

## Richard Spencer and Faculty's Freedom of Speech

On October 9, 2017, I found myself in an untypical union meeting that put both the function of the union and my role as an educator in a new light. For the most part, I have limited my work over the past few years to academic content, and have seen the union's main function as attaining annual salary increases. The visit of White Supremacist and Nazi-inspired activist Richard Spencer at the University of Florida forced me to reconsider both the union's and my role. Ten days before the arrival of an acclaimed Neo-Nazi and his supporters, it was clear that no *deus ex machina* will be pulled at the last moment to avert this event. The university administration not only allowed Spencer to come, but actively discouraged students from protesting against his speech. And the message to both students and faculty was clear: We were to remain silent and pretend that this is not happening.

Suzanne Sublette spoke of the legal aspects of Freedom of Speech, and Candi Churchill spoke of the resistance to Spencer's visit at the University of Florida. I will concentrate on the differences between Freedom of Speech and Academic Freedom, and my limited perspective of Academic Freedom in relation to Spencer's visit.

I'll begin by explaining that I balance three different personas. One is that of a scholar with Ph.D. in Literature from New York University, who publishes books and articles, and who is invited to deliver lectures and participate in various projects. But my scholarship is my hobby rather than my profession. At the University of Florida, I am employed as a non-tenure-track lecturer. Other than in compensation, there is little difference between the work that I do and that of senior faculty. The main difference is, however, in our leadership position, and our Academic Freedom. And finally, I am an immigrant with a conspicuous foreign accent – a fact that influences both my actions and the manner in which I am seen by others.

What does my personality crisis have to do with Academic Freedom? Not everyone is aware of the difference between Freedom of Speech and Academic Freedom. The latter is the freedom to make professional decisions that are needed to execute one's work efficiently. I don't need to share my political views with my classes. But I do need the freedom to teach *The Canterbury Tales* in the original, even if students feel that it's "too difficult," or to assign low grades even if it might be disagreeable to someone.

Legally, I am entitled both to Freedom of Speech and Academic Freedom. In reality, these are ambivalent issues. As many faculty members today, I am employed on a one year renewable contract that can be discontinued at the university's discretion. This means that the university does not need to deal with issues of Freedom of Speech. I simply need to estimate the extent to which I can express opinions before making myself into a nuisance. And because the university boasts a complete Freedom of Speech – to include the declamation of Nazi Propaganda – I need to follow an invisible line of what I might or might not say. If, for some reason, my contract will not be renewed, I will not even know whether it is because I crossed that line.

Similarly, Academic Freedom needs to be negotiated carefully. As in most academic institutions, I teach by popular demand. Enrollment and student evaluations count a great deal towards job security, and a university administration cares very little for the reasons that students might not attend a class, or give it poor ratings. In this case, the invisible line that I must walk balances my desire for academic excellence and the need to compromise for the sake of job security. Here, my third persona, of a conspicuous foreigner, also plays a role: My student evaluations are highest when I either teach a foreign language or discuss issues related to my ethnicity. When I discuss theoretical issues, Occidental Cultures, or – god forbid – writing in English, my students are less comfortable.

As I already mentioned, I am usually content to keep a low profile. If students are most comfortable with my Jewish version of “Yes Masta!” then I am willing to provide it. This also means that it is truly not my place to provide any form of leadership or involvement in university life. Leadership is the privilege and responsibility of tenured faculty, and it is their place to navigate the policies, academic decisions, administrative issues and political and moral challenges that the university faces. I need to trust the university administration and its tenured faculty to demonstrate professional and ethical leadership. And in places that I might have decided or acted differently, I remind myself that it is their university and their choice.

Spencer's visit to the University of Florida changed my perspective. As a teacher of Jewish Studies, and as the descendent of many holocaust victims and survivors, I knew that I will be demonstrating against Richard Spencer even if I was the only person to do so. In the deafening silence that preceded Spencer's speech, this seemed like a distinct possibility. The President of the university, a scholar, an administrator, and an educator, made it clear that the

university did not invite Richard Spencer, and that the President is appalled by his views. Additionally, he clarified that it is only because of legal advice that the university was obligated to let Spencer speak. I certainly agree that part of the President's job entails the consideration of political realities and legal advice. But the President is not paid \$730,000 a year only to follow lawyers' instructions. He is also paid to demonstrate the leadership that people like me are prevented from displaying. I expected that if the President was truly forced, against his principles, to host a Neo-Nazi agitator, he would be the first to demonstrate against him; that he would join, and in fact lead the objection to Nazi ideology. Instead, the President's office emitted the hollow silence of a leader who fell asleep at the wheel. And like in the story of Briar Rose, along with him fell asleep the Provost and the Deans, the Associate Deans, the chairs, and most of the tenured faculty. And yet, this is their university, and it was their choice to make. No one was truly preventing me from showing up and demonstrating against Richard Spencer.

