-university contract system, the most damaging and most corrupting are the neglect of the university's most important purpose, which is the education of its students, and the taking into the Government camp of scholars, especially those in the social sciences, who ought to be acting as responsible and independent critics of their Government's policies. The corrupting process is a subtle one: no one needs to censor, threaten or give orders to contract scholars; without a word it is understood that lucrative contracts are awarded not to those who question their government's policies, but to those who provide the government with the tools and techniques it desires. The effect, in the words of the report to the Advisory Commission on International Education, is 'to suggest

the possibility . . . that academic honesty is no less marketable than a box of detergent on the grocery shelf.⁷⁶

Fulbright goes on to lament the university “dispensing conventional orthodoxy rather than new ideas,” and points out that in doing so, it is “not only failing to meet its responsibilities to its students, it is betraying a great public trust.”⁷⁷ As long as social scientists align themselves with militarized and securitized government priorities, they will receive substantial funding and accolades,⁷⁸ but at the price of abandoning their independent scholarship. This often is not because a scholar deliberately sells out, but, more insidiously, because the contemporary university and political science have dove-tailed knowledge with the priorities of the nation-state so tightly that it often is hard to distinguish a freely-chosen political science research project from the effects of government hegemony.

Northwestern University (NU) today is a case in point. On the one hand, its Buffet Institute for Global Studies houses the Deportation Clinic. On the other hand, university leadership serves under the CEOs and directors of General Dynamics (GD), Boeing, and Caterpillar,⁷⁹ firms deeply enmeshed in the priorities of the domestic and foreign military and national intelligence communities that the Clinic investigates.⁸⁰ And of course, my colleagues here and elsewhere receive funding from the Defense Advanced Research Project Agency (DARPA)⁸¹—which also is awarding contracts to military contractors, including Boeing and GD.⁸² These companies, in addition to Caterpillar, are banned from the investment portfolios of numerous organizations⁸³ and even countries, in the case of GD, for cluster bombs.⁸⁴ When an NU newsletter quotes a researcher about to go on leave as a DARPA program manager saying he will acquire “new expertise in neighboring fields and pursue those areas when I return to Northwestern,” we know at DARPA he will not be engineering technology for abused detainees to upload video and other documentation of guard misconduct for public display and administrative review, and that when the researcher returns to campus, he will not be teaching his students how to use Global Positioning System technology for monitoring cluster bombs from sale point to end use, even though the research behind police body cameras or proposals for gun and ammo microtracing suggests the need for both technologies.

Perhaps the most visible form this enmeshment takes appears in Qatar, where Northwestern, with early State Department support and now a Memorandum of Understanding with Qatar-owned Al Jazeera,⁸⁵ runs a campus that has no tenure lines, no oversight by Evanston faculty committees,⁸⁶ and where faculty and students work in a “climate of fear”⁸⁷ under the heavy-handed direction of a CEO serving at the behest of a dictatorship and NU’s Board of military contractors, firms with Qatar and regional offices⁸⁸ and contracts that

require that they invest a portion of sales in education, research, and development.⁸⁹ These payments often run through the Qatar Foundation for Education, Science, and Community Development,⁹⁰ managed by the ruling Al Thani family that runs Doha’s Education City, including the NU campus.⁹¹

The Crown family, #35 among the *Forbes* list of America’s Richest Families, with “\$3.8 billion in GD shares, the single biggest source of their fortune,”⁹² has Lester Crown and A. Stephen Crown on the NU board, and has provided NU numerous endowments for buildings, programs, activities, and chairs.⁹³ “Every Israeli prime minister, every Israeli president knows the Crown family,” said Steven Nasatir, president of the Jewish United Fund/Jewish Federation of Metropolitan Chicago,⁹⁴ itself the recipient of almost \$7 million from the Crown Family Foundation in 2012 alone.⁹⁵ A 2005 interview reports on Lester Crown spending a “tremendous amount of time in the Gulf countries,” and his concerns about Israel’s security.⁹⁶ The Crown focus lately has been on Jewish and Israel studies, including the Crown Family Center for Jewish Studies and Israel Studies, the Crown Chair in Israel Studies, and the Crown Visiting Chair in Israel Studies.⁹⁷ The family has endowed no chairs for Palestine, Critical, or Cosmopolitan Studies. In light of these signals of funding and influence, those of us who pursue research interfering with the agendas of our employers have no sanctuary in our institution when the national and military intelligence community, of which NU is a part, turn against us.⁹⁸

