

Dear Chair of the Faculty Senate,

I am writing on behalf of the philosophy department to rebut the claims made by the committee report on inappropriate donor influence. I should say from the start that I am in substantial sympathy with the worry that donors can have inappropriate influence. We have seen that at other universities. And as we move towards a university where a lot more of the funding is privately based, we do need to make sure that the money does not improperly influence the core operations of the university in research and teaching. The university is already trying to do this. But I wish to say that the committee's report does not make much of a contribution to this project. It is based on superficial evidence; it is clearly driven by an a priori belief that "he who pays the piper calls the tune," without any appreciation for how university departments actually operate. I limit my remarks to five different places where the committee gets the situation badly wrong and with which I had first-hand acquaintance.

Sincerely,

Tom Christiano, Professor and Head of Philosophy

1.

The search process in the Spring of 2009 by which the four original faculty in the philosophy department and the Freedom Center were hired was an extensive and drawn-out process. It occurred over a few months (pp. 2-3 of Initial Report by General Faculty Committee on Donor Influence). Meetings of a number of members of the philosophy department would involve discussing the names of potential candidates. Many names were discussed, and many were rejected at the initial phase with special deference given to those who worked in the areas the possible candidates work in. Leading members of the department in moral and political philosophy spent time discussing candidates in moral and political philosophy. The leading thinkers in the area of moral psychology participated in discussing potential candidates in action theory. We all made suggestions and almost all of the suggestions of each one of us made (including Dave Schmitz's) were shot down for reasons having to do with the scholarship and academic reputations of the potential candidates. A hiring committee was formed to look over dossiers and read the papers and books of the short list of suggested candidates who survived this process. This was an arduous process and involved a number of weeks of debate among the members of the committee. The list of four people we arrived at was the result of this process. In the end, the committees produced a list and the department voted on a slate of candidates. They were hired in the philosophy department with research time in the Freedom Center. They contributed greatly to the international reputation of the philosophy department.

At no time in this process was there any discussion of what donors might want or any discussion of the ideological cast of the candidates. It is true that the names of the candidates were shown to the donors before the offers were made, in accordance with the initial agreements between the donors and the university. But the initial agreements show that the donors had no right of refusal. All of this is in accord with standard procedure at the University of Arizona. The appearance that the donors approved the candidates was no more than an artifact of the way the files were classified. The donors were shown the credentials, and they were pleased that we got topflight scholars with their help. Furthermore, if a donor had said "no" to any one of the people we had chosen, my guess is that we would have rejected their gift. If you doubt that then I can tell you that the department actually has left a lot of money on

the table. One donor was told that we did not want their 2 million dollars when they insisted on having their specific preferences over candidates satisfied. Another donor wanted to give us money for a particular area of philosophy, and we found that we could not hire a top person in that area, so we had to turn down the offer.

2.

I think the most important thing to say about the philosophy department minutes is that they do not say that the hire was based on the state legislature's wishes (pp. 3-4). They describe our speculations about the attitudes state legislators might have and they say we are anxious about those attitudes. But the minutes are also clear that that we chose to hire a classical liberal scholar because, first, we thought that the concern of the Freedom Center for diversity of point of view was legitimate and, second, (though this is not in the quoted part of the minutes) we thought we could get the highest quality scholars even when we limited the search. Happily, we succeeded in hiring a topflight scholar. To be sure, one faculty member did express the idea that someone might be calling the shots, but that was not the general belief among the faculty. It is worth noting that the concern for diversity of point of view in the Freedom Center arose because when David Schmitz left the Freedom Center, there were no more classical liberals among the faculty of the Freedom Center. The core faculty and affiliated faculty were all critics of classical liberalism. On the one hand, this should clearly undermine the thesis that the Center was shaped by ruthless, Machiavellian classical liberals. On the other hand, diversity of point of view is an essential element in any philosophy faculty even more than in other departments. We each put great weight on having excellent scholars in the room who disagree with us when we are discussing our ideas. And we believed correctly that we would have no trouble finding a great scholar within these limits. If you ask, why pursue diversity by hiring a classical liberal, the answer is that, in our judgment, debates with classical liberals are still among the most intellectually fruitful debates there are in political philosophy. Classical liberals are inheritors of a great philosophical tradition from John Locke to John Stuart Mill.

