

## Shifting the Voice: How Emory's Identity Hinges on Adopting the Kalven Principles

By Melissa Shane

Friends, professors, and campus clubs. Atlanta, Georgia, Dooley and Swoop, and Spanish tile roofs. When asked to define Emory University as an institution, these components are likely at the forefront of the college community's mind. Yet on June 24, 2022, Emory University President Greg Fenves issued an opinion on the overturning of *Roe v. Wade*, confidently and boldly signing it in his official presidential capacity.<sup>1</sup> On October 25, 2023, President Fenves yet again issued an opinion, but this time on the day's pro-Palestine protests, once again taking it upon himself to sign it in his official capacity, as President of Emory University.<sup>2</sup>

Regardless of whether one agrees with his positions, the ease with which he is able to sign the University's name to an opinion crafted by a select few at the top of the Emory hierarchy is alarming. This flies in the face of Emory's commitment to both "open inquiry, open expression, and vigorous discussion and debate" and "diversity, inclusion, and community."<sup>3</sup> Open expression is not speaking for an entire population as though your perspective represents theirs—diversity is not highlighting merely one perspective on contentious issues. These values are instead, embodied by allowing various perspectives to thrive through encouraging debate and disagreement. On a personal blog or social media account is their right to expression, but in an official capacity, Emory administrators continue to speak for community members, reinforcing the notion that they, simply by virtue of their roles, are the University. Policy needs to meet reality: Emory is not a monolith, and it is not defined by the administration. To represent Emory as it truly is, a culmination of all of its students and faculty, and to truly commit to its educational goals, Emory should adopt the Kalven Principles.

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<sup>1</sup> Fenves, G. L., (2022, June 24) *Supreme Court ruling on Dobbs v. Jackson Women's Health Organization*. Emory University Office of the President. <https://president.emory.edu/communications/2022/06/scotus-opinion-6-24-22.html>

<sup>2</sup> Fenves, G. L., (2023, October 25) *Today's Protest*. Emory University Office of the President. <https://president.emory.edu/communications/2023/10/10-25-2023.html>

<sup>3</sup> *Respect for Open Expression Policy* (2024, August 27) Emory University. <https://emory.ellucid.com/documents/view/19648?security=c6f36f9de43a2cd25fc99614d09384f649a313cf>

The Kalven Report is a product of the 1967 faculty committee at the University of Chicago, centered around the school's "role in political and social action."<sup>4</sup> Named after the committee chairman Harry Kalven of the University of Chicago Law School, the doctrine discusses the necessity of academic freedom at universities and concludes that institutional neutrality is central to preserving the open dissemination of knowledge universities seek to provide.<sup>5</sup> It determines that there must be constraints on when and where universities can speak on political matters and advocates that university administrators remain neutral on pressing political issues, establishing a set of principles known as the Kalven Principles or institutional neutrality. In action, this means administrators will refrain from releasing statements, giving speeches, or utilizing any other form of expression to take a position on political issues that don't directly pertain to university operations. When there is debate as to whether a political issue impacts university operations, they should give deference to community voices and refrain from releasing a statement. For example, while one could make an argument that *Dobbs v Jackson* (2022) affects university operations by virtue of the school's female population, it is not directly related to the functioning of the university, so they would not address this issue. The overturning of Affirmative Action, however, is relevant to university functions via admissions, and thus this would be in the limited exceptions to the Principles. Schools that have adopted this approach include but aren't limited to Claremont McKenna College, Columbia University, Vanderbilt University, Harvard University, and the North Carolina System.

In hearing "institutional neutrality," the gut reaction is to view this as a university cop-out—a way for the university to stay silent when severely divisive and pressing political issues are occurring. This perspective is well-intentioned, but it fundamentally misunderstands the definition of an institution. No one defines Emory as solely the administration; Emory's identity is shaped by a culmination of many factors. Attributes like its physical existence, academic offerings, campus clubs, and most notably its students and faculty (for which it could not exist without) all come together to form the university identity. While administrators often are and should be part of this list, they aren't *themselves* the list. In this way, the Kalven Principles only

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<sup>4</sup> Kalven Committee: *Report on the University's Role in Political and Social Action*. (1967, November 1) University of Chicago Office of the Provost.

[https://provost.uchicago.edu/sites/default/files/documents/reports/KalvenRprt\\_0.pdf](https://provost.uchicago.edu/sites/default/files/documents/reports/KalvenRprt_0.pdf)

<sup>5</sup> *The University of Chicago Kalven Report*. (n.d.). The Foundation for Individual Rights and Expression.

