

Introduction

In recent years we have seen a <u>sharp rise</u> in public denunciations of professors. These calls to condemn, censure, or even fire professors, while couched in the language of accountability, should not be confused with demands for those in power to take responsibility for their actions. Denouncements are categorically different -- they are predicated on the censure of someone's purported views or positions. Such calls are antithetical to open inquiry and viewpoint diversity.

We offer some suggestions for how the different parties concerned -- faculty who are targeted, colleagues of those under attack, and administrators being pressured by denouncers to take swift action -- can navigate attempts to silence and condemn someone.

Often, public denouncements have resulted in serious personal and professional consequences, including termination and employment status changes. To be clear, we recognize that changes in employment are not always retaliatory. Such decisions are almost always confidential, and those on the outside rarely have full information about the reasons for changing employment statuses. Even the parties directly involved, including the employee and employer, are rarely able to speak publicly on the matter. Hence what we present here are suggestions in the service of protecting academic freedom and furthering free inquiry.

Part I: Advice for When You are Under Attack

Suggestions compiled by the staff of Heterodox Academy with input from colleagues who have navigated attacks

Heterodox Academy is committed to improving the quality of research and education in universities by increasing open inquiry, viewpoint diversity, and constructive disagreement. We offer advice here, but first, we must make two disclaimers.

First, context matters a lot. The ideas presented are suggestions that may not make sense given your institution's employment status and protections. Choose what you think will be useful in your context.

Second, this article's information is provided for informational purposes only and should not be construed as legal advice on any subject. You should not act or refrain from acting based on any information provided by this article without seeking legal advice from your attorney regarding any particular legal matter. The views expressed here are those of the authors of this text and the people interviewed, none of whom are attorneys, and who are writing in their individual capacities only. Organizations like <u>FIRE</u> and the <u>AAUP</u> are well equipped to actively support and defend the individual rights of faculty at colleges and universities. We recommend seeking advice from them or from your own attorney if you find yourself in the unfortunate situation of being unfairly targeted.

Learning and scholarship require risk-taking in good faith. We ask questions, share ideas, challenge ideas, and--often--get it wrong. Especially within the current climate on campus and beyond, the stakes are high for taking intellectual risks, particularly for expressing views that challenge popular ideas and beliefs. The perceived transgressions run the gamut from a paper written years ago that used a word that now has a different connotation, an email you sent to a listserv last semester that raised a concern, a question you raised at last week's faculty meeting that others see as an act of violence, or a social media post you merely "liked" yesterday.

The typical blow-up goes something like this: Someone on Twitter calls something you said a transgression, a crowd piles on, the comments get nastier, perhaps someone suggests that people call your employer to get you fired.

While supportive colleagues may email you privately to share words of encouragement, the fear of guilt by association may undermine their willingness to stand up and support you publicly, lest they become the next target. Meanwhile, the accelerant of social media makes it easy for bullies to pile on. And the ethos of <u>"silence is violence"</u> compels them to do so quickly, often absent full information and with no accountability for the outcomes of their actions.

If the mob comes for you, you'll likely find it to be an intensely painful, scary, and lonely experience. The situation will likely come out of the blue; you won't necessarily even know you were at risk of offending others, a complication amplified by always-shifting lines about what some undisclosed entity deems appropriate or not. Then, there's the fact that our world is home to millions of people with their unique views and sensitivities, and several have enough social media clout to launch a cancellation. Here's a horror-inducing reality: Unless you never say anything anywhere at all, you may offend someone who will launch an attack on you.

You might first receive an email or direct message on a social media account alerting you to your transgression. A friend or colleague might inform you that someone is after you. Or perhaps the instigator will give you a heads up that they are going to "make you famous." They'll perhaps recruit helpers by asserting your guilt and providing a screenshot of the transgression. Your attackers may hunt high and low for every comment or idea you have ever shared that could be read in a negative light, context be damned. Soon, you could face a wall of evidence demonstrating your persistent pattern of wrong thought.

