Fostering “Difficult Dialogues”

Manuel Gómez: Cultivating Civility Amidst Discontent

Leslie Harris: Disenchantment to Dialogue and Action

Plus: Reporting Campuses' Economic Impact Honestly Increasing Learning Through Technology
FEATURES

7/PROTECTING AND PROMOTING ACADEMIC FREEDOM IN PERILOUS TIMES: A PHILANTHROPIST'S PERSPECTIVE
Through its Difficult Dialogues program, the Ford Foundation is working to promote academic freedom and pluralism on campuses across the country.
by Ahson R. Bernstein

10/IMAGINING THE FUTURE: CULTIVATING CIVILITY IN A FIELD OF DISCONTENT
The University of California, Irvine, with support from the Difficult Dialogues program, has launched a wide-ranging, multidisciplinary initiative aimed at fostering religious, ethnic, and political tolerance, despite an increasingly politicized campus since 9/11.
by Manuel N. Gómez

18/FROM DISENCHANTMENT TO DIALOGUE AND ACTION: THE "TRANSFORMING COMMUNITY" PROJECT AT EMBRY UNIVERSITY
This campus’s Difficult Dialogues project combines community dialogues, readings, film screenings, and other approaches to tackle questions of racial differences and create new ways for campuses to constructively address enduring issues of racial inequality.
by Leslie M. Harris and Jody Usher

24/THE ECONOMIC IMPACT OF COLLEGES AND UNIVERSITIES
Too many economic-impact studies overstate the financial benefits colleges and universities provide to their local communities and states.
by John J. Siegfried, Allen R. Sanderson, and Peter McHenry

32/INCREASING LEARNING AND REDUCING COSTS THROUGH TECHNOLOGY: THE UNIVERSITY OF ALABAMA STORY
The University of Alabama is distinguishing itself through use of innovative technological approaches to teach a wide variety of disciplines, including mathematics.
by Kathy Witkowski

40/SEVEN SUGGESTIONS FOR BECOMING A MORE PRODUCTIVE WRITER
One of the most intriguing recommendations: “learn to like what you write” so you look forward to reading and revising your early drafts.
by Mano Slagham

44/A LIFE OF THE MIND FOR PRACTICE: BRIDGING LIBERAL AND PROFESSIONAL EDUCATION
Professional-school and liberal-arts faculty can find common ground in an agenda of teaching for practical reason and judgment.
by William M. Sullivan and Matthew S. Rosin

DEPARTMENTS

4/LETTERS
6/EVENTS
6/EDITORIAL
Contentiousness
by Margaret A. Miller

48/RESOURCE REVIEW
Peer Review and Evaluation of the Intellectual Work of Teaching
by Daniel J. Bernstein

52/CHANGE 2007 INDEX

Cover Illustrations:
Jim Frazier and Todd Davidson
IMAGINING THE FUTURE

Cultivating Civility in a Field of Discontent

By Manuel N. Gómez

The university is not engaged in making ideas safe for students. It is engaged in making students safe for ideas. Thus it permits the freest expression of views before students, trusting to their good sense in passing judgment on these views. Only in this way can it best serve American democracy.

—Clark Kerr, President, University of California, 1961

One of the most influential presidents the University of California ever had, Clark Kerr, was fired in 1966 shortly after convincing the Regents to lift the ban on political demonstrations on UC campuses. Despite numerous Supreme Court decisions articulating broad protections for free speech that include public college and university campuses, the battle Kerr fought on behalf of free speech and academic freedom continues to this day.

Indeed, since 9/11 we have seen it intensify on many campuses, especially where there is discord between Jewish and Muslim student groups. Following the Bush Administration’s declaration of the “War on Terror,” the long-standing Israeli-Palestinian conflict either arrived on campuses or flared anew, with students clashing over, among other things, the Israeli occupation of the West Bank, suicide bombings in Israel, and terrorism in the United States and abroad.

These issues have aroused so much passion that they have engaged people beyond the campuses—harkening back 40 years in the long history of student protest—in a way that directly affects issues of academic freedom and free speech. How much freedom do students have either to express views that others find highly offensive or to invite guests to campus who express such views? What role should university administrators play in these matters? And what do we mean when we say we want to promote “civility” on our campuses? These questions and others are at the center of our post-9/11 higher-education culture.