This context is confounding but not unique,⁹⁹ thus offering opportunities to learn more about the role U.S. private universities, including satellite campuses, play in military contracts and U.S. foreign policy.¹⁰⁰ In the face of this dynamic, I believe that scholars interested in forensic intelligence have two major tasks ahead. One project is to work with colleagues to produce policies for our campuses and professional associations that would require individuals to disclose funding sources, whether they are producing research that cannot be publicly released, to ban the collection of information about non-public activities of students or faculty on university campuses, and to require of private universities the same financial disclosures as those released by public universities. It is essential that there be greater transparency about the “interested” character of much social-science research funding, and also greater attention to the domestic and foreign policy implications of research elicited by major state and corporate institutions,¹⁰¹ as well as the possible complicity with secret and even unlawful government activities.¹⁰² Are universities teaching students how to promote rights and effective democratic citizenship, or are the universities themselves, especially in satellite campuses, accommodating opaque government initiatives and Gulf state dictators, thus reinforcing subtle and unsubtle forms of political

subjection? Political scientists ought to be much more serious about asking these questions, which bear directly on the subject matter of our discipline.¹⁰³ The second task is to continue to seek release of information withheld on grounds of “national security,” and to press for access to the prisons, detention centers, and deportation facilities where abuses are regularly committed and hidden from public view. The primary purpose of forensic intelligence as practiced at the Deportation Research Clinic is to bring such practices to light through new networks and collaborations that use techniques and theories specific to understanding, narrating and ameliorating unjust state violence. This work is not an alternative to political studies, theories, or science, but their culmination.

Notes

- 1 Derrida 2002, 28.
- 2 Most Clinic research occurs in the United States, but its focus is inherently global and in-depth investigations have been conducted in person or by phone beyond this country’s borders, most recently for a U.S. citizen wrongfully banished at the age of 42 to Greece, a country he previously had visited just once when he was 16. On February 19, 2015, an immigration judge in York, Pennsylvania, based on motions and evidence provided by attorney Andrew Free, terminated the 2002 deportation order, stating on the decision form: “Respondent is U.S. citizen”; order for Matter of Demetrious Koukolomatis, York Immigration Court, February 19, 2015. Koukolomatis describes his 2002 deportation as a “kidnapping,” and the State Department’s indifference to his request for a passport, “no different from Stalin’s Russia.” He does not just want to return but also, “public accountability.” The Athens consular office has not issued Demetrious a passport and he remains in Greece; telephone conversation, May 4, 2015, on file with the author.
- 3 <http://buffett.northwestern.edu/programs/deportationresearch/>.
- 4 I am indebted to Daniel Kanstroom for highlighting as forensic my close-readings of case files for deported U.S. citizens, as well as to Elisabeth Ellis for emphasizing the forensic character of engaging statutory analysis, describing her own research on environmental law as one of forensic political theory. Ellis’s Kantian-inflected insights applying “provisional theory” for specific policies and emphasizing the centrality of concerns about (in)justice to political debate resonate as well in my understanding of forensic intelligence; see Ellis 2005, 2008.
- 5 Publications from the Clinic research include Lawrance and Stevens, forthcoming; Schoenfeld and Stevens, in progress; Stevens 2012; Stevens 2013; Stevens 2014a; Stevens 2014b; Stevens 2014c; Stevens 2014d; Stevens 2015a; Stevens 2015b; Stevens 2015c.
- 6 Stevens 2009b, Lawrance and Stevens, eds. forthcoming in 2016.
- 7 Stevens forthcoming in 2016b.
- 8 Sometimes the obstructions are a statute, regulation, protocol, practice, or a court opinion. Sometimes they are a person or a network. The goal is not perfection, but attention to our natural and intentional experiments, and the humility to get it wrong and persevere; see Isaac 2007.
- 9 5 U.S.C. § 552(4)(E).
- 10 The NIJC is representing U.S. citizen Jhon Ocampo, whose unlawful detention the Clinic documented in 2012, and Fleming is the local attorney for some of the Clinic FOIA litigation; Stevens 2012.
- 11 The Immigration Justice Clinic is challenging in federal court the U.S. government’s 2010 revocation of Roberto Dominguez’s U.S. passport. Dominguez was born in Lawrence, Massachusetts, and deported in 1999, at the age of 19, to the Dominican Republic. He returned in 2009 with a U.S. passport; Stevens 2010d.
- 12 For an overview of the U.S. context, see Kanstroom 2012. For essays comparing deportation regimes, see De Genova and Peutz 2010.
- 13 Memorandum from John Morton, Assistant Secretary, ICE, to Field Office Directors, et al.: “Superseding Guidance on Reporting and Investigating Claims to United States Citizenship,” November 19, 2009. In the first civil rights case filed with Clinic research, Attorney Free obtained on behalf of deported U.S. citizen Andre Robles a settlement of \$350,000 and a promise from the government to expunge all data entries created in error; Case 2:14-cv-00696-CJB-JCW. The case is noteworthy because several attorneys previously declined to take the case. Were it not for the diligence of immigration attorney Lawrence Fabacher, Andre’s sister, Maria, and reporting on my blog, where Free first encountered this case, Robles, deported for three years when he was 19, would still be living with his grandmother in rural Mexico, estranged from his tight-knit family in Louisiana. This detailed knowledge of case-development allows me track what are effectively false negatives: inferences from the absence of lawsuits filed that no legally cognizable misconduct has occurred; Stevens 2014a.
- 14 See, e.g., Stevens 1999, 2009b.
- 15 The most important book is Ezergailis 1996, which was published with the imprimatur of the U.S. Holocaust Memorial Museum, which later drew criticism for this; personal communication with director, 2006.

