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Mr. Peter Bonilla
Vice President of Programs
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Via email: peter@thefire.org

Dear Mr. Bonilla,

I am writing in response to your letters dated October 27 and December 8, 2021, about statements of commitment to diversity, anti-racism, and land declarations (this is an abbreviated characterization) adopted in 2020 by faculty and staff of the Boston University College of Fine Arts School of Theatre (SOT) and the Boston Playwrights' Theatre (BPT). You express the concern that these statements are prescriptive and question whether Boston University adequately protects its faculty members' freedom of speech and inquiry.

Universities, especially great research universities, are typically built on three principles that are essential to fulfillment of the public mission of creating and disseminating knowledge. These are: freedom of inquiry, freedom of speech, and the shared governance model which gives faculty a formal role in policy-making and standard-setting. Today we may also add to these the value placed on diversity and inclusivity in our community of students, faculty, and staff.

As described in greater detail in the AAUP 1940 guidelines (which we explicitly embrace) academic freedom for a faculty member has three components: 1) the right to determine the fundamental content of research and publication; 2) the right to make important decisions about the content of their teaching; and 3) the right to speak or write as citizens, free from institutional censorship or discipline.

You acknowledge that if an individual faculty member includes a DE&I statement in his or her syllabus or reads a statement about indigenous sovereignty prior to a performance by the SOT or BPT, there is a right to do this that derives either from the principle of academic freedom or freedom of speech. What is distinctive for both the School of Theatre and the Playwrights' Theatre is that the faculty and staff have collectively agreed (by unanimous votes) that the statements of commitment be included in syllabi and land declarations be read before performances.

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I believe these are instances in which faculty's formal authority within our framework of governance is being exercised and that, while many may legitimately disagree with the particular way it has been exercised, it is nonetheless within the bounds of the authority to define programs and set standards. I do not believe the University should intervene to attempt to overturn these decisions *provided* two additional conditions are met:

1. That any individual making a pre-show announcement about indigenous sovereignty makes clear that he or she speaks as an individual or as a faculty member of SOT or BPT, but not as a representative for the University; and
2. In connection with these agreed-upon statements in syllabi or pre-show announcements, there is no censorship or discipline for any faculty member who chooses not to make such statements. I am prepared to defend this point vigorously, but not to quell the critics of such a faculty member, so that he or she feels "comfortable."

The University Provost and I have made this point clear to the deans of our College of Fine Arts and our College of Arts & Sciences who are working with the faculty and students involved.

Finally, I will note that, to date, no faculty members in these programs have come forward to complain that they have been threatened with discipline or otherwise subjected to adverse actions as a result of non-adherence to any of the stated commitments. Should that occur, we will deal with each case on its merits, in line with our commitment to free speech and academic freedom.

Sincerely,



Robert A. Brown