



February 28, 2022

Dear President Cario,

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.

Principles of free speech include the right of professors to speak in public on matters of public concern without the threat of sanctions by their university employer. We call upon Concordia University Wisconsin to live up to its free speech commitments in the case of Professor Gregory P. Schulz.

Gregory Schulz is a tenured professor of philosophy at Concordia University Wisconsin. He is also a frequent public speaker and writes for a public audience. On February 14, 2022, he published an article at the *Christian News* website on "[Woke Dysphoria at Concordia](#)." The article is critical of the general "influence of Woke-ism (that is, a potent cocktail of Progressivism, Neo-Pragmatism, and Marxism)" and is critical in particular of the presidential search for a "disruptive" candidate at Concordia University Wisconsin and the potential conflict between "the Woke agenda" and Lutheran traditions and commitments. On February 19, Professor Schulz was notified by his department chair that he had been suspended. He was subsequently prohibited from entering campus. He has now received notice from your office that he has been suspended pending an investigation into violations of university policy, notably for conduct unbecoming of a Christian and for not acting as a responsible colleague.

I write on behalf of the Academic Freedom Alliance to express our firm view that Professor Schulz should suffer no formal consequences as the result of this published article. For Concordia University Wisconsin to punish Professor Schulz for engaging in a public discussion of matters of church principles and university governance would have a profound chilling effect on open discourse by professors on this campus and through the Concordia University system. There is no question that such public speech is fully protected by traditional principles of academic freedom and professorial free speech widely recognized by American universities and elaborated by the American Association of University Professors. It is true that Concordia University has not chosen to fully embrace those principles in its relationship to its own faculty, but punishing Professor Schulz for this speech would represent a narrowing of protected free speech for faculty that would go far beyond what is necessary to render academic freedom compatible with "the reality of the scriptural Lutheran faith" and would damage the university's ability to operate as an institution of higher education.



The Faculty Handbook explicitly sets out policies respecting academic freedom. The [Bylaws of the Lutheran Church – Missouri Synod](#) specifies at 3.10.5.7.3 that appointments of university faculty should be made only with such “limitations of academic freedom” that are necessary to “the religious and confessional nature and aims of the seminary.” The Faculty Handbook in Section 4.5 specifically recognizes “individuality of each faculty member and respects the right of faculty to hold diverse opinions,” while noting that that the university has “specific expectations regarding the presentation of doctrinal teachings.” It expects the faculty to engage in “the pursuit of knowledge through intellectual inquiry,” and recognizes the right of faculty even to “present and discuss concepts that conflict with Synodical teachings.”

Your letter of suspension points out that the Faculty Handbook also states that “as a responsible colleague, the faculty member has a clear awareness of the position of respect and responsibility that those communities confer upon faculty members” and a responsibility to “limit his/her expression of opinions and convictions” so as to support rather than to hinder “the mission of the institution and of the church.” It is likewise true, according to 4.2.C of the Faculty Handbook, that faculty can be terminated for “conduct unbecoming a Christian.”

It is a basic component of academic freedom that professors have the right to express themselves on matters of university policy and governance. In its 1994 statement [On the Relationship of Faculty Governance to Academic Freedom](#), the American Association of University Professors stated that the “academic freedom of faculty members includes the freedom to express their views (1) on academic matters in the classroom and in the conduct of research, (2) on matters having to do with their institutions and its policies, and (3) on issues of public interest generally.” As the AAUP emphasized in a [2009 report](#), professors are “institutional citizens,” and as such professors should “not be made subject to retribution because the position he or she has advanced on matters relating to governance displeases those in power” nor should they suffer “institutional retaliation” for “expressing a lack of confidence in the institution’s trustees or president” or communicating informally by e-mail messages or other channels criticism of institutional policies or governance.

If robust criticism of university governance and policies is understood in itself to be a hindrance to the mission of the university or that participating in an ongoing public debate over the social commitments of the Lutheran church and Lutheran educational institutions is inconsistent with responsibilities of members of the faculty, then the university will have dramatically departed from ordinary understandings of the duties and responsibilities of professors in American universities, including American universities dedicated to a Christian mission. Of course, Professor Schulz has a responsibility not to “advocate a position contrary to that of the Synod,” but here he is participating in a public debate on what the implications of the Synod’s positions



might be for the university. If faculty at the university must refrain from speaking in public about the future of the university and the fidelity of the university's activities to the positions of the Synod, then the university's commitment to the faculty to value their individuality and to engage in intellectual inquiry will be an empty promise.

Speech on such controversial social and political topics can sometimes be heated and disruptive, but universities should be places where scholars can in good faith engage in a robust debate over the principles and commitments of the community. If university leaders are willing to sanction faculty members for such speech, particularly when such speech involves criticisms of university administration, then free intellectual inquiry will be stifled rather than encouraged and the university will not be able to perform its charge of supplying "the higher education services needed to accomplish the mission of the church."

The Academic Freedom Alliance calls on Concordia University Wisconsin to reaffirm and adhere to its principles of academic freedom by making clear that Professor Schulz will not be sanctioned in any way for the publication of his views in this article.

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. Professor Gregory Schulz
Dr. Leah Dvorak, Interim Provost
Mr. Richard F. Laabs, Chair, Board of Regents