As efforts mount, you'll receive a storm of one-liners calling you names, asserting your idiocy and poor moral character, and calling for your job. (If you're lucky, you could also receive a few reasoned critiques about a position you shared; count those as treasures.) Someone may take the time to locate -- and then decide it is ethical and reasonable to share -- your personal phone number or home address on social media. They may contact your colleagues, collaborators, department chair, dean, and president, alerting them to your transgressions and also leveling immediate claims of the institution's complacency in supporting you and your offensive ideas. The institution could face demands to fire you or denounce you. The attackers could threaten legal action and will say untrue things. They may have time on their hands to "meme-ify" images of you, knowing images are more likely to go viral than words alone. Your boss and colleagues, out of concern or fear for their own safety and well-being, may feel extreme pressure to respond quickly and in an unsettled state of mind.

The situation can escalate. Tongues will likely be razor-sharp. Emotions will run high. Uncertainty will be higher. At a moment when your own mental and emotional well-being are in the gutter, hundreds or thousands--it will feel like millions--of people will be demanding swift and precise action from you. It can feel like there is no room for nuance, error, or grace.

What are you to do?

Preemptive Steps:

As Benjamin Franklin noted, "An ounce of prevention is worth a pound of cure." Now is the time to take a preemptive look at your social media life.

- Consider what details you share in your social media profiles. The more information you provide, the easier it is for
 people to identify your colleagues and your employer, and the more likely it is people will contact them to denounce you
 or to call for your firing.
- Consider whether it is worth being on Twitter. People with high status--whether in real life or on social media--are prime targets for these attacks.
- If you do choose to be on Twitter, consider using an application like TweetDelete, which automatically deletes old tweets and "likes," minimizing the likelihood that something you said at an earlier cultural moment can be taken out of context.
- Live your public life as though it is being recorded--because it is. Be kind and respectful to others, always take the high road, and say nothing on social media, in emails, or elsewhere that you cannot defend.
- Live your life in a way consistent with your personal values and that you'll be able to look back on with pride.
- One expert suggests, "Do some prophylactics beforehand. Make it clear that you are a crusader for academic and First Amendment freedoms. That you support colleagues under fire. That you make it a professional purpose to fight against cancel culture. This makes you a porcupine for the mob."
- Said another, "In my experience, one thing I've learned is that sometimes the problem actually is that people are insufficiently transparent about who they are and what they are trying to accomplish, what their motivations are, etc. Whenever there is a black box, it is left to the imagination of others to decide what it contains. Usually, these assumptions are uncharitable. I used to play things very close to the vest in terms of my personal motivations, background, etc. No more. It's done wonders.

Now, if you're in the unenviable position of being harassed, here are some steps you can take:

General Guidelines:

- Comport yourself in a way consistent with your personal values and that you'll be able to look back on your response to the attack with pride.
- Even though people will demand a swift response from you, you are under no obligation to respond swiftly or at all. Note that nothing you say is likely to please everyone, and everything you say is fodder for the attackers. Denouncers don't get to decide the schedule on which you respond to them. The impetus to respond quickly, hoping to quell the rising tide of censure is more likely to backfire than to keep the wolves at bay.
- If you do respond, be firm and concise and be explicit that that is all you will say on the matter. It is better to respond in a single document you can take your time creating, rather than writing new responses to every single email or tweet. This way, you cannot be attacked for being inconsistent in your responses.
- Enlist others to stand up for you or vouch for you -- publicly (e.g., on social media) or with a private email to relevant decision-makers at your university. If appropriate, enlist Alumni, substantial donors or trustees. Their support can be invaluable.
- Assume everything you write to anyone will be shared publicly with others. This includes emails, text messages, direct messages, and even hand-written notes. People might send you friendly emails to lower your guard and then screenshot your response to mock you. Be careful whom you trust while you are vulnerable.
- Remember, a critic isn't the same thing as a bully (<u>see here</u>). Some people will attack your ideas rather than attacking you. Ideally, you would invite them into a constructive conversation. But that's best done after some time has elapsed -- perhaps next week or next month when the heat dies down.
- A colleague who lost his contract teaching position after a cancellation attempt suggests: "Take others' concerns and complaints seriously and engage with them in a serious and charitable way. Acknowledge whatever may be reasonable or right about their position, and then divert that down a more productive channel. Really try to see things from their side. If your response is just 'You're wrong. You're ignorant. Your position is stupid,' then it tends to polarize rather than de-escalate, and can create a zero-sum situation where one side is going to be decisively victorious, the other decisively defeated."