- 16 Hilberg, on whose research Hannah Arendt relied heavily in *Eichmann in Jerusalem* (1963), attributes his analysis to lectures from his professor at Columbia, Franz Neumann. Neumann in 1951 arranged for Hilberg to join a team of researchers reviewing 28,000 linear feet of Nazi records housed by the U.S. military's War Documentation Project; Hilberg 1996, 73–4. Los Angeles in 2007 was not Riga in 1941. What resonated was not the mass killings in Eastern Europe after the summer of 1941, but the seeming normalcy of daily life in much of Germany between 1933 and 1941, a period when the Jewish one percent of the German population lost their legal rights to residency and emigrated or were deported under circumstances bearing many similarities to the experiences of long-term residents targeted for removal operations in the United States today; Hilberg 2003 [1961].
- 17 United States OIS 2009.
- 18 From 2008 to 2010 I published six articles about government misconduct in deportation proceedings in *The Nation* magazine, e.g., Stevens 2009c, 2010a, 2010b, and published additional material on my blog, "States Without Nations" (<http://stateswithoutnations.blogspot.com>); these elicited further information on government malfeasance from respondents and attorneys, e.g., Stevens 2010c, which, when posted, attracted attention and at times efforts at redress or obfuscation by officials in the immigration courts and Homeland Security. I was aware of this from their e-mail to me and later when I obtained the e-mail traffic about me; EOIR FOIA Case no. 2010–12055, on file with the author.
- 19 I became familiar with this literature as a Robert Wood Johnson Health Policy Scholar at Yale University, 1997–1999.
- 20 Stevens 2009b, 24–25; sociologist James Mercy, Special Advisor for Global Activities, Director of Violence Prevention, Center for Disease Control, pioneered this research.
- 21 Aristotle's discussion of political versus forensic rhetoric deserves attention for a contrast between his use of this distinction for a society with practices and institutions without the distributed intelligence of writing and administration we see in the modern state, but space does not permit this here; Aristotle 1984, 2152–2269.
- 22 Hacker and Pierson 2012. Hacker and Pierson ground their embrace of policy-focused research in institutional research by E.E. Schattschneider, but the choice appears to be one of convenience. They are not making a politically neutral argument on behalf of a specific method because Schattschneider's brilliant theoretical discoveries have been shunted aside and they worry about how this affects the integrity of scientific research. Rather, Hacker and Pierson are questioning how the reliance on certain methods deflects attention from studying the government policies, a focus Hacker and Pierson commend for our attention and that Schattschneider also happened to study.
- 23 Oren 2006.
- 24 Carpenter 2012, 366.
- 25 Leebaw 2014.
- 26 Johnson 2014, 217. Carpenter says she would feel uncomfortable burdening the people she studies with problems of her research design, and also points out they are children. Johnson also is meeting with minors, all of whom appear to be teenagers, and thus their different research communities may explain at least part, though I suspect not all, of their differences on this point.
- 27 Kuhn acknowledges using "paradigm" 22 ways in his original on paradigm shifts, encompassing broad frameworks and not just techniques; Kuhn 1974, , 293.
- 28 Merriam-Webster 2015.
- 29 For a longer discussion of this, see Stevens 2009b, especially 225–242, discussing Karl Popper's simultaneous rejection of his method for studies of society and his commitment to use knowledge for society's improvement: "One of the points on which I feel sympathy with Marxists is their insistence that the social problems of our time are urgent, and that philosophers ought to face the issues; that we should not be content to interpret the world but should help to change it"; Popper 1963 [1947].
- 30 Green 2014, especially 19, 27.
- 31 Ido Oren notes that for U.S. security studies, the "idea that our role is basically to serve the government/nation and provide intelligent input to policy elites is ubiquitous," and cites as an example a recent article by Paul Avey and Michael Desch, "What Do Policymakers Want from Us? Results from a Survey of Current and Former National Security Decision Makers," *International Security Studies Quarterly*, 58 (4): 227–46. E-mail from Oren to Stevens, May 7, 2015. Desch has worked in the Bureau of Intelligence and Research at the State Department. <http://politicalscience.nd.edu/faculty/faculty-list/michael-c-desch/>.
- 32 "[RAND] promoted massive defense expenditures and a plan wholly to reorganize decision-making procedures within the DOD by vesting a new policy elite whose authority would derive from the supposed objectivity of rational policy analysis": Amadae 2003, 57. Amadae's copious research, based on RAND's archives, reveals how RAND research by experts such as Kenneth Arrow and Herbert Simon persistently

