

May 20, 2024

NU-AAUP Executive Committee Letter to Representative Virginia Foxx and Members of the Committee on Education and the Workforce

Dear Representative Foxx and Committee members,

As a chapter of the American University of University Professors (AAUP), our priority is to ensure that institutions of higher education uphold principles of academic freedom and shared governance. Northwestern University's Faculty Handbook includes as its first policy a commitment to these principles. For purposes of the hearing "Calling for Accountability: Stopping Antisemitic College Chaos" and as members of the Executive Committee of our local AAUP chapter, we write to inform the Committee about the principles which undergird a healthy, robust and vital national system of higher education.

Let us be clear: we oppose any efforts to remove President Michael Schill from his position in response to outside interest groups. No university president's position should be subject to the whims of political or societal pressure. They should be judged according to the specific needs of each university and by internal stakeholders, including the board of trustees, faculty, students and staff, as outlined in AAUP's principles of shared governance. At the same time, we also call on our President to respect shared governance and refrain from imposing last-minute rule changes, especially those that hamper the free expression that helps to secure a strong foundation for academic freedom.

Communicating these principles is particularly important in light of the letter from Rep. Virginia Foxx to Michael Schill and Peter Barris. As university faculty, we are alarmed at the dual premise of Foxx's letter: on the one hand, that protest and expression are anathema to learning in the University; and on the other, that the federal government's place is to impose parameters of acceptable speech, in this case on the campus of a private university. We see these intrusions as of a piece with the political interference in universities the AAUP recently denounced: "Political interference in US higher education has reached an alarming level. In a number of states, including Florida, North Carolina, Tennessee, and Texas, Republican majorities in the legislature, alongside Republican governors, have made explicit their intention to reshape colleges and universities.... In doing so, they subvert the possibility that, as a site of free inquiry, the university can serve the common good."¹

¹ AAUP, "Statement on Political Interference in Higher Education," January 2024, <https://www.aaup.org/report/statement-political-interference-higher-education>.

Rep. Foxx's letter vociferously declares antisemitism to be its concern. But absent evidence specific to our campus, it merely asserts a groundless smear that Northwestern is a "pro-terror" hotbed. Rep. Foxx launches numerous allegations based on two types of grievances: harms and threats, and subjective claims of feeling unsafe. Under the guise of protecting students, Rep. Foxx flagrantly interferes with the self-determination that institutions such as ours must enjoy as an existential predicate to the free expression of ideas necessary for education. The UN's Working Group on Academic Freedom's statement is unequivocal on the subject: "The protection, promotion, and enjoyment of academic freedom require the autonomy of academic, research, and teaching institutions."² In our view, the announced May 23 congressional hearing violates the purpose of academic freedom itself, namely that of safeguarding an education that prioritizes intellectual inquiry unburdened by agendas of doctrinal politics or commerce. The goal is a knowledgeable citizenry able to participate in rational debate.

Commenting on campus protests against university complicity with militarism in the 1960s, Sen. William Fulbright said, "[T]he basic cause of the great trouble in our universities is the student's discovery of corruption in the one place, besides perhaps the churches, which might have been supposed to be immune from the corruption of our age. Having seen their country's traditional values degraded in the effort to attribute moral purpose to an immoral war, having seen their country's leaders caught in inconsistencies which are politely referred to as a 'credibility gap,' they now see their universities --the last citadels of moral and intellectual integrity--lending themselves to ulterior and expedient ends, and betraying their own fundamental purpose, which, in James Bryce's words, is to 'reflect the spirit of the times without yielding to it.'"³

² UN Working Group on Academic Freedom, "Principles for Implementing the Right to Academic Freedom," March 2024. https://www.scholarsatrisk.org/wp-content/uploads/2024/04/Principles-for-Implementing-the-Right-to-Academic-Freedom_FINAL.pdf

³ Sen. William Fulbright, "The War and Its Effects, II," *Congressional Record*, Dec. 13, 1967 36182. Sen. William Fulbright's remarks and supporting documents from the *Chicago Daily News* were published in the *Congressional Record* on [December 13, 1967, 36181-36184](#) and [April 25, 1969, 10387-10895](#). General Dynamics, behind the TFX scandal Sen. Fulbright references in his 1969 statement, has been a major beneficiary of the billions the United States has spent on military aid to Israel. General Dynamics (GD) has been the Crown family business since 1959. Several members of the Crown family and GD CEOs have served as NU trustees. The Israel Innovation Project to which protestors have objected was initiated by Lester Crown. Israel Innovation Project, <https://iip.northwestern.edu/about/>. The director is a Crown Visiting Chair. There is no indication of any search for his position; WCAS Dean Adrian Randolph did not respond to a query about whether a search in fact occurred. General Dynamics' partnerships with Israel go back decades. In 1982, General Dynamics was co-producing its F-16s in Israel. Michael Klare, *American Arms Supermarkets*, Austin: University of Texas Press, 1984, p. 166. Such production coordination, as well as indirect side agreements including fellowships and schools, are key to foreign military sales and known as "offset trade." W.W Keller and T.M. LaPorte, "Global Arms Trade: Commerce in Advanced Military Technology and Weapons," Office of Technology of Assessment, 1998, <https://apps.dtic.mil/sti/citations/tr/ADA344759>; Blenheim Capital Brochure, https://web.archive.org/web/20110207230706/http://www.blenheimcapital.net/downloads/blenheim_brochure.pdf.