Words of Wisdom from Others Who Have Survived the Gauntlet

- "Like everything else in life, this too shall pass and your life will go on. When you find yourself in situations like this, it's easy to think that it will never end. But be reassured that things like this always stop; your life is definitely not over."
- "Be proud of yourself and your work. Recognize that you are climbing a mountain in a fierce storm. Climb carefully.

 But do not stop climbing. The view at the top will be wonderful."
- Read the stoics, especially Marcus Aurelius, <u>Meditations</u> e.g., "The tranquility that comes when you stop caring what they say. Or think, or do. Only what you do." Or read <u>The Stoic Challenge</u>, by William Irvine, for help turning this challenge into growth.

You probably had a thousand other things you were planning to do this week; accept that none of them will get done just now. Dealing with an attack will take every minute of your time and every ounce of your cognitive and emotional bandwidth, at least for a few days or perhaps weeks. The negative attention might come in waves as new developments arise (e.g., if your employer makes a public statement). But then it will just stop. Those denouncing you will move on to swarm the next target. And in time, you will likely be fine, more aware of your own resilience, more compassionate toward the flaws and foibles of others, and more confident in the quality of your friends.

Mental Health:

- Seek social support. Contact your (real) friends; contact others who have been attacked; get support from a therapist, faith leader, or other confidantes.
- Note who is attacking you and who has your back. Which group of people knows you better and is in a better position to judge your character? Probably the latter. This situation will reveal the character of the people around you. You will likely be surprised in both directions: some people will disappoint, whom you would not have expected it from. Others will step up. Try to find peace of mind in seeing how people stand up for you.

Social Media:

- Stay off of social media
- If you can't resist the urge to look to see what others are saying about you, have a confidante look at the posts and comments and give you a summary. Most importantly, resist the urge to respond or otherwise engage on social media.
- Ask a trusted friend to be the keeper of data: screenshot, record, or otherwise document everything as soon as it appears, so you will have a record of what happened if you ever need it. Consider freezing your social media accounts.

Dealing with Media:

- One expert advises, "If you are not used to talking to journalists, it's probably best to decline any request to comment. If you accept to talk to journalists, ask to reply to their questions via email, and to see the article before it's published so that you can amend the bits that misrepresent your view."
- Contact your college's marketing and communications office to ask if there's a media coach or other advisor who can guide you on how to speak to reporters. Your college's marketing and communications department may also be able and willing to help you write a statement or press release to help shut down the call-out attempt.
- Consider hiring your own media consultant (search the internet for "reputation management media consultants").
- If you speak to a journalist on the phone or via video chat, record your call so you can prove that you didn't say the things they may mistakenly attribute to you.
- In general, when talking to journalists, use sentences that can stand alone. Don't say anything that would require a lot of further explanation and several caveats. Each sentence should represent your views accurately, or else it can be taken out of context and used against you. Write down a few short sound bites that capture your position before the interview.

Communications with Your Employer:

- Different people on campus have different levels of protection. Faculty who are neither tenured nor on the tenure-track usually have thin protections. Consider contacting FIRE, AAUP, or other organizations who can help protect your job.
- It's a good idea to advise your employer when it becomes apparent that a mob is after you. This gives your employer a bit more time to prepare for their future involvement in the incident and minimizes the shock for them. However, remember that the university communications team will generally advise you to be silent, as this makes it easier for them to contain negative PR for the institution. You don't want to be needlessly confrontational, nor throw fuel on a fire. You want to show that you're someone who is a team player. But you also have to understand that the core interest of many administrators in these instances is seeking positive press or making bad press go away (alongside handling complaints from donors, trustees, alumni and other stakeholders).
- If your employer is feeling pressure to react, encourage them to release a statement saying this matter requires attention and they are taking time to look into it. This should minimize the pressure for them to act too quickly in the heat of the moment. (See also Section 3: Advice to Administrators.)
- If you are called into a meeting with your dean, provost, or other administrator, have an ombudsperson in the room to help advocate for due process and to track details that may be overwhelming. If you have a reason not to trust your ombudsperson, ask to have an alternate in the room for you.
- Review your school's mission, values, employment handbook, commitment to academic freedom, etc. This will allow you to prepare questions for decision-makers about how any processes or decisions align with stated values.
- If your employer takes action that violates your First Amendment rights, contact the Foundation for Individual Rights in Education or another civil liberties advocacy organization for support.
- You may need a lawyer; consider contacting one who specializes in employment law. Said one colleague, "Even a one-page letter from your lawyer to your university is worth the expense."
- Contact the leadership of your faculty union or other professional associations to ask about your rights and protections. Activate whatever support is available through those groups.

