

PLEASE NOTE THAT THIS IS NOT AN EXACT TRANSCRIPT OF PRESIDENT FUCHS PRESENTATION. INSTEAD THESE ARE TALKING POINTS FROM HIS PRESENTATION

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Academic Freedom & Faculty Advocacy
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Introduction and Background

Many of you may have followed the controversy earlier this fall surrounding Kevin Folta, professor and chairman of the UF Horticultural Sciences Department.

To recap very briefly: Dr. Folta, a vocal advocate for genetically modified organisms (GMOs), came under heavy attack when opponents of GMOs questioned his objectivity based on public records involving his dealings with the agribusiness giant Monsanto. *The New York Times* among many other national media outlets covered the story.

I had planned to discuss this at the Faculty Senate meeting in late August, but I was guest-lecturing in an undergraduate research class and didn't get to the Senate meeting until it had already concluded. I delivered the State of the University address in September, so this is my first chance to get back to the topic.

With the passing of time, the controversy has died down, offering a welcome opportunity for reflection and conversation. Also, the challenges Professor Folta faced raise issues that are confronting academia in general, and that will undoubtedly confront UF ... and I predict Kevin Folta and possibly some of you ... again. These issues surround faculty advocacy and academic freedom, and they bring in related matters of civil discourse, social media and public records.

Let me take these one at a time, starting with faculty advocacy ...

Faculty advocacy

As scholars and researchers, our work often proves relevant and important to areas of concern or controversy in the public sphere, as is the case with Dr. Folta. This is true in the sciences, the social sciences and the humanities.

Sometimes, this is not just external to the university, but also internal.

In a small way, I personally was affected by these circumstances. In the first year of my appointment as an assistant professor 30 years ago in 1985, I wrote a proposal to a brand new federal entity called SDIO – the Strategic Defense Initiative Organization, sometimes called “Star Wars.” It had considerable funding. Some faculty at my university and nationally wouldn’t accept this funding. My personal experience was minor, and I wasn’t in the end negatively impacted.

Let me return to the public sphere. Society benefits from public debate that is informed by scholarship. I support faculty who engage in this informed research, share their knowledge and make their voices heard.

When their findings demand it, they have a right ... and even a responsibility ... to speak up. As I said at last month’s meeting in response to a question, I’m an advocate for advocacy!

But when faculty do engage as advocates in the public sphere, the rules change. They are not the rules of academic discussion and debate that we enjoy and are comfortable with. Others share our same rights to participate, and they do – often with great passion and sometimes in intemperate, uncivil or unfair ways. At worst, academic researchers and advocates can become victims of harassment and even violence.

Dr. Folta is a highly regarded scientist and an excellent department chair and administrator. I support him in his research and his eagerness to be an advocate for his position on GMOs, as I would support other faculty who are advocates in their area of scholarship. I condemn the extreme attacks, invective and harassment that were directed against him and his family, as I would condemn extreme attacks against any faculty member.

At the same time, I think the majority of these attacks ... as unfortunate as it is ... may come with the territory of being out-front as an advocate. We can’t control them ... the majority are legal ... but we can control how we communicate in our community and how we interact with outsiders.

Academic freedom and civility

As a longtime faculty member, university leader and now president, I fully endorse and support the principles of academic freedom. I don't view the situation with Dr. Folta as an academic freedom issue, since no leader at UF has questioned his right to advocate for GMOs or sought to punish him for doing so. Indeed, he had had many vocal supporters at the university.

That said, academic freedom has become an issue in other high profile cases involving faculty advocacy. Many of you may be aware, for example, of the ongoing controversy surrounding the University of Illinois's withdrawal of its appointment of Steven Salaita after he posted messages on Twitter that criticized Israel's incursion into Gaza in the strongest terms.

The university said it took the action because Dr. Salaita's comments were uncivil, representing "disrespectful and demeaning speech that promotes malice." He and his defenders contend that civility is simply a cover for the university to squash his voice and his viewpoint.

Dr. Salaita sued, a federal judge upheld the suit, and legal action continues. The Chancellor of the University of Illinois resigned late this summer and the Provost has subsequently resigned.

