



Statement on Threats to Academic Freedom, University Governance, and Safety at the University of Pennsylvania

Executive Committee of the University of Pennsylvania Chapter of the
American Association of University Professors (AAUP-Penn)

October 28, 2023

Over the past few weeks, the Executive Committee of the University of Pennsylvania chapter of the American Association of University Professors (AAUP-Penn) has heard from scores of colleagues who, like us, are gravely concerned about violations of academic freedom and shared governance at Penn. We are concerned about the coercive power that trustees and donors are exercising over academic matters that are the purview of faculty. We are disturbed by the harassment, intimidation, and threats of personal violence that faculty have experienced for participating in legitimate scholarly activities and public events on campus. We are concerned about the chilling effects of statements by trustees, donors, and university administrators on teaching, learning, and scholarship.

We write out of respect and concern for our university's own stated commitments to academic freedom and open expression; out of opposition to racism, bigotry, and discrimination of all kinds; out of abhorrence for indiscriminate, militarized violence that has subjected civilians in both Palestine and Israel to death and suffering; and out of the conviction that the university should be a space in which we can experience our common humanity together. We write out of a sense of alarm that Penn's trustees and president have been unable to articulate these commitments themselves.

After listening to reports from our colleagues, many of them afraid to speak publicly, and after collecting documentation of their reports, we find it urgently necessary to warn that the actions of our university's trustees, donors, and president have impaired the basic academic functioning of the University of Pennsylvania, and have publicly devalued and even endangered the lives of Palestinian, Arab, and Muslim members of our community. At a time when we have witnessed antisemitic and terroristic acts that are real and reprehensible, our university leadership has intensified fear and animosity by associating antisemitism and terrorism with an overly broad range of academic programming and political speech. This has had the effect of unjustly demonizing our colleagues and students; exacerbating the sense of isolation, distress, and endangerment of many Jewish students, faculty, and staff; and sowing division among members of our community who are suffering.

* * *

As the Executive Committee of AAUP-Penn, we reassert the necessity of academic freedom to Penn's educational mission. Academic freedom is not a special privilege of individual faculty members, nor is it exclusive to those with tenure; it is a basic condition for teaching, research, and discourse to take place at all in our community free from coercion or retaliation. As defined

in the [AAUP's 1940 Statement of Principles](#), it is critical to our students' rights to freedom in learning and more broadly to the common good that free inquiry serves in a democratic society. Penn's Faculty Handbook draws on AAUP principles to uphold a strong policy on academic freedom: "It is the policy of the University of Pennsylvania to maintain and encourage freedom of inquiry, discourse, teaching, research, and publication and to **protect any member of the academic staff against influences, from within or without the University, which would restrict him or her in the exercise of these freedoms in his or her area of scholarly interest.**" The Handbook also protects faculty's intramural and extramural speech: "When speaking or writing as an individual, the teacher should be free from institutional censorship or discipline." Such policies are all the more crucial during wartime and at politically charged moments, when—as a recent [October 2023 AAUP statement](#) recognizes—"universities' stated commitments to protect academic freedom are most put to the test." We stand with the trichairs of Penn's Faculty Senate in their urgent [defense of this foundational principle](#). We call on the administration to uphold its own stated policies and to protect our colleagues from inappropriate pressure and from threats, internal and external, to their employment and personal safety, which make it impossible for any of us to do our jobs.

Penn's trustees and administrators have threatened the principles of academic freedom first in issuing statements that delegitimized a literature festival—an event that is entirely appropriate to a university campus. The Palestine Writes Literature Festival presented Penn with a chance to do what universities are meant to do: to foster free and open discussion of difficult, complex issues; to allow faculty and students to encounter artistic and cultural expression and to critically examine competing, challenging, and even discomfiting interpretations of the world; and to create a space to do all of this on the basis of a shared recognition of our common humanity. To host such an event is a credit to a university. Instead of recognizing that fact, trustees and donors demanded that the university administration cancel it—an act that would have been a clear violation of academic freedom, which includes the freedom of faculty to teach, conduct and disseminate research, and design academic programming, as well as the freedom of students to learn. Canceling the event would likewise have violated Penn's Guidelines on Open Expression, which prohibit the university from restricting speech on the basis of its substantive content.

While we commend the university administration for rejecting trustees' and donors' demands to cancel the Palestine Writes Literature Festival, their subsequent [statements](#), together with those of trustees and donors, did damage to our university by stigmatizing the event and the members of our community who participated in it. President Liz Magill, echoing trustees and donors who inappropriately pressured her both to cancel and to denounce it, repeatedly associated the conference with antisemitism and with terroristic violence—first by denouncing individual speakers, and later by invoking the Palestine Writes Literature Festival in condemnations of completely unrelated events that all of us abhor: antisemitic acts of vandalism on Penn's campus and Hamas's killing and kidnapping of civilians on October 7.