- served interests of the military-industrial complex over those of independent knowledge.
- 33 Chomsky attacks a range of social scientists for their amenability to lies and false assertions of objectivity. Of the mutually assured destruction scenarios from RAND, Chomsky notes the credibility of plans by Herbert Kahn, parodied as “Dr. Strangelove,” comes from a “façade of tough-mindedness and pseudo-science,” and he repeatedly singles out “academic apologists” for their biased defense of U.S. military policies in Vietnam; Chomsky 1987, 61, 71, 77, and *passim*.
 - 34 “Unfortunately, the notion professionals are especially adept at avoiding unrealism, falsity, and narrowness is one for which little evidence has ever been offered, at least with regard to the social sciences. What is needed, though not provided by RAND, is an analytic method that generates varying assumptions about the political world and calls forth the full range of its practitioners’ political wisdom and moral judgment”; Green [1968] 2014, 207.
 - 35 A political scientist and adviser to the CIA, Johnson conveys remorse over providing credibility to the U.S. invasion of Vietnam, a “disastrously wrong position,” and exemplifies the problem with the outward gaze of the national intelligence paradigm: “The problem was that I knew too much about the international Communist movement and not enough about the United States government and its Department of Defense”; Johnson 2000, xxviii.
 - 36 The pluralist intellectual critics of McCarthyism, such as William Kornhauser, Nathan Glazer, and David Riesman, “long for an autonomous political elite that stands above the group struggle and keeps that struggle from getting out of hand”; Rogin 1967, 20.
 - 37 Herbert Laswell “elaborated on how the technocratic elite would use propaganda techniques in order to sublimate political conflict and train the public to accept the correct path of reform”; in Oren 2003, 11. Oren also points out that Almond’s *The American People and Their Foreign Policy* “fleshed out the theory that a decade earlier had caught the ear of Laswell’s patrons from the Rockefeller Foundation, namely that the elite of United States society should systematically manipulate mass sentiments in order to protect democracy from its authoritarian enemies”; 143.
 - 38 On Laswell’s *Propaganda Technique in the World War* [1927], Osgood writes: “The public’s desire for peace represented a particularly difficult psychological obstacle that needed to be overcome. In an age where ‘peace has come to be regarded as the normal state of society,’ the circulation of ideas by propaganda was necessary to transfer the pacific public’s inclinations into a search for vengeance. ‘So great are the psychological resistances to war in modern nations that every war must appear to be a war of defence against a menacing, murderous aggressor’”; Osgood 1987, 27.
 - 39 Saunders 2000; her book focuses on the funneling of CIA funds to artists and social scientists directly and through the Ford, Kaplan, and Rockefeller foundations.
 - 40 “The Homeland Security Advanced Research Projects Agency (HSARPA) supports cutting-edge research to produce revolutionary changes in technologies, new capabilities and threat and risk assessments for the Homeland Security Enterprise (HSE)”; Homeland Security Science and Technology, <http://www.dhs.gov/science-and-technology/hsarpa/>.
 - 41 The Naval Postgraduate and U.S. Department of Homeland Security Center for Homeland Defense and Security, Masters Degree Program website describes its “cadre of graduate education programs and resources used by universities and agencies across the country”; <http://www.chds.us/?masters/overview/>.
 - 42 Pub. L. No. 113–76, 128 Stat. 5, 251.
 - 43 ICE FOIA Case no. 2013FOIA17862, available at <http://deportationresearchclinic.org/riskclassification/>, and see especially grievances about humiliating, dangerous and even fatal working conditions in immigration jails, at <http://deportationresearchclinic.org/ICE-FOIA-2013-32547-501pp.pdf/>. For an analysis of systemic failures of deportation procedures in the context of U.S. citizens detained and deported as aliens, see Stevens 2011.
 - 44 See, e.g., Huntington 1974.
 - 45 Osgood describes Laswell forging a connection between the propaganda needs of the modern state and the public opinion and attitude research he and other political scientists might provide. (Osgood 1987, 27–28).
 - 46 Thanks to Ian Hurd for this helpful metaphor.
 - 47 Critical theorists, including those in political theory, have done this for quite some time. The proposals here largely are consistent with Horst Bruckhurst’s Habermasian argument for using law to advance the pursuit of justice; Bruckhurst 2014.
 - 48 Consider the recent APSA presidencies of Carole Pateman and Jane Mansbridge, signaling the discipline’s embrace of scholarship questioning elite priorities. Pateman’s path breaking work theorizing political participation, sex and race inequality, and colonialist politics reflects what she calls her “problem driven” research, the common theme being concerns about injustice; personal communication, May 7, 2015. In her Presidential Address,