Email and Phone:

- Assume your phone number and email are publicly available. People attacking you may try to contact you directly. If a flood of attacks comes in, ask a trusted advisor to screen emails and calls on your behalf.
- So you don't get cut off from your support network, you may wish to set up a temporary email address and/or Google phone number so you can be in contact with the people you want to reach.
- Keep your information secure from attack by changing passwords on email, social media, and other accounts.

Apologies: Don't Apologize Unless You are Clearly Wrong:

While those we consulted generally agreed that <u>apologies don't work</u>, they offered additional advice and nuance that might be helpful:

- Don't apologize. Don't say you've changed your mind about a topic unless you are 100% sure that you made a mistake. If you are forced to write an apology letter by your employer or editor, phrase it in a way that you don't apologize for writing something controversial, but rather for failing to communicate what you actually meant in a clearer way so that everyone, experts and non-experts, could easily understand what you meant." Said another colleague, "Never apologize for something that you did not do, or for which you do not feel an apology is warranted. Do not give false apologies. Save apologies for moments where you can, and should, offer a genuine one."
- "Never apologize unless you have made some grave mistake. Even then, correct your mistake and leave it at that.

 Cancel mobs smell blood... The moment they realize that you are not on the defensive, but on the offensive, that you cannot be bullied into silence but are emerging stronger than ever and swinging hard, they will be shown for the cowards they are; if you are scared, don't show publicly that you are scared."
- "Think earnestly -- do you have something to apologize for? If so, do so. Otherwise, do not."

Part II:

Advice for When Your Colleagues Are Under Attack

Suggestions compiled by the staff of Heterodox Academy with input from colleagues who have navigated cancellation attempts.

Heterodox Academy is committed to improving the quality of research and education in universities by increasing open inquiry, viewpoint diversity, and constructive disagreement. In keeping with our mission, we have formulated this document as a resource to help you think through ways you can support friends and colleagues under attack. Not all will apply to your situation.

When a colleague or friend comes under attack for doing or saying something that someone somewhere has deemed a transgression, you may feel complicated emotions. You might be offended by what your colleague did but nevertheless horrified by the lack of proportionality between the offense and the magnitude of the response. You might feel outrage at the absurdity and injustice of the charge.

But whatever the situation, you have a choice to make. On the one hand, you could sit back and let new information come in, believing you don't know enough to make a judgment or believing these things will sort themselves out eventually. But you know that your colleague--and likely their administrators--are under incredible pressure, navigating complexities and fears in a world with little tolerance for careful analysis or nuance. We recommend taking action. It is probably the case that your friend or colleague is suffering a great deal of anxiety and is probably having difficulty sleeping. Anything you do to reach out or help will be deeply appreciated and long remembered. The stakes are particularly high right now; anyone could be next, perhaps for something said in class yesterday or for an op-ed published a decade ago.

Here are some things you can do:

- First, it is vital to let your colleague under attack know that you support them. Either contact them directly or bcc them on communication to their administrator articulating that your colleague is unfairly accused. If you contact your colleague directly, encourage them to resist the urge to instantly respond and encourage them not to demonize the denouncers. Instead, urge them to be civil, reasonable and principled in their response. This will underscore their virtues as a scholar.
- Whether in a thoughtful letter to your colleague's administrator, in a column written for the student paper, during a discussion at a faculty meeting, in hallway conversations with departmental colleagues, or on Twitter, stand on the side of intellectual humility, due process, and grace. If it appears that there might be some validity to the charges, this could look like: "do we know both sides of the story?" or "do we know all the facts?" or even "I am not an expert in this field so it is hard for me to condemn that; do you know an expert we could consult?"
- A simple, powerful, and low-risk formulation for a statement from you on social media, is "This person is my friend, a good person, and I support him/her." Even if some people criticize you and try to tar you with guilt by association, far more people will admire you silently for your loyalty and courage.