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The Seeds of Change

Over the past six years, my own campus, the University of California, Irvine, has struggled with these questions. So when the Ford Foundation announced its Difficult Dialogues program in 2005, we welcomed the prospect of obtaining external support for the work we had begun to undertake in the arena of free speech, academic freedom, and pluralism. Our partnership with Ford has allowed us to support a comprehensive initiative: Imagining the Future, aimed at negotiating those “difficult dialogues” that occur so often around sensitive issues such as race, religion, ethnicity, language, and other categories of identity. For Irvine, the conflicts have particularly involved the intersections of religion, politics, and national identity.

The University of California, Irvine (UCI), a little more than 40 years old, has an ethnically diverse student population of more than 25,000 and is located in an affluent and politically conservative community in Orange County. A mere decade ago, UCI was seen as largely a commuter school, its students primarily focused on academics and its campus activities relatively sedate. But on the heels of the UC Regents’ decision to prohibit the consideration of race, ethnicity, and gender in university admissions, a number of student protests ushered in a period of much stronger political engagement among our students. And as the campus grew, this engagement increased in a variety of areas.

In many ways, this increased activity has been beneficial to the campus. It reflects students’ deep investment in social and political issues, acute intellectual curiosity, and strong leadership potential, all of which have led to a much more vibrant campus life. But it also has presented challenges, especially in a climate of heightened anxieties about terrorism and the politicized aspects of religious conflict. Hate crimes against individuals perceived as Middle Eastern increased in Orange County after 9/11, as did negative rhetoric about Islam. Some Zionist and Jewish groups also felt vulnerable, concerned that anti-Semitic sentiment was on the rise as well.

On our campus, both a Holocaust memorial and a symbolic model of the Israeli wall of separation were vandalized, and disputes between Jewish and Muslim groups escalated in both frequency and stridence.

Although most of these disputes were confined to the campus, they garnered the attention of several external advocacy groups, who then connected with student groups and became involved in their protests. These groups from outside the campus lobbied university administrators to curtail what they perceived as offensive speech, generated email campaigns, and filmed campus events and electronically distributed selected clips. Consequently, the campus began to develop a more politicized reputation; UCI was featured several times on media outlets such as Fox News’ Bill O’Reilly program and has been characterized variously as “a hotbed for Islamic radical fundamentalism,” as pro-terror, as anti-Semitic, and as enabling hate speech in the name of the First Amendment.

One incident that reflected the heightened tension occurred in 2004, when some Jewish students and community leaders objected to some Muslim students wearing green stoles bearing Arabic text at commencement—stoles that had been worn at previous commencements without controversy. They complained that the stoles were not, as the Muslim students insisted, homage to the Islamic faith but rather tributes to Hamas.

Change • March/April 2008
Despite translations provided by no less than seven translators, including rabbis and the CIA, the protesters refused to accept the stolen, the situation became extremely tense, and the campus received a number of threats that compromised the safety of commencement.

As it turned out, some Muslim students did wear the stolen, and commencement proceeded safely and quietly, but the distrust and miscommunication reflected in the incident are characteristic of relations among various groups. Four months later, the New York-based Zionist Organization of America (ZOA) filed a complaint against the University of California, Irvine with the U.S. Department of Education’s Office for Civil Rights.

It alleged that “Jewish students at the University were subjected to harassment and a hostile environment based on their national origin” in violation of Title VI of the Civil Rights Act of 1964, and that the University had “failed to respond promptly and effectively.” After three years of extensive review, the Office for Civil Rights closed the investigation on November 30, 2007.

PREPARING THE GROUND

Although we talk often about academic freedom on campuses, it is most often the freedom of college and university faculty to teach and research without the fear of political retaliation that concerns us. For all the talk of higher education’s being enclosed in an “ivory tower,” the attention paid to the work of scholars by various critics—consider the “most dangerous professors” lists and Web sites inviting students to “turn in” faculty they think are politicizing their classrooms—in fact stems from the perceived importance of scholars in articulating or challenging our nation’s cultural and social norms.