- Mansbridge explores the need for political science to explore coercion through negotiation instead of force and the importance of transparency, both measures shifting power away from elites and to the citizenry; Mansbridge 2014.
- 49 Page and Winters 2009.
- 50 Page, Bartels, and Seawright 2013.
- 51 Ibid., 54, 66.
- 52 Ibid.
- 53 Ibid., 66.
- 54 Merriam-Webster 2015. This approach resonates with aspects of Eyal Weizman’s “Forensic Architecture” project, whose “team of architects, artists, filmmakers, activists and theorists undertake research that gathers and presents spatial analysis in legal and political forums.” For his scholarship and projects, see www.forensic-architecture.org/. “Forensic” is from the Indo-European root *dhwer-, from whence the Latin “fores, doors, esp outer doors” and the Latin “forum, a marketplace (out of doors), the centre of public business, for which the adjective is ‘forensis, of the forum, as the orig center of law business; hence forensic, legal—esp in relation to speechc”; Partridge 1955.
- 55 Certainly citizens and scholars frequently reference being motivated by justice. But typically they affirm this in contexts that are not just short of perfect, but when what they face is “shocking to the conscience,” itself a legal term of art; *Rochin v. California*, 342 U.S. 165, from a Court ruling that the police cannot pump a suspect’s stomach and introduce it as evidence in a trial. For instance, Heather Johnson writes, “I was brought to this work [studying migration camp experiences] through both activism and a concern for issues of global justice”; Johnson 2014, 32. And yet her substantive discussion is not about how her research points us toward a perfect political order, but rather, how it alerts us to injustice that requires remediation. Forensic intelligence is the assimilation of these reactions into legal analyses and strategies for avoiding injustice, and not theories on how to establish a perfect government.
- 56 Page, Bartels, and Seawright claim their findings pose a “serious challenge to a core democratic value, i.e., the idea that government policymaking should be attentive to the interests of all citizens,” and call for further investigation; Page, Bartels, and Seawright 2013, 68.
- 57 Derrida 2002, 28.
- 58 Stevens 2015b.
- 59 Ibid.
- 60 E.g., “An Army proposal in 2011 to stop refurbishing the M1 Abrams tank to save \$3 billion was blocked . . . in response to the lobbying muscle of the tank manufacturer, General Dynamics”; Sia and Cohen 2013. For arms and military spending by country see SIPRI Military Expenditure Database, at http://sipri.org/research/armaments/milex/milex_database/.
- 61 The Thirteenth Amendment exempts from prohibitions of slave labor those held as a condition of punishment. ICE custody based on risks of flight or danger to the community is civil, not punitive. Likewise, there is no exemption under the Fair Labor Standard Act for those in ICE custody; Sinha 2015, Stevens forthcoming in 2016b.
- 62 In 2011 ICE released documents responsive to a 2009 FOIA request. These revealed wide-spread payments to ICE residents of one dollar per day, including through petty cash. In 2014 my findings were covered in the *New York Times*; Urbina 2014 and Stevens 2014d.
- 63 Free also is an attorney of record in the first case filed, *Menocal et al. v. The GEO Group, Inc.* Case 1:14-cv-02887, filed 10/22/2014. Colorado attorney Brandt Milstein contacted him after reading my working paper, to which the *Times* article had linked. On July 6, 2015, the judge, in an historic ruling, stated that if the facts were as alleged, GEO could be liable for millions in damages.
- 64 Stevens forthcoming in 2016b.
- 65 While I was negotiating with EOIR for a release of this data responsive to my FOIA request, the legal non-profit Public Citizen representing the American Immigrant Lawyers Association consulted with me and filed a lawsuit for the same information. Were it not for their intervention it is unlikely that these cases would have been released. For the information and releases pursuant to their complaint, refer to <http://www.aila.org/infonet/eoir-records-relating-misconduct/>.
- 66 Among the project’s initial findings: fewer than 5 percent of the adjudicators accounted for 39 percent of the complaints; 66 percent of complaints from the Board of Immigration Appeals and 69 percent of complaints from Department of Homeland Security personnel (typically attorneys) elicited a formal reprimand, while complaints by respondents or their attorneys brought about formal or informal censure in 27 percent and 22 percent of complaints, respectively. Meehan brought to our attention that among the 608 complaints with one unique date on which misconduct was alleged (out of a total of 794 complaints), it took the EOIR an average of 553 days before producing findings, and that among those adjudicators who drew the highest percentage of complaints, EOIR took 624 days before closing them.
- 67 Citizenship and Immigration Services has a program under which Muslims or those from so-called Muslim countries fail to receive immigration benefits