A greater challenge had to do with my own classes: The University allowed students who felt that their security was at risk to miss classes during Spencer's visit. But it asked faculty members to teach as usual. I didn't want to call attention to myself by cancelling classes that day, but I did not feel that I could be responsible for students during the event. I also gave a great deal of thought to what I might say to my students. Teaching Jewish Literature, it was not difficult to present Spencer's visit as a legitimate part of the lecture. But it wasn't. I also had to take into account that not all my students will be comfortable with my comments. Shouldn't I make sure that my students who object to Richard Spencer will be as comfortable as those who support him? And wouldn't they be right if they complained that I am using class time for political propaganda?

But there was no one else. There was no one to encourage minority students; there was no one to discuss the first amendment; there was no one to educate students about the holocaust; there was no one to listen to them. At this point I gave myself a serious talking to: What if I lived in Germany in the 1930s? Would I risk my freedom, my life and my family to resist the Nazis? Here I am vaguely concerned about my job and I am already having second thoughts. Like Harry Potter in the *Prisoner of Azkaban*, who realizes that it wasn't the specter of his father, but rather himself who had to step up, I realized that there will be no leadership. I crossed the invisible lines of both political agitation and classroom popularity, and I spoke with my students. I spoke with them about the first amendment and the holocaust, White Supremacy and the realities of

race and ethnicity. I also spoke with them about common decency and the absolute evil of racism and genocide. My purpose was to educate, but also to encourage students and to provide moral guidance. If anyone wanted to remain neutral about Nazis and genocide, than I cannot be very sorry if their feelings were hurt.

Fortunately, it wasn't really a Harry Potter moment. Many other people in Gainesville, long before me, acted through various organizations and communities to protect minorities and to demonstrate against White Supremacists. These were not only by far more effective than my few classes – they were inspired by people who are active year round in the service of social and political causes. On campus, the void of leadership was filled by a student alliance that provided confidence and purpose to minority of students, and the University of Florida's Faculty Union that supported students and faculty members who wanted to protest, as well as students and faculty minorities whose security was put at risk.

The union meeting from October 9 made it clear to me that I am not alone, and that in the midst of the uncomfortable silence, which partially included passive support for Richard Spencer, there were thousands who will resist White Supremacy under any circumstances. My union was a part of that movement, and I was grateful, not only for their activity, but for the relative security that I received by acting as part of a union initiative. I was no longer on own.

I also realized that my rant against tenured faculty is only partially justified. Many union leaders are tenured faculty members who spend time and energy year round to provide true leadership where it is most needed. Others, are also non-tenured faculty members and even immigrants who walk that tight rope of activism and sensible obedience. Moreover, I realized that my, and other people's views of faculty unions are problematic. Faculty unions try to focus on working contracts and to separate procedural and academic matters. If the procedure of a tenure application is mishandled, the union can interfere. If a superior scholar is denied tenure because they published more than the dean, then the union cannot interfere. Tenure is discretionary. In plain words: It's whatever they feel like. If the university let's a faculty member go because they expressed their opinions, then the union can interfere. If they are being let go because they have mediocre student evaluations (but truly because they expressed their opinions) then the union cannot interfere.

Let's skip over the point that this separation is artificial, and that academic decisions effect procedural decisions and vice versa. Beyond the intellectual and ideological facets, there is

a simple truth: This separation is killing faculty unions. In UFF-UF, there are four times as many senior faculty members as non-tenure-track members. The reason is that junior faculty members know that it is not their place to be active and to participate in the leadership of their institution. Over time, as universities are working hard to hire non-tenure-track-robots who cannot speak their mind, university administrations are free to lead politically convenient policies and to create a reality in which Richard Spencer enjoys a greater Freedom of Speech than a faculty member who wants his students to have a better understanding of the first amendment. At the same time, the administration uses its discretionary decision about tenure to promote only those who are believed to be as silent about university policy after tenure as they have been before it. Neither stifled junior faculty nor carefully promoted tenured faculty are likely either to join unions or to become strong union supporters.

What is therefore in the purview of faculty unions that could assist in granting faculty members greater agency, and a greater measure of academic freedom? Faculty unions should send non-tenure-track faculty to the NEA so that they might at least enjoy a weekend in Chicago. More seriously: It is in the purview of unions to prevent situations when workers with similar skills who perform identical duties receive vastly different ranks and are paid vastly different amounts of money. It is in the purview of unions that people will not be evaluated and promoted through arbitrary and inappropriate procedures. It is in the purview of unions to make sure that people with merit will have a pathway to advancement. And it is in the purview of unions that faculty members will be able to execute their jobs in an efficient and professional manner. It is also in the interest of unions to do so. If unions will let administration dictate the rules of the game – then they are guaranteed to lose every time. Unions should therefore seize the means of administration and insist that faculty members will have the working conditions, the employment benefits, the equitable compensation, and the academic freedom to play a role in their institutions and in their faculty unions. If not, faculty members might find that they have very little say when White Supremacists are coming to town.