- Remind students, peers, and administrators of core academic values -- a reverence for big questions, competing
 hypotheses and analytical frames, academic freedom, and the inclusion of diverse people and diverse ideas. Indeed,
 some of the most innovative and paradigm-shifting ideas in many fields have been good-faith challenges to established
 orthodoxies.
- State the obvious: that great minds don't always think alike, that all of us should be allowed to make mistakes and to change our minds, and that quality of evidence and mode of engagement matter in personal and professional discourse.
- Clarify what's at stake for individuals who are accused of transgressions, regardless of their guilt or innocence -- reputation, professional livelihood, dignity, well-being. Sometimes people need to be reminded of the bigger picture.
- Make visible the dynamics of the onslaught -- attackers are very vocal; they are often a hub where incomplete information
 is exchanged with certainty and where individuals with a large number of followers can call for swift, specific action.
 People who target others act quickly and with force, giving the (often false) impression of consensus and of large
 numbers of supporters.
- Caution decision-makers against rapid reaction. Encourage them to collect good information, to take the time to fully understand the nuances of the situation, and to take one on the chin when doing the right thing and doing the easy thing don't align. Administrators are under a lot of pressure in such instances and your intervention may embolden them to respond thoughtfully. Remind them of the positive principles the school is supposed to embody.
- Send decision-makers this guide and point them to Part III for administrators.
- Advise decision-makers not to cave to bullies. Tell them that unlike good-faith critics, who are more likely to be interested
 in discovering the truth, even if it turns out that they were wrong, bullies are inflexible and sound a single note, which is
 often ideological.
- Encourage administrators to be transparent and principled in their responses. Remind them this will help engender greater trust between the faculty and administration more broadly.
- Behave in a way consistent with your personal values and that you'll be able to look back on with pride. Don't shame.

 Don't denounce. Don't use the illegitimate tactics of the attackers against them. Model your own principles--the principles you want others to live up to.

Any of us could be the next target. While our instinct for self-protection might thus compel permanent residency in an undisclosed cave, doing so would have dire consequences for the creation of knowledge and pursuing solutions to the complex challenges we face. Every time the mob succeeds -- because others are too scared to speak up -- it incentivizes and strengthens their behavior. Instead, with persistent courage and conviction, we must stand up for our colleagues' right to be wrong, to ask challenging questions, and to otherwise take genuine risks inherent in navigating complicated terrain when the world most needs our best thinking and doing.

Part III: Advice for Administrators

Suggestions compiled by the staff of Heterodox Academy.

When a faculty member comes under attack for doing or saying something that someone has deemed a transgression, you may be called upon by strangers on social media or students on your campus--often supported by some of your faculty--to take swift action to condemn, discipline, suspend or even terminate the faculty member's contract.

When this happens, it is important to bear in mind that often "transgressions" occur when scholars are acting in good faith within their role as a teacher or scholar, roles which involve intellectual risk-taking and challenging popular ideas and beliefs.

As executive administrators, you play a critical role in creating and maintaining campus cultures where core features of learning and discovery such as open inquiry, viewpoint diversity and academic freedom thrive. The community on campus and beyond look to you to articulate philosophies, make policies, and implement practices. Your words and deeds inform the culture of your institution, so your response to calls for canceling someone must be well-considered and true to your own values and those of your institution.