because of endless, unexplained delays or denials based on pretexts; Pasquarella 2014. Kennan had been targeted by that program.

- 68 Kennan shared the recordings with me after encountering my own First Amendment lawsuit against one of the top recipients of misconduct complaints, William Cassidy of the Atlanta immigration court, who indicated in his order denying bond that Kennan, born in London, was a “native of Pakistan,” that he was in a “sleeper cell,” and appeared to have a fraudulent marriage, the last two claims at odds with the FBI agents’ statements to Kennan (when they were unaware of being recorded) and other government documents; see Stevens 2014b.
- 69 Stevens 2013a; Stevens 2014a.
- 70 Merriam-Webster 2015.
- 71 Skocpol 2014.
- 72 The site allows scholars to post working papers and thus exchange ideas the time-frames and criteria of peer-review journals, and venues where many of the SSRN publications eventually appear; <http://www.ssrn.com/>.
- 73 *Jacqueline Stevens v. Eric Holder, Jr. et al.*, case 1:12-cv-01352-ODE, filed April 18, 2012, still pending; see Stevens 2014b.
- 74 Stevens 2008b; Stevens 2009a; Stevens 2010b.
- 75 The NSA has asserted its right to monitor foreign communications without a warrant. Ackerman and Ball 2014. Sprint employees documented that my cell phone signals were on the French satellite network while I was in Chicago, something the manager who had worked there for 10 years had never seen. Until my phone was wiped, “FR” appeared adjacent the phone screen space for the signal strength, at first persistently and later only when I activated the camera; moreover, my cell phone lacks the technical capability of using Sprint’s commercial French network and my bills indicate no additional roaming fees. My phone still has numerous anomalies.
- 76 Lang 1998, quoting Fulbright speech to the Senate (December 13, 1967), in which Fulbright quotes from a report by Adams and Jaffe 1967, 5–6.
- 77 Ibid.
- 78 “Deeper understanding of global populations and their variance as provided by Minerva-funded research will yield more effective strategic and operational policy decisions. Minerva scholars have already briefed valuable, warfighter-relevant insights to senior officials such as the Chairman of the Joint Chiefs of Staff, decision makers in the defense policy community, and on the ground to our combatant commands.” <http://minerva.dtic.mil/>.
- 79 The current CEO of General Dynamics is on the NU Board of Trustees. The previous CEO of General Dynamics and a current GD director are on the NU Life Board of Trustees. The current CEO of Boeing is on NU’s Board of Trustees. The past CEO of Boeing is on the Life Board of Trustees. William Osborn, the Chair of the NU’s Board of Trustees and thus the top decision-maker at NU, chairs the GD Compensation Committee. Osborn also is a director of Caterpillar Inc., Abbott Laboratories, and was CEO of the Northern Trust Corporation, the last two of which also have trustees on the NU Board. Northern Trust holds NU funds. Moreover, relatives of Henry Crown, who took over General Dynamics through a merger with his Material Services Corporation in 1959, also are on the NU board and James Crown is a current GD Director. www.adminplan.northwestern.edu/board-of-trustees/trustee/, www.adminplan.northwestern.edu/board-of-trustees/life/index.html/; www.adminplan.northwestern.edu/board-of-trustees/officers.html/; Harvard Business School, Contemporary Business Archives, General Dynamics Corporation, www.library.hbs.edu/hc/lehman/company.html?company=general_dynamics_corporation/; [investorrelations.gd.com/phoenix.zhtml?c=85778&\[=irol=govboard/](http://investorrelations.gd.com/phoenix.zhtml?c=85778&[=irol=govboard/).
- 80 E.g., “General Dynamics IT has been on the front lines of homeland security for decades. Our innovative capabilities and solutions provide the thought leadership and technical excellence that strengthen people, property and infrastructure to help keep America safe.” General Dynamics. Information Technology. Homeland Security. www.gdit.com/Customers/Homeland-Security/. GD in 2011 procured \$23,068,33 in Homeland Security contracts, \$10,028,252 in contracts with the FBI, and additional multi-million dollar contracts with Border Patrol (guard services), and Citizenship and Immigration Services, according to the contractor data interface on [fedspending.org](http://fedspending.org/fpds/index.php?reptype=a/), <http://fedspending.org/fpds/index.php?reptype=a/> GD’s Annual Report states “Our primary customer is the U.S. Department of Defense. We also contract with other U.S. government customers, including the intelligence community. . .” GD states sales for 2014 of \$14.5 billion to the U.S. DOD and \$689 million in foreign military sales “paid by the U.S. government,” making U.S. government sales 58% of the firm’s revenue. 2014 Annual Report, Pp. 7–8, <http://investorrelations.gd.com/phoenix.zhtml?c=85778&p=proxy/>.
- 81 www.darpa.mil/.
- 82 E.g., DARPA webpage discussing contracts for technology development that will help the U.S. military outpace commercial developers, referencing