As our AAUP 1940 Statement of Principles on Academic Freedom and Tenure asserts “the common good depends upon the free search for truth and its free exposition.” Regardless of whether one supports or disagrees with a protester's foreign policy positions, any legislator in our democracy should recognize the importance of upholding the importance of peaceful protest, especially at institutions of higher education. Historically and today, they have played a vital role as cradles of civic and intellectual engagement.

Finally, specific allegations in Rep. Foxx’s letter distort or flat-out misrepresent events and actions attributed to individual faculty at Northwestern. Neither inquiry nor citizens will be served by the obfuscation and fear-mongering which Rep. Foxx’s letter brazenly enacts, especially when our university’s own internal process of due diligence and investigations have not yet occurred for any conjectured violations of rules and policies, whether civil, criminal or covered under Title VI investigations. We request that the hearing and subsequent communications refrain from further defamation of our colleagues who have been given no due process. We request that Rep. Foxx and others participating in the hearing refrain from amplifying unverified reports from partisan interest groups, insofar as those named lack an opportunity to confront their unidentified accusers and respond.

The questions we include below are meant to further the goals of academic freedom at this moment of crisis in the American university. The questions reflect our commitment to more robust investment in education, shared faculty governance, and more transparency in order to fulfill our university’s mission.

Sincerely,

Jorge Coronado, President and Professor

Jacqueline Stevens, Secretary and Professor

Samuel Weber, Member-at-Large and Avalon Foundation Professor of Humanities
for the Executive Committee of NU-AAUP

Questions for President Michael Schill

1. On April 25, 2024 you made public an “Interim Policy for Student Demonstrations and Other Expressive Activities on the Evanston Campus”⁴ that disregarded well-established protocols for

⁴ ““Interim Policy for Student Demonstrations and Other Expressive Activities on the Evanston Campus https://bulkmail.northwestern.edu/trk/click?ref=zstwe3vud_3-debfx32048ex020311&, distributed with

shared governance. Can you please explain why you believed the laws of Evanston, Illinois, and the federal government, as well as existing policies of Northwestern were inadequate to address the 2024 protests against Northwestern's Israel Innovation Project and investment policies?

2. Has the University relied on the Interim Policies for initiating disciplinary proceedings? If not, do you intend to rely on them?

3. The Agreement to which you committed states: "Northwestern will answer questions from any internal stakeholder about specific holdings, held currently or within the last quarter, to the best of its knowledge and to the extent legally possible. Northwestern will do so within 30 days, or, if unable to respond within 30 days, will provide a reason and a realistic timeline."

Do you intend to honor this commitment? Will you identify the specific holdings on which the University relies for calculations summed in the University's annual financial disclosures?⁵

4. Numerous trustees have corporate holdings and positions indicative of conflicts of interest in weighing in on University agreements with Qatar and with Israel.⁶ Such commitments imperil academic freedom.⁷ Will you disclose all investments and corporations that trustees list on forms disclosed to the University indicating their Conflicts of Interest? Would you support a change in University Bylaws to obligate public disclosure of all trustee conflicts of interest, including side agreements tied to Qatar's Education City and Israel?

tracking software. "NU-AAUP condemns University President Michael Schill's response to Deering Meadow encampment," Daily Northwestern, April 27, 2024.
<https://dailynorthwestern.com/2024/04/27/campus/nu-aaup-condemns-university-president-michael-schills-response-to-deering-meadow-encampment/>

⁵ Northwestern University Annual Financial Disclosures, <https://www.northwestern.edu/financial-operations/annual-financial-reports/>.

⁶ See note 3 above.

⁷ Walter Adams and Adrian Jaffee. 1967. Government, the Universities, and International Affairs: A Crisis in Identity. House Doc. No. 120, 90th Cong.; 1st sess. Washington, D.C.: U.S. Government Printing Office.