

Dismissal “with prejudice” of case against Harvard vindicates Professor John Comaroff

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The years-long campaign to smear and destroy the career and reputation of distinguished Harvard Professor of Anthropology and African and African American Studies John L. Comaroff collapsed on Wednesday with the dismissal “with prejudice” of the civil suit brought by three graduate students against Harvard University. While the settlement does not compel the plaintiff to cover court and related legal costs, the outcome discredits their campaign and effectively vindicates Professor Comaroff.

When a case is settled “with prejudice,” it means that the case is closed permanently, and the plaintiffs are barred from bringing another lawsuit on the same claim. This finality implies that the lawsuit filed by graduate students Margaret G. Czerwienski, Lilia M. Kilburn and Amulya Mandava—who claimed without any facts or evidence that Professor Comaroff had engaged in sexual harassment and sued the university for not acting to remove him—was fundamentally flawed, without merit and cannot be brought up again.

The “without costs” aspect simply mitigates the financial burden but does not lessen the negative legal implications of the dismissal with prejudice.

The ignominious end of the lawsuit, which should never have been brought in the first place, deals another major blow to the #MeToo campaign of recent years. Since 2017, this campaign, hostile to essential provisions of legal due process, has destroyed the careers of individuals based on unsubstantiated allegations and innuendo.

Responding to the failure of the slander campaign against Comaroff, the law firm representing the three graduate students, Sanford Heisler Sharp, flippantly declared in a statement on Wednesday, “We are glad that our clients will now be able to move on with their lives and careers.” In other words, having created havoc with their vindictive and self-promoting witch hunt, they are free to embark on their next adventure.

But for Professor Comaroff, a consequence of the smear campaign is that the professor retired from Harvard on June 30 without achieving emeritus status, an honor most tenured Faculty of Arts and Sciences professors receive upon retirement.

John Comaroff was born in South Africa and attended University of Cape Town, where he began his studies in anthropology. He spent 34 years teaching, along with his wife Jean Comaroff, at the University of Chicago. The husband and wife joined Harvard in 2012.

In May 2020, following a scandalous article published by the *Harvard Crimson*, the university administration placed Professor Comaroff on paid administrative leave while an investigation into allegations of “unwanted touching, verbal sexual harassment, and professional retaliation” was being conducted.

Responding to the accusations, which were submitted by the

students to Harvard’s Title IX office, Comaroff wrote in an email that he “denies all allegations of sexual harassment and retaliation,” and said that the Harvard administration actions against him were “prejudicial to the fair determination of any claims” and “a violation of the Harvard University Sexual Harassment Policy and Proc[e]dure’s confidentiality rules.” He was also asked by the Anthropology Department not to teach a course.

At the conclusion of the investigation, the university found Comaroff “responsible solely for verbal sexual harassment arising from a brief conversation during an office hour advising session. The advice he gave concerned the student’s physical security in field research.”

According to the details of the investigation, Comaroff had attempted to explain to a gay female student that traveling with her partner in Cameroon, where homosexuality is illegal, could lead to sexual violence. His lawyers explained that the professor insisted “that it was not only his right, but his moral duty, to so advise her, because her proposed plans were objectively physically dangerous to her. The investigators found that he had no sexual or romantic intention.”

The investigation found that the evidence did not support the accusation of “unwanted sexual contact” and found him “not responsible for *any* of the other two complainants’ allegations.”

Responding to the witch-hunting atmosphere, the university administration launched a second kangaroo court-style investigation that found the professor “was responsible for alleged unprofessional (but entirely non-sexual) conduct in another office hours advising session.” On January 20, 2022, Faculty of Arts and Sciences Dean Claudine Gay placed Comaroff on unpaid administrative leave.

The sanctions against the professor were so outrageous that 38 professors signed a protest defending Comaroff on February 4, 2022, including Shakespeare scholar and cultural historian Stephen Greenblatt, literary critic and historian Henry Louis Gates Jr., historian Jill Lepore and law Professor Randall Kennedy.

It was at this point that the civil lawsuit that was dismissed this week was filed against Harvard. A witch-hunting campaign was mounted, and almost all of the professors who had supported Comaroff shamefully retracted their statements.