Here are some things you can do:

- The most important thing is: Slow down. Do not feel the need to respond immediately. Take some time to collect good information and understand the nuances. Prepare to take one on the chin when doing the right thing and doing the easy thing don't align. You will likely be under a lot of pressure in such instances, which is why what you say and do is very important.
- It may seem like giving the attackers what they want will make them and any bad press go away, but it won't. The attackers often escalate their demands, and there will be a lot of bad press for a long time if you seem to bow to pressure. Often, when administrators have said no to unreasonable demands, the attackers have backed off and moved on to another target. Also, remember that your decision can have consequences for someone's livelihood, reputation and career. Take the time to look into the matter carefully.
- If you do feel you absolutely must have an immediate response, release a statement saying this matter requires attention and that you are taking time to look into it carefully. Stress the positive principles the school is supposed to embody and say that whatever decision you make will be in line with the values of your institution.
- Meet with the faculty member and let them know that you are not jumping to any conclusions. Get their side of the
 story. Offer to have an ombudsperson in the room to signal you are committed to due process. This will help the
 concerned faculty member feel more comfortable talking to you. Remember, your support at this moment will mean
 the world to the faculty under attack. Reassure them you will not take any rash action.

- Hold firm and do not cave to bullies. Unlike good-faith critics, who are more likely to be interested in discovering the
 truth, even if it turns out that they were wrong, bullies are inflexible and sound a single note, which is often
 ideological. It is important for them to hear from you that you stand by the principles of open inquiry and academic
 freedom.
- If students on your campus are calling for action, invite them for a conversation. Listen to their concerns and remember that your role as an educator is to help them understand the complexity and nuance of the situation. Remind them that open inquiry is the mission of higher education and stress that academic freedom is a prerequisite for achieving that goal. Impress upon them that as a community, everyone must remain true to and act in accordance with the institution's sacred core, its telos. If there are instances in the history of your institution that help shed light on what is the right response, invoke it.
- Whatever you decide, be sure you are not violating the faculty member's rights. We recommend reviewing your university's faculty handbook and AAUP guidelines about the <u>academic freedom of faculty</u> and <u>faculty rights in the classroom</u>.
- Be transparent and principled in your response. Communicate regularly with the faculty. This will help engender greater trust between the faculty and administration more broadly.
- Behave in a way consistent with your personal values and that you'll be able to look back on with pride. Don't shame. Don't denounce. Don't use the illegitimate tactics of the attackers against them. Model your own principles--the principles you want others to live up to.

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Heightened political polarization and social media's "economy of prestige" that supports the toxic new "callout culture" make your job as an executive administrator especially difficult. The stakes are particularly high right now; anyone could be next, perhaps for something said in class yesterday or for an op-ed published a decade ago. Proactive investment in articulating and centering values such as open inquiry, viewpoint diversity and constructive disagreement can help foster positive campus culture and decrease the need for reactive responses. To lead from the front on these issues and to equip our learning communities with the habits of heart and mind that support constructive engagement across lines of difference, you need to remind the campus of your mission and values. Make the case publicly and regularly – not just when tensions are high or when there is a blow-up – that viewpoint diversity and open inquiry are essential to achieving these aspirational goals.

Here are a few things you can do:

• Interlace open inquiry and viewpoint diversity as values within existing programs, committees and ongoing conversations. Point out that it is the role of executive administrators to ensure that students are exposed to a multiplicity of viewpoints.

- Reiterate these values in campus addresses at commencement, matriculation and graduation; write an op-ed for the student paper emphasizing your commitment to academic freedom and open inquiry.
- Weave in the centrality of these values when you welcome new faculty and new students.
- Use discretionary funds to bring programming around these issues to campus and be explicit about why you are doing so.
- Select open inquiry as a theme for the next accreditation review.
- Suggest open inquiry as a theme for retreats, faculty meetings, student meetings; suggest doing a "year of open inquiry" or "year of viewpoint diversity" campaign.
- Embed your institution's commitment to these principles in position descriptions for faculty and staff hires.
- Encourage faculty to include language around these principles in their syllabi.
- With a mind to lead from the front on the issue of faculty harassment, consider investing time and resources in developing a guidebook for your campus that centers your institution's commitment to faculty members' right to free expression and outlines how the campus community should deal with such situations. Executive administrators at the University of Iowa and Penn State have produced social media support and resource guides which advise faculty, junior and senior administrators, and staff on how to navigate social media attempts to silence scholars (these can be found here and here). These may serve as inspiration for handbooks adapted to your context.