3.

The Koch brothers have every right to promote their views, and they have a right to try to get what they want. But the main point, I think, is that their confident assertions of getting what they want with the money they spend in the university (p. 4) are either fairly anodyne or they are false. On the one hand, their desires are easy for us to meet if all they want is for us to hire great scholars for their money. On the other hand, if they want to influence who is hired and what is taught, their desires cannot be satisfied. But even if they believe that they can advance these illegitimate aims, it does not follow that their beliefs are correct. The university has a significant kind of autonomy. The ad hoc committee seems deeply devoted to the belief that "he who pays the piper calls the tune." This is the driving idea behind the whole document. Everything else in the document consists in attempts to piece together as much evidence as they can find to support it (and this body of evidence is very weak at best). The main problem with the committee's leading idea is that the underlying theory is false. Departments are not mainly concerned with increasing the amount of money they get, or people they have, but with increasing their national and international reputations. That reputation depends on the beliefs of the larger intellectual community and in no way on the donors. Allowing donors to

determine who gets hired would undermine this aim. Again, the philosophy department has left some significant amounts of money on the table precisely because it did not think it could enhance or sustain its reputation with the money on offer.

This is why the four hires had to be done in a way that was entirely independent of donors' wishes about who should get hired. It is why the philosophy department could only hire a classical liberal if it was convinced that it could get a top-notch scholar. And the truth is, most donors understand this very well, and give money with the intention that the money be spent in accordance with the faculty's judgment of who should be hired. The donors who do not understand this are normally bound to be quite disappointed.

4.

I want to make one remark on the teaching of classes (pp. 7-8). The report notes that there was some kind of promise that the course The Ethics and Economics of Wealth Creation would be taught in subsequent years on the basis of syllabi that were substantially similar to the one Dave Schmidtz taught. And the report seems to conclude that this shows that the donors are supporting a course that is simply a defense of classical liberalism. But this does not follow. A number of us, including myself, have taught this very same course many times. And though there is a kind of similarity between the courses in that they are all on the ethical dimensions of markets and they are all meant to have an interdisciplinary character, they are also very different from each other, as one would expect in our university. We all teach the course with the aim of teaching a variety of points of view on markets including classical liberal, Keynesian, Marxist, socialist as well as classical Aristotelian and Scholastic approaches. Those more friendly to classical liberalism may tend to tilt the course a bit towards classical liberalism. But since most of us are not classical liberals, most of us have tilted it in other directions. We were never expected to teach the course with any particular ideological slant. No one ever asked to see our syllabi for the course. That is simply not part of the idea behind the course. To say that that the classes taught were to be substantially similar to one that was taught earlier calls for the question, similar in what respect? The ad hoc committee seems to leap for a very particular kind of similarity, namely ideological similarity. But that was not the relevant respect in which similarity was chosen. The courses were to be similar in that they involved the teaching of contemporary and traditional philosophical theories about the ethics of markets, economists' views about the ethics of markets and an interdisciplinary method by which the ideas were pursued and evaluated. The syllabi of the different professors testify to this diversity.

5.

The claim that the ad hoc committee is concerned to protect the academic autonomy of the Freedom Center or the departments (p. 1) is sadly belied by the fact that they chose not to interview anyone in those departments or units to inquire into their actions. I have known some of the authors of the ad hoc committee for thirty-three years. I would have been happy to answer any questions that might have arisen in their minds. I am sad to say that they displayed how much respect they have for these departments and for the faculty in them by their utter failure to communicate with us. Surely respect for the academic autonomy of the Freedom Center and the philosophy department would have entailed allowing them to explain themselves to the committee.