The WSWWS wrote at the time (in “The concerted, cowardly #MeToo attack on Harvard Professor John Comaroff”):

Under the wretched heading, “We Retract,” the 34 present no evidence of wrongdoing by Comaroff, but simply apologize for their original concerns, which “were transparency, process and university procedures, which go beyond the merits of any

individual case.” Why are they recanting their previous views? “We failed to appreciate the impact that this would have on our students”—in other words, they underestimated the ire their protest would provoke among the identity politics hysterics—“and we were lacking full information about the case.” Which “full information”? The professors don’t care to say.

The WSWS was alone in defending Comaroff, who has consistently denied all the allegations, and basic democratic rights. In a lengthy and detailed analysis of the suit published on March 15, 2022, “The politically driven campaign against Harvard anthropologist John Comaroff,” the WSWS wrote:

A case has been constructed against Comaroff that has no merit and no substance. There is nothing that remotely approaches proof of any wrongdoing. Rather, there are a series of allegations, many of them wild and preposterous, unsupported by any evidence. The acceptance of denunciations without verifiable evidence is the hallmark of a witch-hunt.

The WSWS took apart the alleged “facts” brought forward in the suit and exposed the underlying motivations. We wrote:

The Comaroff controversy could only occur in a degraded intellectual climate where irrationality is elevated above reason, emotional appeals above factual analysis. Decades of postmodern sophistry, subjectivism and linguistic “deconstruction,” which dominate the humanities, have played their part, weakening the attention paid to objectively existing, law-governed processes and shifting the focus to various forms of racist, feminist and “left” myth-making, to self and identity and to one’s own “narrative” (and, inevitably, bruised feelings), regardless of its truth or non-truth. The Nietzschean spirit holds considerable sway: “The falseness of an opinion is not for us any objection to it.”

A climate of fear has been created on college campuses, in some ways worse than that prevailing during the McCarthy period, in which vast pressure is brought to bear on anyone audacious enough to come to the defense of those under attack. This has created an environment of humiliating recantations and escalating attacks on academic freedom and democratic rights.

While the lawsuit was underway, various groups on campus, including the UAW local for graduate students, staged provocations aimed at preventing Comaroff from being able to teach. In September 2022, the Socialist Equality Party and the International Youth and Students for Social Equality published a statement, “Defend Harvard Professor John Comaroff against the right-wing witch-hunt!”

Responding to the direct intervention of the White House and the Biden administration on the side of the plaintiffs in the suit, the statement explained:

The administration’s intrusion into the Comaroff case helps clarify the political and class dynamics at work. The White House and the Democrats have a significant stake in the campaign. It is being used to refocus political attention on gender and identity politics, to be wielded against a growing movement of the working class.

The statement added:

The deceitful, underhanded modus operandi of the anti-Comaroff forces needs to be exposed as widely and thoroughly as possible. Faculty and students have the responsibility to examine the facts objectively. Such an examination will inevitably lead to strong, vocal opposition to the ongoing witch-hunt.

In March 2023, the Comaroff’s accusers mounted a right-wing provocation on the university campus under the title “Our Harvard Can Do Better,” which included demands that the administration declare a state of emergency “to address the sexual violence crisis on campus.”

In a statement, “The slanderous campaign of ‘Our Harvard Can Do Better’ against Professor John Comaroff,” the WSWS wrote:

Comaroff is guilty of nothing. There is no substance whatsoever to the claims against him, as exhaustive inquiries have demonstrated. The wild slanders of Our Harvard Can Do Better, aided and abetted by the *Harvard Crimson* and the unprincipled leadership of the Harvard Graduate Students Union (HGSU)—UAW Local 5118, are just that: slanders.

An indication that the court was finding that there was in fact no evidence behind the allegations in the lawsuit emerged in November 2023, when US District Court Judge Judith G. Dein referred the lawsuit to Magistrate Judge M. Paige Kelly for an alternative dispute resolution.

The final settlement dismissing the suit “with prejudice” is a vindication of Comaroff and an exposure of all those who participated in the right-wing, anti-democratic campaign against him.



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