

Threats to Academic Freedom in South Carolina

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In recognition of recent threats to academic freedom, the Clemson University Faculty Senate unanimously approved the following resolution on March 11, 2014:

"Resolved, that the Clemson University Faculty Senate unequivocally defends the vital concept of academic freedom. This freedom and the occasional controversies it can cause are fundamental to the pursuit of truth and knowledge in all disciplines. Further, securing and perpetuating this freedom is a key obligation and commitment of accrediting bodies, governing boards, institutions, faculties, students, and the general public. Recent legislative efforts to reduce the funding of state institutions of higher education for curricular decisions are a threat to academic freedom at all academic institutions. We strongly urge elected officials not to restrict, through legislation or otherwise, free academic inquiry."

Summer reading programs at colleges and universities across the country highlight books assigned to students as part of their introduction to the rigorous intellectual inquiry that is the cornerstone of higher education. The assigned readings are selected to allow students to become familiar with viewpoints and perspectives different from their own, to promote discussion and debate, and to encourage further understanding of our world's complexity. That is how we challenge our students to grow into wise and informed leaders. This exposure to our world's cultural and social complexity is essential for preparation of our students for leadership, not just at the local level, but at the state, national and international levels.

As our state leaders debate S.C.'s public college summer reading materials, there seems to be considerable confusion about what we teach and what we do not teach. For example, public colleges and universities teach students the history and traditions of the many national and world religions, but do not proselytize for a particular religion. We teach students different languages and world cultures, but we do not recruit our students into a different culture. Instead, we teach students to understand different cultures to better assess the world political situation to help them become informed leaders. Our mission is to equip our students to gather and assess valid information, and to compile that knowledge into the wisdom to lead our great state and nation forward.

Summer reading programs have not been free from controversy. In 2002, UNC-Chapel Hill was sued because of its summer reading program. UNC-Chapel Hill selected *Approaching the Qur'an: The Early Revelations* as the summer reading book. *Approaching the Qur'an* is a translation of the early suras—the short, hymnic chapters at the end of the Qur'an. UNC's selection provoked criticism from concerned parents and special interest groups who condemned what they perceived as favoritism towards a particular religion. On July 22, 2002, the Family Policy Network (FPN) filed suit in the U.S District Court, Middle District of North Carolina, on the behalf of several anonymous students seeking a preliminary injunction to prevent UNC from conducting its summer reading program. In this case, *Yacovelli v. Moeser*, the U.S District Court ruled in favor of UNC, and, after FPN appealed the case, the 4th Circuit Court of Appeals also ruled in favor of UNC.

Clemson University's summer reading program has also been subject to criticism. In 2006, the Freshman Summer Reading Program Committee's selection of Ann Patchett's novel *Truth and Beauty*, the memoir of the author's friendship with *Autobiography of a Face* author Lucy Grealy, which deals with themes such as drug abuse and suicide, was condemned by parents, students, and elected officials who suggest that Clemson was attempting to "socialize" students instead of educating them. Despite this negative response, President James Barker emphasized that Clemson supported "the principle that it is the responsibility of the university to determine what is taught and how it is taught." Students were still expected to attend the discussion and submit an "essay explaining their views on the assignment," and Ann Patchett came to Clemson to read in Littlejohn Coliseum on August 22, 2006 to facilitate further discussion and debate.

The summer reading programs for the College of Charleston and USC Upstate are currently at the center of a discussion about academic freedom. Last summer, the College of Charleston and USC Spartanburg assigned readings that encouraged students to learn about the experiences of individuals historically marginalized because of their sexual and/or gender orientation. USC Upstate assigned *Out Loud: The Best of Rainbow Radio*, a history of the South Carolina's first gay and lesbian radio show, for a required course for all freshmen. The College of Charleston assigned *Fun Home*, Alison Bechdel's graphic memoir describing her relationship with her closeted gay father and her own coming out as a lesbian. On February 19, the Budget Subcommittee of the House Ways and Means Committee decided to cut \$52,000 from the budget of the College of Charleston and \$17,142 from the budget of USC Upstate in retaliation for assigning these books. Gary Smith (R-Simpsonville) advocated this reduction in the two schools' budgets because, according to Smith, assigning these books was "purely promotion of a lifestyle with no academic debate." The SC House of Representatives has approved the 2014-15 budget bill, which contains these punitive budget cuts. The bill will now go before the SC Senate.

Legislative intervention in curricular matters violates the principle of academic freedom, a universal concept central to higher education. As noted in the 1940 American Association of University Professors (AAUP) Statement of Principle of Academic Freedom and Tenure, "teachers are entitled to freedom in the classroom in discussing their subject." A corollary principle associated with academic freedom is the responsibility of faculty to determine curriculum. Part III, Section B of the *Clemson University Faculty Manual* reaffirms the academic freedom of faculty and, furthermore, the right of students to hear a variety of perspectives. As noted in Part III, Section B, "Clemson endorses the 1957 Declaration of the AAUP that the University ' . . . asserts the right of students to listen to anyone whom they wish to hear [in the] belief that it is educationally desirable that students be confronted with diverse opinions of all kinds, [and Clemson further] holds that any person who is presented by a recognized student or faculty organization should be allowed to speak on . . . campus.'"

The principle of academic freedom is not merely reserved for faculty; rather, it extends to the institution itself. The US Supreme Court has recognized a First Amendment right of institutional academic freedom. As argued by Justice Felix Frankfurter in a concurring opinion in *Sweezy v. New Hampshire* (1957), "It is the business of a university to provide that atmosphere which is most conducive to speculation, experiment, and creation. It is an atmosphere in which there prevail 'the four essential freedoms' of a university--to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study."

The actions of some state leaders demonstrate a lack of understanding of this fundamental right of free speech. The precedent established by these actions could be used to legitimize state control over curricular matters on the basis of political justifications. Representative B.R. Skelton (R-Six Mile), a retired Clemson professor who led an effort in the House Ways and Means Committee to restore the money taken from the budgets of the College of Charleston and USC Upstate, states "if we're going to begin funding institutions on the basis of books they've assigned, we're going down a road we don't need to go down." While certain problems do exist with current summer reading selections, politically-based censorship of certain summer reading choices is short-sighted and ultimately counter-productive. Allowing academic professionals to create a curriculum that is a reflection of the best resources available for educating students is infinitely preferable to committing choices on curricula to the maelstrom that is political opinion. Faculty members are hired on the basis of their experience and professional qualifications as educators, scholars and scientists. Oversight of university curricula by university faculty is essential for a well-educated society.