A sociologist by the name of the Keith Kahn-Harris published what I think is a smart piece about the Salaita case and the issue of civility last week in *The Chronicle for Higher Education*. In that piece, Dr. Kahn-Harris notes that the problem with deeply uncivil or abusive language is that it shuts off the possibility of conversation, and not just with those who are its targets.

Quoting Dr. Kahn-Harris, "...Such language makes any kind of dialogue with or empathy for those who disagree very difficult to achieve. It makes the scholarly effort to understand the other even harder. And aren't academics in the 'understanding the other' business?"

Dr. Kahn-Harris goes on to argue that it's in the self-interest of advocates to prize civility, since being uncivil tends to turn off those who are undecided or wavering. He sees the Salaita and related cases as "opportunities to begin a process of

thinking through how we might better communicate in a world in which the temptations to shut down communication are stronger than ever.”

Like Dr. Kahn-Harris, I feel that we should begin from a place of trying to empathize with those who oppose our positions, even if they are being unfair and uncivil.

This is partly based on my own experience. At my previous institution of Cornell, many of the faculty became bitterly divided over hydro fracking. The Cornell President and Provost were asked for their opinion on hydro fracking and we were urged to make a statement. We in turn suggested the faculty study the topic and publish their research.

Most of the faculty in the geology department supported it, but other faculty in other departments were vehemently opposed. The science wasn't advanced enough to resolve the debate, and the faculty started attacking one another. Ultimately, enemies were made, neither dialogue nor mutual understanding were advanced, and no one benefited.

Universities obviously should never violate the principles of academic freedom to punish views they find objectionable – and in my view they should take extreme caution in acting on quote “uncivil” behavior. “Civility” is a slippery slope that can be used to cast aspersions on someone who doesn't look or talk like us.

At the same time, faculty advocates should strive to emphasize, communicate and ‘understand the other.’” If universities fail to be places of civil discourse, what's left?

It's worth noting that the Salaita case and others like it involve statements and attacks on social media, and in particular Twitter. This was also true for the situation involving Kevin Folta.

Twitter has eliminated the middleman and given everyone the opportunity to make themselves and their opinions heard, and that's generally a good thing. But the immediacy of this form of communication ... the ability to instantly broadcast one's emotional responses across the world ... puts even more pressure on thoughtful and measured discourse.

Public records

Dr. Folta and many other faculty researchers and advocates ... including faculty engaged in climate change research, for example ... have been targeted with massive public records requests by those opposed to their views.

I share many researchers' concerns about advocates exploiting public records laws to go on witch hunts for emails or other material that can be taken out of context to incriminate their targets. I also believe in the public's right to inquire and to know about publicly funded research at public institutions.

The public can gain access to these records through the federal Freedom of Information Act (FOIA) or through individual state public records laws. With regard to the latter, different states have different public records laws. This can be a challenge for faculty as they move from one state to another in their academic careers. For faculty in Florida, the public records law is very broad, with most correspondence and so on fully accessible to the public.

Some advocate changing public records laws to narrow the possibility for witch hunts. This has obvious practical difficulties, starting with changing law through state legislatures.

I have an alternative view. I believe faculty as a class should work to develop and follow an agreed-upon set of best practices and procedures for working in the public sphere – in other words, voluntary guidelines that would help faculty avoid major pitfalls whatever their state. Perhaps the AAUP, APLU, or a similar national faculty organization could take on this mantle. Since Florida's public records laws are so broad, this state might be a good place to develop these best practices or guidelines!

To recap ...

I support and defend Kevin Folta and all our faculty against unfair and unjust attacks

I am an advocate for scholarship-based faculty advocacy

We should never compromise academic freedom to punish alternative or opposing viewpoints, but we also need to prize empathy, understanding and civil discourse

In dealing with public records at UF and other universities nationwide, it would be helpful to have a set of voluntary guidelines that would help faculty avoid pitfalls and witch hunts

Future steps

To continue this conversation, Provost Glover and I have asked Senate Chair Professor Davenport to arrange for a panel focused on faculty advocacy and academic freedom.