- previous GD and Boeing contracts, at www.darpa.mil/NewEvents/Releases/2015/03/30/.aspx/.
- 83 TIAA-CREF, which manages many academic pension funds, including that for NU, on May 1 divested its Social Choice Funds from Caterpillar; JTA 2012. See also, e.g., Erdman and Brumfield 2014 and Hundley 2007.
- 84 Boer et al. 2014.
- 85 The U.S. government sought to use the NU Journalism School in Doha to address unfavorable coverage of U.S. military actions by Al Jazeera. A September 16, 2008 cable from the U.S. embassy in Qatar to several U.S. law enforcement and military agencies states, “The USG has a strong interest in using Al Jazeera to reach its enormous Arabic-speaking audience . . . To this end, we need to fully coordinate public affairs efforts throughout the Region to engage Al Jazeera and refute its unsubstantiated claims through a rapid response unit. More polling data are needed to evaluate better whether our use of Al Jazeera and other Arabic-language media is having its desired impact . . . In the longer run, Northwestern University’s School of Journalism campus in Qatar can act as a resource . . . We will devote time and resources to help Northwestern establish a strong and lasting working relationship with al-Jazeera”; https://wikileaks.org/plusd/cables/08DOHA664_a.html/. The 2013 MOU NU Qatar campus CEO Everette Dennis signed with the Sheikh who directs Al Jazeera “deepens ties between the two organizations that have worked together since NU-Q’s inception.” Northwestern University 2013. The effort appears to have paid off. Anecdotal accounts from anthropologists who view the television station suggest the station no longer issues body counts of civilian deaths from U.S. drone strikes. Concretely, the day after the U.S. disclosed a drone strike had killed U.S. and Italian hostages of al-Qaeda, the *New York Times* covered it on the front page of the print and online editions, while *Al Jazeera’s* home page had no reference to the event but a full-screen photo commemorating the Armenian genocide; http://nytimes.com/2015/04/world/asia/2-qaeda-hostages-were-accidentally-killed-in-us-raid-white-house-says.html?_r=0, April 24, 2015, Al Jazeera screen shot, on file with the author.
- 86 Eisenman 2015. NU did not share with Eisenman the Qatar budget, so that the financial portion consists of Eisenman repeating NU claims without any independent verification, as he acknowledges. The claim that the campus is fully supported by the Qatar Foundation and may be earning money is at odds with information shared with me from someone in the NU administration indicating the campus had a shortfall and was searching for Evanston-based funds. In 2012, NU reported spending \$38,237,634 on its Qatar campus. (Northwestern University IRS Form 990, on file with author.)
- 87 Rollet 2014; Rollet 2013a, 2013b.
- 88 Boeing.mediaroom.com/2012-12-08-Boeing-Opens-New-Office-in-Doha-Qatar/. The United States has approximately 9,000 troops in Qatar; https://wikileaks.org/plusd/cables/08DOHA94_a.html/. GD has several contracts for work with the 160th Signal Brigade in Kuwait, Qatar, and Afghanistan, as well as what GD bills as “landmark” contract to sell Gulfstream aircraft to Qatar directly; www.generaldynamics.com/news/press-releases/detail.cfm?customel_dataPageID_1811=19470/.
- 89 So-called offsets are a “determining factor in the signature of major contracts, particularly in the defence sector. From being a sideline, they have become a central feature in contract negotiations. One of the reasons for their success is that they are not totally covered by transparency criteria governing commission payments”; Intelligence Online 2014. The source for this is a web page encouraging firms to pursue these arrangements through Blenheim Capital, run by the man who claims to have invented these arrangements. According to the U.S. Bureau of Industry and Security, the government “prohibits any agency of the U.S. Government from encouraging, entering directly into, or committing U.S. firms to any offset arrangement” for “sale of defense articles.” But the report notes, “Several U.S. defense contractors have informed BIS that offsets are usually necessary in order to make defense sales” and that in 2012, military contractors entered into 43 reported offset agreements worth \$10.1 billion, 40 percent of total reported contract sales; U.S. BIS 2013, 4, 3.
- 90 As an example of a successful military offset Blenheim Capital describes the development of the Qatar Science and Technology Park inside Education City “in partnership with the Qatar Foundation” and boasts of “bringing together more than 30 aerospace, defence and high technology companies from the Qatar supplier network working in partnership with Education City in Doha”; www.blenheimcapital.net/samp_projects/#.
- 91 www.qatar.northwestern.edu/about/people/leadership.
- 92 *America’s Richest Families* (2014), ranking the Crown Family at #35, *Forbes*, www.forbes.com/crown-1/.
- 93 “Led by Col. Henry Crown’s son, Lester Crown, the Crown family has made key major gifts beginning in the 1960s that provided essential buildings and endowed centers. Among these were the Rebecca Crown Center, the main administration building; the Henry Crown Sports Pavillion; many renovated