The attacks on the Palestine Writes Literature Festival gave rise to numerous violations of academic freedom, violations of university policies, and instances of discriminatory treatment. For example, during this literature festival, the university offered free security services to Jewish students who felt unsafe. By contrast, the festival's organizers are being billed by Penn for additional security and an antiterrorism unit that the administration required them to have in

order for the event to take place. Billing the literature festival for additional security was, in this case, discriminatory. Altering the security requirements for the event and adding charges after it had been approved, moreover, violated Penn's [Guidelines on Open Expression](#) (see Interpretive Guidelines IB and IC).

Threats to academic freedom rippled out from the conference itself into department offices. Some departments and centers that co-sponsored the Palestine Writes Literature Festival experienced direct pressure from donors that undermined their ability to function. We have received reports of donors directly contacting academic programs that rely on them financially, expressing their opposition to the program's decision to cosponsor the festival, and demanding that they remove their logos from the event publicity. In the wake of donors' communications, some colleagues found that their primary task at work became responding to donors' implicit and explicit threats to cut funding for academic programs. In that sense, donor pressure undermined the ability of faculty members to do their jobs—to teach and conduct research. This experience has had a chilling effect: today, no faculty member who has reported such interference to us was willing to have their department, program, or center named in this statement for fear that they would come under further attack. All of this raises grave concerns about academic freedom. Faculty have the right to intramural and extramural speech—that is, the right to critique their own institutions and to speak on issues of general concern. That right has clearly been compromised. The right of faculty to make academic decisions within their areas of expertise has also been endangered.

Other departments experienced violations of academic freedom in their classrooms. On September 20, President Magill [announced](#) what amounted to a unilateral change to course requirements in the Department of Near Eastern Language and Civilizations, made without faculty knowledge or consultation. As the [Daily Pennsylvanian](#) reported, students in some classes had been required to attend a certain number of cultural events on campus during the course of the semester in order to acquire cultural proficiency along with other proficiencies in language, literature, and history. As part of that initiative, students were asked to choose for themselves some part of the Palestine Writes Literature Festival to attend. They could watch the dance performance that was part of the conference or attend a session on food or literature. There was no requirement that they attend any specific session or listen to any specific speaker. Students who expressed discomfort were offered alternative assignments. Yet the entire requirement was eliminated without any consultation with faculty—a clear violation of academic freedom, which includes the freedom of faculty to determine curricular matters.

Since the October 7 attack by Hamas, and amid the Israeli government's deadly siege and bombing of Gaza, trustees and donors have continued to circulate wholly unsubstantiated, inflammatory claims about the content and consequences of the Palestine Writes Literature Festival. They have inaccurately conflated the exploration of Palestinian culture, expressions of concern for Palestinian civilians, and criticism of Israeli government policies with antisemitism and terrorism. And they have attempted to abuse the power that comes with wealth at a private university, threatening the futures of programs, departments, schools, and faculty members who participated in or even simply attended the Palestine Writes Literature Festival. Ronald Lauder [wrote](#) to President Liz Magill that he did not want any faculty members “who were involved or supported” the Palestine Writes Literature Festival to teach students in the Lauder Institute, an

academic program that his family endowed and whose board of governors he chairs. Donor Dick Wolf has announced that he will not donate to the university until President Magill resigns, a threat that would clearly seem to imperil the Wolf Humanities Center. Jon Huntsman has announced that he and his family have ended their donations to Penn and the Wharton School. The effect of these and other highly publicized threats is not simply to harm a university for hosting a literature festival, but to muzzle faculty, staff, and students within and beyond these centers, stifling criticism of donors themselves and constraining the academic programming that members of the university might propose in the future. In that sense, trustees' and donors' attack on a literature conference poses a broad challenge to all of the core rights of faculty that academic freedom protects: the rights to engage freely in research, teaching, extramural speech, and intramural speech.

President Magill has not only failed to answer the trustees' distortions and threats, but she has heightened the fear, marginalization, and vulnerability of Palestinian, Arab, and Muslim members of our community, as well as anyone who expresses solidarity with them. Her statements have failed to do something that is simple but essential: give full and equal recognition to all lives and deaths. Since October 7, she has issued multiple statements that condemned Hamas's deplorable attack on civilians in Israel but made no mention of the deaths and suffering of Palestinian civilians. She has extended words of comfort, sympathy, and reassurance to our Jewish students and colleagues while failing to acknowledge the grief and fear that Palestinian, Arab, and Muslim members of our community are experiencing.

President Magill's refusal to acknowledge Palestinian, Arab, and Muslim members of our community has led to instances of discrimination that are painful to recount. To take one example, this month, the university administration publicly embraced a vigil sponsored by Hillel at the LOVE statue to mourn the deaths of Israelis killed by Hamas. President Magill attended. It was covered in *Penn Today*. By contrast, there was no similar public vigil acknowledging the deaths of Palestinian civilians. Given the hostile environment on campus, the Penn Arab Student Society only felt safe convening a vigil at 9:00 p.m. in the basement of Houston Hall. Students who attended reported that they were unsettled to find police at the door. President Magill did not attend. Several students reported that the timing, location, and tenor of the event made them feel that this was a semi-clandestine and marginalizing experience.