But students are similarly protected, both by the principles of academic freedom and First Amendment jurisprudence, which has steadfastly reinforced the logic of Justice Douglas’s majority ruling in the 1949 Supreme Court case of Terniello v. Chicago:

Accordingly a function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to action. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it pressures for acceptance of an idea. That is why freedom of speech, though not absolute, Chaplinsky v. New Hampshire, supra, pp. 571-572, is nevertheless protected against censorship or punishment, unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest. See Bridges v. California, 314 U.S. 252, 262; Craig v. Harney, 331 U.S. 367, 373. There is no room under our Constitution for a more restrictive view. For the alternative would lead to standardization of ideas either by legislatures, courts, or dominant political or community groups. (337 U.S. 1, 4-5)

This sense that the “standardization of ideas” violates the First Amendment is based on the concept of American democracy as a “marketplace of ideas,” in which ideas compete for acceptance. The people who complain that higher education is too far left or too far right miss the point. Those who worry most about which ideas are circulating on our campuses seem to forget the importance of the marketplace—the virtues of competition between, and the open interchange of, ideas. It is this intellectual marketplace that the university is intended to embody.

The fundamental aim of higher education is to equip students with the skills necessary to evaluate ideas of all political persuasions—not to teach them what to think but how—to hone and enhance their reasoning, to foster skepticism, and to cultivate their reflective capacities. In doing this, we depend on both a diversity of ideas and the freedom to test their veracity. If today’s students are tomorrow’s leaders, we want them to graduate knowing how to sort through the many problems and conflicts in the world at large.

SOWING THE SEEDS

The Irvine Difficult Dialogues initiative is both comprehensive and collaborative, inviting participation from academic affairs, student affairs, residence halls, community organizations, and student groups. It also integrates graduate students into the project as mentors and teaching assistants. We are fortunate to have strong working relationships among faculty, staff, academic affairs, and student affairs; this builds a more holistic university experience for students around issues of identity, inclusion, and expression.

The Curriculum

The academic element of our Imagining the Future project currently consists of three courses specifically designed as its core curriculum. The first is “Imagining the Future: Israelis and Palestinians in the 21st Century,” led by history professor Daniel Schroeter. It is a team-taught, interdisciplinary exploration of potential solutions after the Israeli-Palestinian conflict is resolved. The course asks students to develop concepts for the new civic infrastructures, laws, and policies required to rebuild war-torn societies.

This course is an effective companion to a second course, “Difficult Religious Dialogues,” which is co-taught by historian Joseph McKenna and anthropologist Paula Gerb, who is also former director of the UCI Center for Global Peace and Conflict Studies. This second course looks at global inter-religious dialogue and debate with the aim of aiding understanding through reasoned analysis and investigation. Conflict-resolution techniques are embedded in the course to help students discuss a number of potentially controversial topics across religious creeds.
The third course, “The Politics of Difference,” focuses on the nature of prejudice and the political significance of difference; it is taught by Kristen R. Monroe, professor of political science and director of the Center for the Scientific Study of Ethics and Morality. The course explores how tolerance, exclusion, and empathy are created. At academic conferences and in journals, Professor Monroe has spoken and written about the profound impact the course has had on students’ understanding and empathy.

All of these courses are based on highly interactive pedagogical strategies. In “The Politics of Difference,” for example, students are “pretested” in private to give them a sense of their own prejudices and then given the task of interviewing someone whom they think of as “elderly”—a marginalized group that does not get a great deal of attention in our society and is not generally the focus of overt prejudice as “the other.” In addition to mastering the skills necessary for effective interviewing, students take part in group readings and discussions aimed at evaluating the nature of prejudice in both personal and theoretical ways.

Evaluations of the “Difficult Religious Dialogues” and “The Politics of Difference” courses demonstrate substantial success in fostering students’ self-examination and increased understanding of multi-faceted issues.

Students in “Difficult Religious Dialogues” have held a broad variety of religious views (atheist, Baha’i, Buddhist, Hindu, Jewish, Mormon, Muslim, Protestant, and Roman Catholic), while 87 percent identified themselves as from “other” religions and 12.6 percent as agnostics. Among participants, 44.7 percent reported that they took the class to learn about other religious views, while 45.6 percent took it to fulfill a requirement. However, 87.2 percent indicated they were very interested in other people’s religious beliefs, signaling a strong interest in the course topic.

