



Student Perspectives Series
November 3, 2016

Attending:

Trustees:

Tom Cole
Mary Lou Gorno
Greg Wendt
Paula Wolff

Students:

Kenzo Esquivel
Megan Beck
Kosi Achife
Jahne Brown
Sophie Downe

Claudia Fernandez
Matt Foldi
Johnny Guy
Veronica Myers
Daphne Xu

Staff:

Michele Rasmussen

After introductions, Mr. Cole provided an overview of the role of the trustees at the University of Chicago. He emphasized that they are fiduciaries and that they provide oversight rather than management, which is the province of the president and officers. He also stated that in the meeting the trustees would be presenting their own views and would not be speaking for the Board as a whole. He invited the students to provide feedback on the meeting at its conclusion given that the Student Perspectives Series is a new form of engagement for students and trustees.

Mr. Cole suggested that the meeting start with a discussion of divestment, focusing on fossil fuels as a case study, and then talk about the University's values around free expression.

I. Divestment

Acknowledging that one of the students present had participated in a conversation with him about fossil fuel divestment last winter, Mr. Cole briefly noted the significance of exceptions as described in the Kalven Report. He asked the students how exceptions – such as the University deciding to divest its holdings in fossil fuels – would impact the behavior of fossil fuel companies. He also went on to ask who exactly should be empowered to decide what constitutes an exception and by what procedures (e.g., is a majority vote of the Board sufficient?).

The students began by presenting a brief overview of the mission of the Stop Funding Climate Change (SFCC) campaign at the University of Chicago and their research and advocacy work in the past few years (including the writing of a report and addendum, both of which were presented to President Zimmer). In SFCC's view, the University's investment in fossil fuel industries contradicts the University's mission.

A discussion then ensued regarding the protocol by which the Board would establish an “exceptional instance,” where the activities of the University in its corporate capacity are significantly at odds with core social values. The students were of the mind that for something so important to the University, there should be a formal process for evaluation. In response, the Kalven report was compared to the U.S. Constitution; it is a statement of principles and values that is regularly revisited and interpreted but that does not include instructions for process and procedures.

The students were also interested in knowing how issues involving possible exceptions to Kalven come before the Board. It was noted that it would be unusual for a discussion of a potential Kalven exception to emerge from within the Board itself. Rather, it is the role of the president and the officers to transmit issues of concern to the trustees and that discussions subsequently occur at the Executive Committee level and then might come before the entire Board. Ultimately, the Board will fall back on its fiduciary role in the evaluation and decision on almost all exceptions.

Given the students’ belief that climate change poses an existential threat to humanity, there was interest in knowing what would be considered an actionable exception, if not that? A hypothetical scenario was presented, whereby the president of the United States issued an executive order calling for the prosecution of any individual who criticized him; such an act would be viewed as highly antithetical to UChicago values and would almost certainly prompt an oppositional political stance, which would be an exception to general Kalven principles. It was pointed out that many issues could be viewed as “existential threats” – the pervasiveness of firearms in American society, legal tobacco sales and the availability of sugary drinks have all been deemed substantial threats to human health and safety in recent years. If precedent is set with fossil fuel divestment, why would these other issues not also be worthy of similar treatment?

Another angle that was explored in the discussion was the anticipated impact of the University’s divestment from fossil fuels. The students acknowledged that achieving a financial impact on coal and oil companies is not the point of their divestment campaign. Their goal is to attach a moral stigma to those corporations; presumably, this stigma would have to be sufficient to outweigh the fact that if universities divest, some other entity will buy their shares and that companies like Tesla would not survive, financially, if “polluters” did not buy up their clean energy credits. The students cited the existence of research to support the notion that divestment campaigns limit the ability of offending companies to operate socio-politically (i.e., lobby politicians, fund research that supports their position and influence public policy). They credit the end of apartheid in South Africa to the divestment movement.

The students also made the argument that it was hypocritical of the University to invest in the same fossil fuel industries that attempt to thwart legitimate climate change research given our mission and strong position on academic freedom. This was countered with the assertion that it is not the University’s role to institutionally speak with “one voice” on any particular research

question.

II. Freedom of Expression

Some of the students present were members of the Class of 2020, so they received Dean Jay Ellison's letter in September along with Dean Boyer's essay on academic freedom. Some students of color perceived the letter negatively, given that marginalized and underrepresented students are often the beneficiaries of safe spaces and the letter appeared to dismiss their worth. More generally, the depiction of trigger warnings, safe spaces and freedom of expression in the letter was confusing and reductionist – these are “huge topics” and should have been more artfully unpacked.

Many students regarded the letter as a “PR ploy;” although one student countered that if you are familiar with UChicago's history and values, you'd have to concede that our entire 126-year history was one big PR stunt.

There was general agreement that shouting down speakers and otherwise preventing the free expression of ideas is not accepted by students. It was also pointed out by older students who were present that trigger warnings and safe spaces had not been the focus of student demands, so seeing them highlighted so prominently in the letter was puzzling. Some of them also maintained that the availability of safe spaces and trigger warnings is conducive to free expression through classroom discourse in which all students can participate freely and fully with advance preparation.

The trustees were interested in knowing if the first-year students' experience in the College supported or contradicted the ideas presented in the letter. The first-years shared that they have felt welcomed and supported in their courses and on campus in general and are happy with their decision to attend UChicago. However, they expressed feeling disconnected from the “administration” responsible for the letter and its views and also harbor some reservations about being truly free to express their views at times out of fear of being perceived as a “coddled millennial” who requires an “intellectual safe space.” They believe that this burden disproportionately impacts students from underrepresented populations.

The group also discussed whether there should be a letter to the Class of 2021 and, if so, what it should say. One of the first-years suggested that there should be a revised version sent to the Class of 2020; there was agreement that President Zimmer and Provost Diermeier's autumn message more successfully conveyed the University's values. Some wondered if a letter was necessary at all given how frequently freedom of expression is mentioned in campus conversations and that Dean Ellison's letter led to some contentious exchanges on social media before students even arrived on campus.

Several present agreed that the use and definition of terms are critical – and that overall, students, faculty and administrators are landing on the same page more frequently than we might think.

The meeting ended at 9:15 AM. Michele Rasmussen let the students know she would be sending out an email asking students to evaluate the session.