<https://www.thefire.org/research-learn/university-chicago-kalven-report>

advocate for institutional neutrality if one believes that the institution is defined by and fundamentally is its administrators. The Principles do not advocate for a neutral administration in order to turn attention away from timely matters but instead to empower the voice of the greater campus community on relevant matters. How an institution feels about a pressing political issue can and should very well be determined by the mass varying opinions expressed by the students and faculty rather than dictated by the university administration. Thus, the Kalven Principles do not eliminate Emory University's voice but simply shift who maintains it.

Through restricting university administrators, the Kalven Principles recenter the university on student and faculty perspectives by supporting healthy campus dialogue, absent of external pressures. The Kalven Report is adopted as principles because that is fundamentally what it is, and how it should be reflected in action. It is not as simple as adopting the Report because it is about taking the next step to uphold the principles of the document, which value open dialogue and debate. The University and its administrators should truly become "the home and sponsor of critics...not itself the critic"<sup>6</sup> by using their many resources to uplift the voices in the community, without setting the terms of the conversation. Washington University (WashU), for example, routinely hosts a civic dialogue event called "The Longest Table," which promotes healthy dialogue and disagreement by allowing students to engage in conversation with one another about pressing issues.<sup>7</sup> Likewise, Brooklyn College hosted a conversation surrounding the Israel-Palestine conflict, highlighting student and faculty perspectives on all sides of the issue.<sup>8</sup> Events like these display administrative support for student voices and demonstrate how Emory administrators could work with Student Government Association (SGA) to host events that spark dialogue and inspire critical thinking. Underlying the Principles are administrative efforts like these that better support a community of open dialogue and educational advancement.

Fundamentally, it comes down to the university's purpose: to educate students and enable them to constructively evaluate the world. In Emory's own words, its objective is to spark "innovation through teaching, research, service, and creative expression" and to "graduate

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<sup>6</sup> See footnote 4

<sup>7</sup> Keaggy, D. T. (2024, August 28). *WashU Community Invited to Civic Dialogue Event, Meal*. Washington University in St. Louis: The Source. <https://source.washu.edu/2024/08/washu-community-invited-to-civic-dialogue-event-meal/>

<sup>8</sup> Afanasyev, D. (2024, October 1). *Brooklyn College Hosts Israel-Palestine Discussion as Part of "We Stand Against Hate" Initiative*. The Brooklyn College Vanguard. <https://vanguard.blog.brooklyn.edu/2024/10/01/brooklyn-college-hosts-israel-palestine-discussion-as-part-of-we-stand-against-hate-initiative/>

critical thinkers and compassionate leaders.”<sup>9</sup> This mission is hindered by opinionated statements that speak for a large community of people as a monolith or to take a side on the matters of the day. Where one could argue universities yield great power in promoting societal change, that societal change and innovation are found not through the expressive actions of administrators but from the graduating body they are able to produce and send into the world. Released statements are not effective at empowering or creating the desired change; President Fenves’ email did not overturn *Dobbs v. Jackson Women's Health Organization*, nor did it make women on campus feel safer in their loss of rights. In fact, the statements often divert the conversation away from the actual issue and to the words spoken *about* the pressing issue, leaving the actual issue of importance unaddressed.<sup>10</sup> Universities exist to educate and enable their students and faculty to impact their communities. To treat administrators as the arbiters of societal change is to overstate the power of their speech and to divert the institution away from its true purpose at the cost of its community.

Emory University cannot be defined in one word or by a small body of people. What makes the University so prominent, impactful, and meaningful is the culmination of factors that curate its identity. Grounding itself in its purpose of fostering the advancement of knowledge and education, the University should uplift community voices and nurture an environment that is conducive to producing leaders. Adopting the Kalven Report would allow Emory to recenter its educational mission while giving students and faculty the tools to lead the conversation. Above all, shifting the voice to the community through the Kalven Report reclaims Emory’s identity while strongly bolstering its support for the open expression that has bred such fruitful progress and ideals.

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<sup>9</sup> *About Emory* (n.d.) Emory University. Retrieved August 18, 2024, from <https://apply.emory.edu/discover/about.html>

<sup>10</sup> Emory Whig. (2022, July 16). *Response to President Fenves’ Statement on Dobbs v. Jackson*. Instagram. Retrieved August 18, 2024, from [https://www.instagram.com/p/CgE\\_IFEulz7/](https://www.instagram.com/p/CgE_IFEulz7/)