The erasures in President Magill's statements and such instances of discrimination have devalued members of our community, and they are threatening. They communicate that the university does not recognize or intend to protect faculty, students, and staff who have been made acutely aware of their vulnerability. Beyond the harm done to those colleagues and students, President Magill's erasures, combined with the threats of trustees and donors, have exerted a chilling effect on expression, teaching, and learning at Penn. It is stunning that since October 7, Penn's academic centers have scarcely produced any programming on Palestine and Israel. Colleagues at many centers with relevant expertise have told us they are afraid to organize such programming. It is a sign of institutional failure that some of the only public opportunities to discuss the human tragedy unfolding in Gaza have been a walk-out and vigil on October 16 and 18 that the administration treated as disruptive forms of protest.

Cumulatively, the university's stigmatization of the Palestine Writes Literature Festival, its public indifference to the experiences and needs of Palestinian, Arab, and Muslim members of our community, its toleration of trustees' and donors' threats and distortions, and its failure to create institutional space for meaningful discussion have had further consequences. They helped fuel a climate in which faculty, staff, and students who participated in the walkout and vigil have been viewed with suspicion, and public understanding of these events has been shaped significantly by those who have distorted their content. Far-right social media accounts and organizations have circulated misinformation that has gone viral, reaching millions of people: most notoriously, [one video falsely claimed](#) that a crowd chanting against genocide was in fact calling for genocide. Newspapers have uncritically quoted people who described these events as pro-Hamas rallies—this despite speakers' explicit, repeated denunciations of Hamas. Students and faculty who gathered at these events to express fear, sorrow, and outrage at the deaths of civilians have been treated as threats themselves.

It is urgent to note that today, as a result of all of this, some of our Palestinian, Arab, and Muslim colleagues, as well as those who express solidarity with them, are facing death threats, calls for their dismissal, and other forms of targeted harassment from within and beyond the university—even, tragically, from some of our students. These colleagues fear for their safety and for the safety of their families. They have reported this harassment to the administration and have not received an adequate response. We are continuing to gather detailed accounts of these incidents and intend to see them redressed by Penn.

Having heard from colleagues and students over the past weeks, the overwhelming impression we have is of a campus in which too many people are afraid. This includes Jewish, Israeli, Palestinian, Arab, and Muslim students and colleagues, as well as people across the political spectrum and of many backgrounds. It is not possible for the university to fulfill its core functions of teaching and research under these circumstances. Many students are distraught and struggling to learn. Many faculty—particularly those without the protections of tenure, who constitute the majority of faculty at the University of Pennsylvania—are afraid to teach, disseminate research on difficult topics, and exercise their rights to extramural and intramural speech. None of us has had the opportunities that a university should afford to freely discuss and debate the problems we are all plainly struggling with: how to comprehend and respond to the political and humanitarian crisis in Palestine and Israel, how to comprehend our own relationships to the Middle East, and how to comprehend our relationships to each other.

Resolving these problems will require us to work together to restore the basic principle of academic freedom: that donors and administrators are not entitled to dictate academic priorities or to suppress expression; that faculty require freedom in research, teaching, extramural, and intramural speech in order to fulfill their obligations to university life; and that students have the right to learn free from interference, threats, and coercion. We might begin to live up to these commitments in the following concrete ways.

1. It is likely that donors and administrators will attempt to respond to the present crisis by creating new academic programming—whether new hiring, curricular offerings, or research initiatives. Faculty must design and control any such effort rather than allow donors to set the terms.

2. When interacting with the university and its members, Penn’s trustees, alumni, and donors must be held to the same university policies that govern the rest of us, particularly policies prohibiting threats, coercion, retaliation, and intimidation. The statutes of the Board of Trustees and all university policies should be revised to reflect that expectation.
3. Those trustees and members of advisory boards who have made coercive threats against members of the university and academic programs within Penn have already violated the Guidelines on Open Expression, to which they are expressly bound. We recommend that they be removed from all university advisory and governance boards.
4. We commit ourselves and our chapter to working with all interested colleagues, departments, centers, and programs to create institutional space for the kind of meaningful discussions that have been foreclosed since September.
5. Most urgently, our university must make clear, in public, that it is committed to protecting the safety and academic freedom of members of our university who are facing targeted harassment, threats of violence, and vulnerability that stems from marginalization and discrimination. That commitment cannot take the form of a statement on security measures. It requires an acknowledgment of these colleagues and students as fully equal members of the university, and an acknowledgment of what they have been put through.

As the American Association of University Professors reminds us in a recent [statement](#), “Institutional policies that affirm a commitment to academic freedom have little meaning if administrators ignore or selectively apply them in tense or stressful times, as they have all too often done in the past. College and university officials are obligated to defend academic freedom; they must resist demands from politicians, trustees, donors, students and their parents, alumni, or other parties to punish faculty members for exercising that freedom.” We are committed to seeing that our university fulfills that obligation.