



THE CITY UNIVERSITY OF NEW YORK  
DEPARTMENT OF MATHEMATICS

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To the Editor:

I have enjoyed Peter Wood's NAS solicitation letters, but I am puzzled by his recent criticism in Academic Questions of the policy of institutional neutrality. I do not suppose he would want a college president to commit his institution to the recommendation: Vote for Trump, or for the alternative, Don't Vote for Trump.

Perhaps he was looking for a forthright statement that the Oct 7 attack by Hamas was a terrorist act, justifying military retaliation against it. Would he also want a statement that the Israeli response has proceeded far beyond such justified retaliation and at this point constitutes a clear case of attempted genocide? As it happens, I agree with both of these statements, but I believe that college officials in their official capacity should refrain from endorsing either these or any other statements about controversial political matters.

It is true, as Mr. Wood and others have pointed out, that the claim of neutrality can be used as a device, among others, to cover the cowardice which has become endemic among college administrations. However, I regard neutrality as an essential aspect of a policy of robust defense of viewpoint diversity. It seems to me that this is the original intent of the Kalven report. To indicate what I have in mind, I will quote from a letter I sent to our college president suggesting the appropriate public stance which the college should take.

As the current tragedy in the Middle East continues to unfold, our institution should indicate its special concern for four groups among our faculty, staff and students.

First, there are Jews who, without getting involved in the current political conflict, nonetheless wish to openly practice their religion. Similarly, there are Muslims among us who also wish to avoid politics but without hiding their religious affiliation. On the other hand, there are some, both Jews and non-Jews, who wish to vocally express their support for the reaction of Israel to the Hamas attack. This includes some who have been, in the past, strong supporters of the government policies of the current Prime Minister as well as some who have been fiercely critical of behaviors of the Israeli government. Finally, there are those, Muslim, Arab and others, who strongly support the Palestinian cause. This includes some who have responded with enthusiasm to the Hamas attacks as well as others who deplore it but who are focusing on the effects of the Israeli reaction on the Palestinians in Gaza.

To all four of these groups we declare our concern for your physical safety. We will vigorously defend your right to be free from assault, threat or harassment, regardless of your affiliations or views. In addition, we defend the free speech rights of all involved. You have the right to express your views, even loudly, and to protest the statements of your ideological opponents. However, we will defend the rights of those opponents as well as your own. No matter how odious you regard the opposing views, we will defend your opponents' right to express them just as we will defend your right to air your own. In particular, we will not act to abridge their rights nor allow yours to be abridged. In these loud times, each of us must learn to understand, and even to accept, that some among us have beliefs which we regard as outrageous.

Defending the outrageous comments of members of the college community requires courage from administrators, and will in turn need the policy of institutional neutrality to justify their defensive stance.

Let us consider a sample of remarks likely to require such a defense against one group or another.

Make America great again...Too bad he missed...Lock her up...From the river to the sea, Palestine must be free... From the river to the sea, Israel must be united...Kill the Jews...I dream of shooting whites and dancing on their graves...John Brown, be like him - Dare to struggle, dare to win...Most of my black students are in the bottom half of my classes...Hamas is a terrorist group...Antifa is a terrorist group...Hamas is a legion of heroes...Stop the steal...Islam is a religion of hate...The pro-Israel lobby has too much power in America...Laurence Olivier was great as Othello...Shakespeare was a racist...America has always been and continues to be a racist nation...America must return to its white, Christian heritage...Violence is as American as apple pie...Covid was a CIA plot...Climate change is a myth... Read your Bible, you need no other book...Vote for Trump...

As the beleaguered college presidents said before Congress, it is a matter of context. I believe that people should be allowed to say these things in unofficial gatherings, shout them from crowds, and post them as tweets or on Facebook, or even wear them on tee-shirts. I believe that colleges should defend these rights

without requiring prodding from FIRE. Furthermore, most of these slogans might be defended as part of an argument occurring in a public debate.

In my view institutional neutrality extends to subunits of the college. Recently when a department had posted on its official website a resolution of support for the Palestinians, Columbia University required them to take it down. This was condemned as censorship, but I think it is not.

Consider the following three announcements:

1. We members of the Sociology Department announce our opposition to racism.
2. We, the members of the Sociology Department, announce our opposition to racism.
3. The Sociology Department announces its opposition to racism.

In my opinion the first is absolutely acceptable, although not as an official post, while neither of the other two should be allowed. For example, even if the original committee referred to in announcement 1 contained all members of the department, it is signed by the current members and the latter two statements implicitly constrain all future members of the department. Furthermore, they chill the expression of opinion by students in the department.

At first glance, it would appear that there should be nothing wrong with a commitment to something as uncontroversial as opposition to racism. However, lately the meaning of the term "racism" has become highly controversial, as the political opinions of various conservative scholars have been denounced as racist. Such criticism and labelling by opponents of conservative views is protected speech at the individual and group level, but should not become the official position of a department.

I use racism as an example, but the same principles apply to more obviously controversial matters such as response to the current situation in Israel and Gaza.

On the other hand, consider the statements

1. The Sociology Department announces its opposition to plagiarism.
2. The Sociology Department announces its opposition to cheating.

These are acceptable statements of departmental policy even if in particular cases there might be dispute over their application.

As a final point, I might add that it is important to avoid the Lovejoy-Popper error which might be described as “No tolerance for the enemies of tolerance.”

The policy I described above folds institutional neutrality into a version of the classic liberal defense of free speech a la John Stuart Mill. It is not itself a neutral policy. It is opposed by and must be defended against those who believe that certain views are so illegitimate as to be undeserving of discussion in an academic context and should therefore be banned and its proponents sanctioned. Example of such ideas which have been proposed as beyond the realm of legitimate discourse would be:

The role of genetics in racial disparities...critical race theory...the advantages of a policy of eugenics...climate change denial...Holocaust denial...defense of colonialism...America’s history of continuous racism...

The illiberal proponents of such censorship should be met with argument. Protesters who demand cancellation of various persons, books and beliefs have a right to air their case and to receive a response, an explanation of why their demands will not be met. Of course, if these people take control of the institution it is we who will be the opposition, vigorously criticizing their policies despite the risk of overstepping the limits with which they would hem us in.

For now, at least, I would want a college president to say something like this:

I have received your demand that the showing of D. W. Griffith’s *Birth of a Nation* be forbidden on campus. I welcome the opportunity to discuss this matter with representatives of your group. However, unless I am convinced by this discussion to reverse the current policy of tolerance for diverse views, I will not accede to your demand. You are, of course, free to protest my decision, the general policy on which it is based, as well as the actual movie itself, but disruption of the showing of the movie or threats to those who attend will be responded to with college sanctions as a violation of the rights of those who wish to be there.



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