laboratories and classrooms in the Technological Institute”; <http://northwestern.edu/magazine/northwestern/spring2001/charting-long-feature.htm/>.

- 94 Daly 2005.
- 95 Crown Family Foundation IRS Form 990, 2012, on file with author.
- 96 Ammeson 2005.
- 97 See www.jewish-studies.northwestern.edu/faculty/elie-rekhes.html and www.jewish-studies.northwestern.edu/faculty/faculty-search.html/.
- 98 In November 2014 the NU Director of Information Technology informed the Faculty Senate that on occasion the administration reads our e-mail without a court order; Eisenman 2014, 2. The administration will not reveal the circumstances for this policy statement, nor have the IT staff provided explanations of anomalies in my Northwestern e-mail account or my own centrally-maintained digital voicemail being shut down on two occasions in the last six months.
- 99 See Ginsberg 2011, Tuchman 2009, Washburn 2005. For a recent symposium addressing challenges of the corporate university, see *American Quarterly* 2012, especially Rodríguez 2012.
- 100 The three best sources on this for the use of political scientists are Amadae 2003, Johnson 2000, and Oren 2003.
- 101 For a systematic analysis of the “Golden Triangle” of the military, high tech industry, and research universities in light of recent trends, see Miller and Mills 2010.
- 102 Is the American Psychological Association the only academic professional body to have members who “secretly collaborated with the administration of President George W. Bush to bolster a legal and ethical justification for the torture of prisoners”? See Risen 2015.
- 103 The Minerva Project alone, with \$75 million to allocate since 2008, has funded numerous political science projects that exemplify the national intelligence community’s distortion of research on governance. See <http://www.theguardian.com/environment/earth-insight/2014/jun/12/pentagon-mass-civil-breakdown/> and <http://minerva.dtic.mil/funded.html/>. While these are publicly reported, other projects and the presence of recruiters and informants on today’s university campuses remain government secrets. In a 1968 article, Philip Green raises questions still timely today: “Are scholarship and ‘creative research’ at all compatible with secrecy? Are we to consider classified work a contribution to knowledge or simply, until it is made public, a fiction? Can a scholar or scientist accept the military’s rationalizations for secrecy and remain true to his or her vocation? . . . Perhaps there is a responsible argument to be made for mixing military

secrecy with civilian research, but I have never seen one that was not merely self-serving”; Green [1968] 2014, 208.

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