



October 18, 2021

Dear President Mark Schlissel,

The Academic Freedom Alliance (AFA) is a coalition of faculty members from across the country and across the ideological spectrum who are committed to upholding the principles of academic freedom and professorial free speech.

We are dismayed at the recent decision to partly suspend [Professor Bright Sheng](#) from his teaching duties. On September 10, 2021, Professor Sheng screened a film for his undergraduate music composition class. The film in question was the 1965 staging of *Othello* featuring Laurence Olivier in the role of Othello, wearing dark makeup to play the Moorish character. In response to student objections, Professor Sheng subsequently apologized for how he had handled the material in the class. Students called for his removal for failing to create a safe environment. A faculty colleague denounced him for engaging in “[a racist act](#)” of screening a film in a classroom. The dean of the School of Music, Theatre & Dance has announced that the professor’s “actions [do not align](#) with our School’s commitment to anti-racist action, diversity, equity and inclusion” and reported Professor Sheng to the Office of Equity, Civil Rights, and Title IX. He has not been able to return to his role in teaching this class and remains under threat of investigation and potential discipline.

I write on behalf of the Academic Freedom Alliance to express our firm view that the university’s actions represent an egregious violation of the principles of academic freedom and a violation of Michigan’s own stated commitment to freedom of teaching.

Michigan’s own [Faculty Handbook](#) guarantees academic freedom for its faculty to make precisely such decisions. The Board of Regents declared freedom of speech to be one of the “[fundamental tenets](#) of membership in the university community” and that “expression of diverse points of view is of the highest importance” such that “the belief that an opinion is pernicious, false, or in any other way detestable cannot be grounds for its suppression.” The Faculty Senate Assembly has affirmed “academic freedom, including the [right to express unpopular views](#), is a cherished tradition of universities everywhere.” [Section 1.C](#) assures every faculty member that they have “freedom of teaching” that includes the freedom to train students “in an atmosphere of controversy, so long as it remains in a broad sense educationally relevant, actively assists students in mastering the subject and appreciating its significance.” [Section 1.D](#) recognizes that academic freedom means that there will “be open discourse and exchanges that may cause some of its members to feel uncomfortable,” but that “it is through such exchanges that the flow of ideas and countervailing thoughts and experiences are



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expressed which can facilitate deeper understanding and learning.” We are not unmindful of the fact that

the University of Michigan is a state university subject to the limits of the First Amendment of the U.S. Constitution as well as its own contractual commitments. The [United States Court of Appeals for the Sixth Circuit](#), under whose jurisdiction the University of Michigan sits, has recently stated in *Meriwether v. Hartop* that the First Amendment does not tolerate state actions “that cast a pall of orthodoxy over the classroom” or that “stifles a professor’s viewpoint on a matter of public import.” Quite simply, “the First Amendment protects the free-speech rights of professors when they are teaching.”

The AAUP has long emphasized that the freedom of classroom teaching enshrined in the University of Michigan’s own governing documents includes the right of professors to use in the classroom controversial but relevant materials. The AAUP’s [2007 report on freedom in the classroom](#) emphasized that “ideas that are germane to a subject under discussion in a classroom cannot be censored because a student with particular religious or political beliefs might be offended.” It would be “inimical to the free and vigorous exchange of ideas necessary for teaching and learning in higher education” if professors could be sanctioned because of the reaction of one or more students to the words and ideas being discussed.

Unfortunately, efforts to suppress classroom materials and censor classroom instruction because they might be divisive are all too familiar. The cornerstone of recent state legislative efforts, including those in [Michigan](#), to outlaw “[divisive concepts](#)” like critical race theory or “racist theories” from the classroom is precisely the belief that instructors should not be allowed to expose students to materials or ideas that they might find disturbing or racist. Universities are in no position to resist such efforts if they are themselves willing to punish their professors on that self-same basis. If Dean Gier imagines that exposing students to racist materials is outside the scope of academic freedom, he is quite mistaken. If such an assertion of power by a dean were accepted, it would [carve a large and perilous hole](#) in academic freedom protections that will loom over faculty at the university for years to come. Faculty, quite rightly, will worry whether they might be accused by university administrators of having engaged in a racist act that could subject them to discipline and sanction for assigning students materials ranging from Thomas Jefferson to Mark Twain to Ibram Kendi.

It does no good to hold that professors are free to assign and discuss controversial, and even racist, materials if they can be subjected to formal complaints and investigations, suspensions, and threatened sanctions after the fact. The [American Library Association](#) has emphasized that the “presence of books and other resources in a library does not indicate endorsement of their contents” and has objected that “prejudicial labels” that make “a value judgment that the



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content, language, or themes of the material, or the background or views of the creator(s) of the material, render it inappropriate or offensive” are “a censor’s tool” designed to delimit

intellectual freedom and restrict access to ideas. The [American Association of University Professors](#) has likewise concluded that “institutional requirements or even suggestions that faculty use trigger warnings interfere with faculty academic freedom in the choice of course materials and teaching methods.” How much the worse if the university were not merely to “suggest” to Professor Sheng that he not screen this particular film in his class or give students some sort of trigger warning before doing so but were to actually suspend, denounce, investigate, and sanction him for having exposed students to pedagogically relevant materials.

It was a violation of the university’s own contractual commitments to academic freedom to prevent Professor Sheng from immediately returning to the classroom and to pressure him to give up the class. It is outrageous that the Title IX office has apparently entertained a complaint against the professor over this incident and has consequently threatened to subject him to disciplinary action. It is dismaying that the leadership of the university has sat silent (at best) as these assaults on the academic freedom of one of the members of the faculty have progressed and that a dean would act at such odds with the “fundamental tenets” of the university. Every member of the faculty at the University of Michigan can only be left to conclude that the university will not live up to its contractual commitments to defend the academic freedom of its faculty but will instead buckle under pressure when a professor’s speech is said to make someone feel “[unsafe](#).”

The Academic Freedom Alliance stands firmly behind Professor Sheng in this matter and calls on the University of Michigan to adhere to its academic freedom principles, to immediately dismiss any disciplinary proceedings against Professor Sheng stemming from the class of September 10, and to publicly and emphatically reaffirm that professors at the university are free to assign and present relevant but controversial materials in their classes.

Sincerely,

A handwritten signature in black ink, appearing to read 'KW', with a long, sweeping horizontal line extending to the right.

Keith Whittington  
Chair, Academic Committee, Academic Freedom Alliance  
William Nelson Cromwell Professor of Politics, Princeton University

cc. Provost Susan M. Collins