

F I R E

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June 18, 2009

President Thomas J. Haas
Grand Valley State University
22 Zumberge Library
Allendale, Michigan 49401

Sent by U.S. Mail and Facsimile (616-331-3503)

Dear President Haas:

As you can see from the list of our Directors and Board of Advisors, FIRE unites civil rights and civil liberties leaders, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, freedom of speech, due process, legal equality, freedom of association, religious liberty, and freedom of conscience on America's college campuses. Our website, www.thefire.org, will give you a greater sense of our identity and activities.

FIRE is concerned about the threat to freedom of conscience posed by Grand Valley State University's (GVSU's) job announcements requiring applicants to have "a demonstrated commitment to the principles of diversity." This requirement imposes a political litmus test on job candidates and implies that faculty members must espouse fundamental viewpoints with which they might not personally agree.

GVSU posted a job listing for a Visiting Assistant Professor of Music (Flute) on April 17, 2009, and as of today the position remains open (see <https://www.gvsujobs.org/applicants/jsp/shared/position/JobDetails.jsp?time=1242134704355>). The position primarily involves "the teaching and mentoring of university[-]level flute students [and] performance with various faculty ensembles and may include a secondary teaching area" in the Music Department. Under "Required Qualifications," the posting states in part:

The successful candidate will demonstrate the ability to successfully teach at the university level the individual flute studio instruction and chamber music coaching. They will be team-oriented and willing to collaborate with faculty performances and have the capacity to recruit undergraduate flute students. Preference will be given to candidates who have earned a D.M.A. or Ph.D. **GVSU hopes to attract applicants with a demonstrated commitment to the principles of diversity with the skills necessary to effectively develop and lead a cultural climate that recognizes, respects and celebrates differences.**

[Emphasis added.]

The identical language in boldface above appears in a position opening announcement for an Assistant Professor of Music (Piano), which was posted on February 18, 2009. The language dates back at least to October 2007, when it was used to advertise a full-time, tenure-track faculty position in Trombone.

The evaluative criterion of a “demonstrated commitment to the principles of diversity,” which appears as a *required qualification* for such positions, not only unacceptably interferes with potential and actual faculty members’ moral and intellectual agency, but is also so vague as to cause confusion and invite abuse. Although requiring candidates to acknowledge and demonstrate this “commitment” may seem admirable and innocuous, in practice this requirement amounts to an ideological loyalty oath to entirely abstract principles and concepts of “diversity,” which can represent vastly different things to different people. This flexibility might seem to be a virtue until a professor or job applicant realizes that he or she is to be judged on the existence of his or her “commitment” to such an abstract concept.

Moreover, “diversity,” in current academic life, very commonly involves a particular set of opinions on topics such as race and ethnicity—topics about which reasonable scholars strongly disagree. It is very unlikely that the listings mean, as they might in the field of music, diversity of musical styles or influences (Beethoven? John Coltrane? Eminem?) or other differences relevant to the field. In any case, “diversity” and “the principles of diversity” are left extremely vague, referring only to the “differences” that are putatively “recognize[d], respect[ed,] and celebrate[d]” in GVSU’s “cultural climate.”

If GVSU truly believes in tolerance (leaving aside issues of academic freedom in, for example, preferring one style of music to another rather than being forced to celebrate all styles without discrimination between better and worse, or choosing to base grades or honors on clear differences between better players and worse players, regardless of one’s background), GVSU, as a public university, simply cannot require professors to adhere to a political orthodoxy, no matter how much the college may believe in the tenets of that orthodoxy and wish others to embrace those tenets. Professors are fully able to meet GVSU’s st

Amendment to our Constitution” was precisely to protect “from all official control” the domain that was “the sphere of intellect and spirit.”

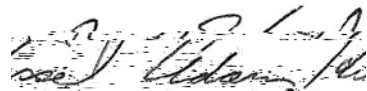
We trust you understand it is settled law that the First Amendment’s protections fully extend to public universities like GVSU. See, e.g., *Keyishian v. Board of Regents*, 385 U.S. at 605–06 (“[W]e have recognized that the university is a traditional sphere of free expression so

diminished. There must be in the mind of the teacher no mental reservation. He must give the student the best of what he has and what he is.

Must instructors at GVSU who do not share the university's assumptions about diversity be made an exception to that ringing declaration of the meaning and value of true academic freedom?

FIRE hopes to resolve this situation amicably and swiftly; we are, however, prepared to use all of our resources to see this situation through to a just conclusion. We request a response by July 6, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Kissel". The signature is written in a cursive style with some ink bleed-through from the reverse side of the page.

Adam Kissel
Director, Individual Rights Defense Program

cc:

Gayle R. Davis, Provost and Vice President for Academic Affairs
D. Scott Richardson, Associate Vice President for Human Resources
Danny K. Phipps, Chair, Department of Music