UCLA Poli Sci Department Condemns Lecturer for Reading MLK's Letter from Birmingham Jail, Showing Video About Lynching

UCLA says complaints -- about the fact that both the excerpt read from King's letter and the video included the word "nigger" -- have "been shared with UCLA’s Office of Equity, Diversity and Inclusion for review."

Eugene Volokh | The Volokh Conspiracy | 6.7.2020 5:08 PM

The Free Beacon (Chrissy Clark) reports:

The University of California Los Angeles has launched an inquiry into a teacher for reading aloud Martin Luther King's "Letter from Birmingham Jail" because the civil rights document includes the n-word.
In a department-wide email obtained exclusively by the *Washington Free Beacon*, UCLA political science chair Michael Chwe and two other department leaders condemned lecturer W. Ajax Peris's use of the racially incendiary word in a lecture he was delivering about the history of racism against African Americans. UCLA officials said the department referred Peris, an Air Force veteran, to the university's Discrimination Prevention Office (DPO) and urged students to come forward with complaints. The email also faulted the postdoctoral lecturer for showing a documentary to the class in which a lynching is described and not stopping the presentation when students complained.

"The lecturer also showed a portion of a documentary which included graphic images and descriptions of lynching, with a narrator who quoted the n-word in explaining the history of lynching. Many students expressed distress and anger regarding the lecture and the lecturer's response to their concerns during the lecture," said the letter, which was signed by Chwe, vice chair for graduate studies Lorrie Frasure, and vice chair for undergraduate studies Chris Tausanovitch. "We share students' concerns that the lecturer did not simply pause and reassess their teaching pedagogy to meet the students' needs."

In a video taken by a UCLA student, Peris, who is white, can be heard reading King's celebrated letter written in the aftermath of the civil rights leader's arrest for demonstrating against Jim Crow laws. The letter was read in tandem with his lecture on the history of racism against African Americans in the United States.

The Foundation for Individual Rights in Education (FIRE) is quoted as saying that:

Peris's academic freedom, as a faculty member at a public institution bound by the First Amendment, includes the right to decide whether and how to confront or discuss difficult or offensive material, including historical readings that document our nation's centuries-long history of racism," Patton said. "Doing so does not amount to unlawful discrimination or harassment, and the law is abundantly clear that UCLA could not investigate or punish a professor for exercising his expressive or academic freedom."

The College Fix reports that UCLA hasn't responded, but of course if they do, I will post their answer.
@UCLA After numerous students plead with Professor Ajax Peris to not use the n word he refused to omit the word because as he stated “just that my skin is white does not prevent me from being able to say those words” and apologized for our “discomfort” but not for his words.

UCLA College
@UCLACollege

Thank you for bringing this to our attention. This information has been shared with UCLA’s Office of Equity, Diversity and Inclusion for review.

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For my posts on a similar controversy involving me, see here and here; for my post about why it would be illegal—even apart from the First Amendment—for a university to have different rules about what documents can be quoted by black faculty members and other faculty members, see here. My controversy differs from this one in that (1) there has been no comment from UCLA central administration, at least yet, as to my speech, and (2) I haven't apologized, because, as I explain in my posts, I think it's quite proper at a university, and especially at a law school, to accurately discuss the facts (whether of a historical incident, a precedent, a current controversy, or what have you). Indeed, I think it would be quite wrong for a university to demand expurgation and euphemism in such situations, whether in classes about law, history, political science, film, music, literature, or whatever else. (Think of how many films you couldn't show in a modern film class, if it's established that Peris should be punished for showing the lynching film.)

Certainly the legal profession (my own field) draws a sharp between using a word as an insult, which would be rightly condemned, and mentioning it as part of a quote or a discussion of the facts of the case. Literally over 10,000 court opinions (here's a free-to-access subset), over 10,000 briefs, and thousands of law review articles accurately quote "nigger" and other such words—and I can't see how in law school people should be barred from saying what appears routinely in court opinions written by leading Justices and judges of all races and all ideological views. But I think the same should be true more broadly of all disciplines in the university, which should be at least as committed to accurate discussion of the facts, however grim the facts can be, as are judges and lawyers.

UPDATE 6/7/20, 5:20 pm: Just to be precise, I've revised the title from "UCLA Investigating Poli Sci Professor for Reading MLK's Letter from Birmingham Jail, Showing Video About Lynching" to "UCLA Poli Sci Department Condemns Lecturer for Reading MLK's Letter from Birmingham Jail, Showing Video About Lynching" and added the subheading. It's possible that the Office of Equity, Diversity, and Inclusion isn't yet investigating this (or for that matter might not investigate it), so I think I should focus on the political science department's condemnation and referral to the Discrimination Prevention Office (both of which matter a tremendous amount for faculty members, of course, especially untenured lecturers).

_Eugene Volokh is the Gary T. Schwartz Distinguished Professor of Law at UCLA._