Among students completing the course, 97 percent said they had learned more about their own beliefs. 72.8 percent indicated that it would be considerably or somewhat easier to have friends of different religious beliefs (suggesting greater self-awareness and cross-religious understanding), and 96.1 percent found the class valuable. While some students changed their beliefs after taking the course, others found that their existing beliefs were strengthened.

Evaluations for “The Politics of Difference” course demonstrate a similar pattern of student evolution. While students began the course largely believing that they did not have prejudices, the pretests mentioned above used implicit association tests (IAT’s) measuring unconscious prejudices to give them a sense of their own biases. A control group of students was compared with an experimental group within the class to determine the overall effect of the course on student awareness of otherness and the nature of prejudice.

Results—measured through implicit association tests, class discussions, and written work—showed that while the course effect some change in attitudes toward various types of otherness (gender, race, religion, age, etc.), students needed more extensive “empathic engagement” with “the other” to facilitate deep-seated change. Not surprisingly, many students felt that the IAT’s were biased or incorrect, because they measured more prejudice than the students were aware of or were comfortable admitting to themselves.

Yet statistically significant changes were in fact achieved. For example, students’ association of women with “family” went from moderate to neutral following a class segment on gender. Students also consistently indicated that the course made them more aware of the pervasiveness of prejudice and the social construction of difference, even if they still had some work ahead of them in investigating the depth of their own prejudices.

THE GROWING SEASON

The core philosophy of Irvine’s Difficult Dialogues program is that civility is not a matter of manners but of civic engagement. When we talk about civility, we often have in mind polite discourse, dispassionate rhetoric, and rational discussion. But in many ways, that aspect of civility is at odds with the notion of participatory democracy and the aims of higher education, because it is tightly centered on a strong social norm that rejects the rousing passions at the heart of this country’s founding. Certainly we don’t want our students to rail irrationally, but neither do we want them to feel removed from the deep dedication to ideas and the energizing activity of academic debate and discovery.

The Co-Curriculum

To the extent that we typically talk on campus about civic engagement, the idealized vision of that dynamic is often disconnected from the reality of passionately invested individuals publicly expressing their views. Consequently, the UCI Imagining the Future program features campuswide events, most of which are open to public attendance and all of which are meant to stimulate difficult dialogues. The campus has hosted events with titles such as Latinos and Jews: A Conference on Historical and Contemporary Connections; a Japanese Day of Remembrance; The Role of Israeli and Palestinian Civil Society in Peace Building; the Georgia/Abkhaz Dialogue; Immigrants—How They Are Integrated into American Society; and a library exhibition, The War Within: Dissent During Crisis in America, featuring documents from the Cold War, the McCarthy hearings, the Japanese internment, and other events related to free speech and civil liberties.

The exhibition was to have been launched with a keynote speech by Ngugi Wa Thiong’o, a Kenyan author and the director of UCI’s International Center for Writing and Translation.
But he missed it. Prior to the speech he and his wife had been viciously attacked while visiting Kenya because of his criticisms of the government, necessitating their presence in Kenya for the attackers’ trial. As noted by Professor Gabriele Schwab, who stood in for Thiong’o with a speech entitled “Dissent and Dialogue in a World at War,” the cause of Ngugi’s absence provided a stark reminder of the importance of free speech.

While many of the events we have held provided an opportunity for ardent but respectful dialogue, others—including a conference called Why Israel? Why Palestine?—stirred controversy, contentious protest, and heated debate, although none sparked the kind of complaints that resulted from many of the student-sponsored programs and demonstrations.

Over the past few years, university administrators have been criticized for not intervening aggressively enough in what some believe to be “hate speech,” and we have even been accused of supporting terrorist groups and activities. However, in addition to the legal prohibitions against curtailing the rights of our students and faculty to speak freely on the campus, we believe that acting to discourage or chill provocative and even offensive speech is an inappropriate administrative role, and may not, in fact, deter hate speech.

