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Dear Members of the Senate Committee on Academic Freedom and Responsibility (SCAFR),

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.

On January 16<sup>th</sup> 2022, the AFA [called upon](#) the University of Pennsylvania and then-President Amy Gutmann to reaffirm and adhere to its free speech principles by making it clear to the public that Professor Amy Wax, Robert Mundheim Professor of Law, would not be sanctioned in any way for her exercise of academic freedom. On July 18<sup>th</sup> 2022, the AFA issued a [second letter](#) that criticized former Penn Carey Law School Dean Ted Ruger's calls for "heavy sanctions" to be placed on Professor Wax for both her classroom teaching and extramural speech. Today, the AFA was made aware of the Faculty Senate Hearing Board's findings and recommendations that were sent to then-President Elizabeth McGill. [This report](#) details the Board's conclusions and proposed punishment of Professor Wax, which moves the AFA to write a third time.

As the final arbiter, SCAFR has an opportunity to demonstrate Penn's commitment to free speech and academic freedom. It can do so by rejecting categorically the Faculty Senate Hearing Board's proposed sanctions of Professor Wax. The report's charges of "flagrant unprofessional conduct" and "controversial views" that "inequitably impact the learning environment" are a pretext to punish or force out Professor Wax. The economic and professional "sanctions" cited in the report, including loss of pay and affiliation with the Penn Carey Law School, are not only unjust to Professor Wax, but they will create a chilling effect on professorial speech more broadly. With all that has transpired since last May's 3-day hearing (a hearing that AFA representatives attended), the AFA calls on your body to review the appeal, dismiss the recommendations, and prove that Penn honors academic freedom by eschewing viewpoint-based restrictions on faculty speech.

Our organization promotes a principled defense of academic freedom. Considering the events occurring on campuses in the last few months that have thrust higher education into the national spotlight, we believe that it is critically important to avoid selective protection of academic freedom. Viewpoint-discriminatory punishments of speech will continue to erode the public's trust in institutions of higher education and provide more evidence of the hypocrisy of administrators at American colleges and universities.

SCAFR can join us in a principled stand by reversing the wrongful punishment of Professor Amy Wax.

Sincerely,

Lucas E. Morel

AFA Academic Committee Chair