Consequently, we have defined our role in reference to our Constitutional responsibility to protect students’ legal rights to free speech. If students believe they are being harassed or feel unsafe, it is an administrative responsibility to ensure that there are mechanisms in place to investigate any claims quickly and carefully. Administrators also must make the campus community aware of these mechanisms. We have established the Free Speech Advocacy Team to ensure the safety of our campus community at public demonstrations. Members of the team are on site during public events to preserve the rights and protections of free speech for the entire community.

We also have been working with faculty members across the campus who support, participate in, and co-sponsor a variety of panels, conferences, programs, and other activities that facilitate difficult dialogues. For example, we partnered with the campus radio station, KUCI, to record a series of interviews with individuals ranging from students to the mayor of Irvine, the UCI chancellor, and the men’s volleyball coach, in which they told the stories of their most difficult dialogues.

The NPR-style interviews were aired twice a day, and some were collected on a CD. The CDs were distributed along with our semi-annual publication of the journal Impressions/Expression, which this year has been dedicated to the Difficult Dialogues program. In addition, a number of faculty and administrators associated with Difficult Dialogues have contributed editorials and interviews to the student newspaper, The New University, and to local and national media. The New University has published more than 50 articles related to the issues we are addressing in our program, reflecting a growing campus awareness of, and engagement with, these issues.

Some of the resistance to our efforts has not stemmed from a fear of confrontation as much as from the belief that because the events evoke such emotional reactions, the very airing of these issues constitutes either anti-Semitism or anti-Islamist speech. Productive discussion becomes virtually impossible when the mere utterance of some ideas is seen as the expounding of hate and the only “compromise” envisioned is one that includes either outright censorship or demands for public cen-
sure. Thus one of our key activities is to mediate conflicts between Jewish and Muslim student groups. In a parallel activity, we also have been involved in discussions with the Middle East Studies Student Initiative, which has been working to establish a Middle East Studies program on campus.

Last year I gave a presentation about free speech at the International Peace and Conflict Studies academic theme house, and one of the things I did was to ask students to stand on either side of an imaginary line based on their answer to the following question: Do you think there should be fewer protections for free speech during times of national crisis and war? At first, there were a fair number of students standing on both sides of the line, who debated the issue hotly. At one point a student was ready to walk out of the discussion because he was so uncomfortable with the way the discussion was going. After a few minutes of private conversation with me, he decided to stay—but the tension was very instructive for the participants, because it highlighted the very personal investment some students have in ideas and ideals.

Interestingly, by the end of the discussion, the vast majority of students stood on the side representing more protection for free speech during wartime, but those students who remained on the other side of the line were steadfast and articulate in their defense of the need to limit speech to counteract what they believed to be the negative effects of unpatriotic speech and potentially disruptive ideas.

It's easy to forget that growth is fundamentally a disruptive process. From the new shoots that displace soil as they grow toward the sunlight, to the replacement of old paradigms, anything that grows affects its environment. This is the lesson of democracy that both haunts and inspires America: we welcome some changes but fear others. And this anxiety is especially tangible concerning some of the most charged political issues we face today, including the Israeli-Palestinian divide.

When former President Jimmy Carter spoke at UCI a few months ago, he lamented the fact that politicians seem afraid of talking openly about the Israeli-Palestinian conflict. "I think the main problem with college students is indifference," he said, "a lack of deep commitment to help resolve and to even assume leadership in changing things around the world which you deplore" (for the full text of his speech, see http://www.socsci.ucr.edu/events/carter/question.php). He insisted that "an alteration or debate or sometimes even an uncomfortable confrontation on a college campus in America is a good move in the right direction." This is how we bring these issues into the public forum so that we and our government can address them openly and contribute to the peace process.

**Delayed Harvest**

In the two years we have been implementing our Difficult Dialogues initiative, we have held a Summer Multicultural Leadership Institute for first-year students interested in participating in the Imagining the Future program. The first year we ran the institute, we received 150 applications for 40 spaces; the second year we received 250 applications for 100 spaces.

The applicants were self-selected as prospective student leaders. In the second year's group, an uncomfortable percentage of the participants believed that their First Amendment rights had been infringed in high school, and they—like their counterparts in the annual Randy B. Lewis All University
Leadership Conference—were as interested in talking about these issues as about networking with other students.

Of the students who participated in the first leadership institute, 77 percent hoped for leadership development, learning about diversity and other groups, and/or meeting students. By the end of the program, 80 percent said they would be interested in attending campus programs on the issues discussed during the institute. In fact, one of the most common suggestions for improving the program was to make it longer. The level of motivation these students exhibit is both inspiring and encouraging, an imminent remedy to the apathy to which President Carter referred in his remarks.

The students who participate in the various Difficult Dialogues programs are not those who, by and large, are directly involved in the campus conflicts. And incredibly, the more proactively the campus moves in expanding its Difficult Dialogues programming, the more concern is expressed by those organizations external to UCI who have shown such intense interest in events on campus. Consequently, a great deal of energy is still expended in responding to people off campus and ensuring that the campus remains both safe and open, even during some of the most provocative student-sponsored events (like the public unveiling of the infamous Jaylunds-Posten Mohammed cartoons sponsored by the College Republicans last year).

Of greatest present concern is the extent to which Imagining the Future has been more staff- and faculty-centered than we would like and that the student participants are not necessarily those who are actively demonstrating about contentious issues. It may take more time before the campus dynamic shift enough for the effects of our efforts with these dialogues to become more widely evident on campus.

But the November 30, 2007, report of the Department of Education’s Office for Civil Rights cleared UCI of allegations of both a hostile environment and failure to respond to Jewish students and should correct any false representations of the campus. The OCR conducted a very intensive three-year investigation, looking at all of ZOA’s allegations individually; visiting the campus 11 times; interviewing administrators, students, and others; and attending a number of student-sponsored events. UCI was vindicated without qualification.

These findings are certainly a welcome conclusion for the campus, especially because we believe we are proactive in responding to student complaints and concerns. What we have been unwilling to do is compromise our legal duty and ethical mandate to protect academic freedom and free-speech protections for students. But some critics will certainly continue to view this as a failure to act rather than an affirmative stand on our commitment to what the law, democracy, and higher education require of us.

Imagining the Future

In introducing President Carter, UCI Chancellor Michael V. Drake reminded the audience that, “among the many areas in which the United States leads the world, two stand out: the enduring brilliance of our constitution and the quality of our elite institutions of higher education” (http://www.chancellor.ucla.edu/leader-vization-07503.shtml). Our constitutional and higher-education models are both engaged through the principles of academic freedom and free speech. Like the rights guaranteed by the Constitution, academic freedom is only tested when it belongs equally to those whose views we fervently oppose. One cannot fully own any idea until it has been challenged.

In a course evaluation of “Difficult Religious Dialogues,” one student answered the question about what she (or he) had learned as follows: “I learned how to learn.” That, more than anything else, is the ultimate goal of our program. The more our students learn how to learn about conflict, contention, and controversy, the less difficult these dialogues may eventually become. Certainly students need a safe place in which to learn, a civil community. But a community is not safe when speech is chilled and certain ideas are not free to be heard, examined, and evaluated.

Although we are pleased with the results of the Office for Civil Rights investigation, we understand that the conclusion of the process does not end our responsibility to promote safety, civility, and an environment of free and rigorous intellectual debate. In fact, as the university becomes more engaged with the dynamics of globalization, we see those responsibilities as even more acute now, and we anticipate more challenges to what we view as essential First Amendment rights and protections for university students and faculty. Our optimism, however, is buoyed by the early results of our Difficult Dialogues program, as well as by the widespread support of academic freedom we are seeing both on the campus and across the country.

During a hearing held by the U.S. Commission on Civil Rights that was focused in part on the complaint against UCI, commission vice chair Abigail Thernstrom echoed Clark Kerr when she said, “I don’t want universities to be comfortable places for students.” Our Difficult Dialogues program, Imagining the Future, is aimed at making students safe for ideas by giving them the skills to “learn how to learn,” with faith in the democratic values of higher education and hope for the future that our students are helping to imagine.

Resources

WEB LINKS:
- http://www.vcsa.ucd.edu/FreeSpeech/

PRINT MATERIALS: