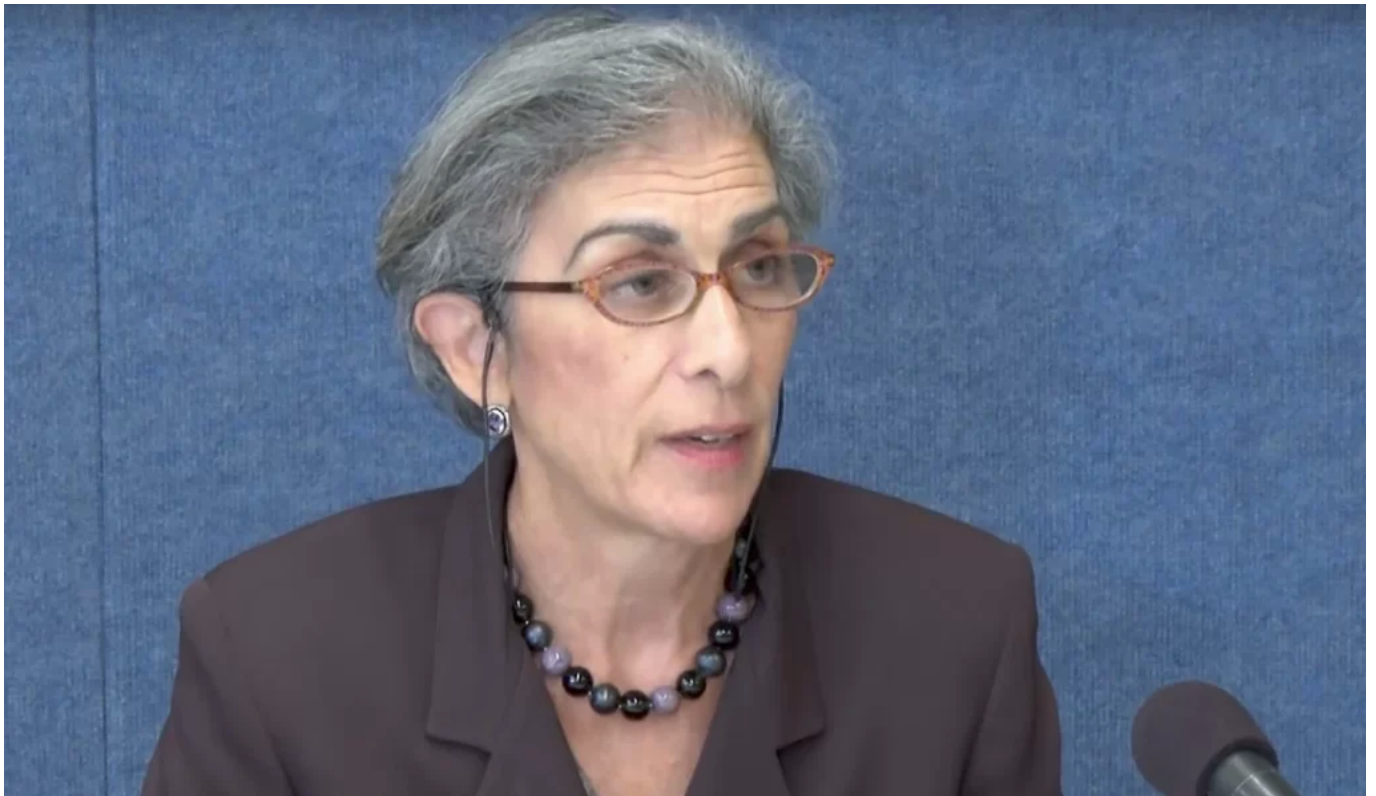


Tenured Professor Amy Wax, Under Siege for 'Truth Telling' on Race, Makes Her Case

Can the tenure system at America's universities survive the campaign of a critic of academia's reigning ideology?



A. R. Hoffman writes in the [New York Sun](#) on this bellwether case:

The future of tenure in American higher education could turn on the fate of a septuagenarian professor who teaches law at the University of Pennsylvania who has an intense mien and history of inflammatory opinions of which she has no regrets.

Professor Amy Wax has catapulted to national attention because of comments about race and gender that have made her a truth telling seer to some and a bomb throwing bigot to others. In refusing to back down, she could break the back of tenure, the system of a job-for-life that in its [modern contractual form](#) has been the coin of the academic realm since 1940.

The Sun's A.R. Hoffman interviews Professor Amy Wax.

Ms. Wax has come to represent a test case because of both the extremity of her pronouncements – she has alleged to have made a series of controversial comments over the years asserting discrepancies in cognitive ability relating to race, has claimed that she has never seen a black student graduate in the top quarter of their class, and called India a “sh-thole” – as well as Penn's effort to oust her.

“Universities,” Ms. Wax tells the Sun in the course of a nearly one hour conversation, “need to have room for people like me to explain the opposition and above all, to explain to students that there is another point of view” than the reigning one, which she regards as “lopsided, stunted, and inadequate.”

Ms. Wax speaks in the forceful tones of someone who has argued 15 cases before the Supreme Court. Her resume includes all the usual gold stars, plus a white coat; she graduated from Harvard Medical School and completed a residency in neurology before turning to the bar full time.

Now, Ms. Wax is facing what she calls “a formal attempt to take away my job,” notwithstanding that she secured tenure two decades ago and holds a named chair, another mark of distinction. The dean of her law school, Theodore Ruger, is [initiating disciplinary action](#) against her to determine whether her patterns of speech warrant a “major sanction.” This could include firing, despite her tenure.

For Dean Ruger, it appears personal. He told students at

a [town hall meeting](#) in 2018 that he is “pissed off” that she remains on faculty, a reality which he says “sucks.” He explained that the “only way to get rid of a tenured professor” is a process that will “take months.” That effort is now underway.

Dean Ruger’s report, which reads like a criminal complaint, accuses Ms. Wax of a “callous and flagrant disregard for our University community” in the form of “incessant racist, sexist, xenophobic, and homophobic actions and statements.” He finds that faculty “call her presence demoralizing and disruptive” and students steer clear of her courses.

Ms. Wax asserts that this line of accusation heralds a dawning age where universities “can take away your job and your tenure just for what you said and for your opinions.” She calls Mr. Ruger “one of the worst deans in America” and accuses him of “groveling and pandering” to students.

Even some of Ms. Wax’s defenders have their [doubts](#). The director of campus rights advocacy for the Foundation for Individual Rights and Expression, a free speech stalwart, told the New York Times that “academic freedom has to protect the Amy Waxes of the academic world, so that it can be there for the Galileos of the academic world.” Ms. Wax allows that she is “unhappy” with that explanation.

Ms. Wax has, in turn, filed a [grievance](#) against the school, which she says is targeting the expressions of opinion that she is “fully and totally entitled to make by every tradition and standard in academia.” She calls Penn’s effort to sanction her a “direct attack” that aims to enforce a “rigid orthodoxy of permissible speech and expression.”

The grievance, which aims to arrest the disciplinary push against Ms. Wax, acknowledges that her opinions are “at times hard to hear or read” but asserts that they find support in “empirically based sources.” It adds that no Penn faculty

member has “ever been formally charged with an infraction of University rules based on what he or she has taught, written, assigned to students, or opined in the media. No one.”

The lack of any accusation of sexual or behavioral misconduct sets Ms. Wax’s case apart from other instances where the shield of tenure has been pierced, such as the firing of a professor of the Classics, Joshua Katz, at Princeton. Mr. Katz was ostensibly dismissed over a lack of candor regarding a sexual relationship with a student, although he has claimed that was [pretextual](#).

With Ms. Wax, it’s all about speech. She sees herself as a trespasser of an “unseen borderland” that cuts through campus, beyond which “dissent is not tolerated.” This zone is policed by academic hunters of “crimethink” that aim to “get rid of people or silence people or punish people” like her.

Not spared Professor Wax’s indignation is the “tea table gossip of modern journalism.” In particular, she calls the New York Times a “rag” and tells the Sun that their report that she describes herself as a “race realist” – asserted in the recent profile of her case – is “made up.”

The Sun asks Ms. Wax whether she feels that she has inflicted “severe harm” on her students, as Penn alleges. She rejects this “weaponized” notion of harm, where disagreement and offense have “transmogrified that harm into something that warrants discipline or ejection of a person who inflicts the harm.”

Ms. Wax is asked if it shows “discriminatory animus” to make the statement that “on average women are less knowledgeable than men?” She claims that “every study that’s been done worldwide” discloses that finding. Punishing her for statements like that one, she argues, will mean the “destruction of academic freedom.”

Ms. Wax acknowledges the utility of a “certain kind of

restraint and decorum when talking about groups and comparing groups and making generalizations especially in a diverse society." Alongside that caveat, though, is her aspiration to "defeat wokeism by developing a counter narrative."

Ms. Wax's account rejects the "premise that all groups are equal in their skills, ability, preferences, and talents." That, she says, is both untrue and "not to be expected in a free and diverse society." She sees the "core of wokeness" and its "central pillar" as the conviction that in the absence of racism "all groups are equal, equally capable and assimilated to positive norms." She does not believe that.

Ms. Wax fiercely objects to Penn's accusation that her pedagogy is marbled with bias and that her convictions compromise her classrooms. She tells the Sun that she has "never been biased against any student." She elaborates that she treats "every student the same" in that she "responds to who they are as an individual" and demands from Mr. Ruger "forensic proof" to the contrary.

The Sun asks Ms. Wax if she misses teaching first year law classes, which are devoted to the basics of the legal canon. She was stripped of those duties in 2018. She responds that she's told by colleagues that it is "no longer fun" to teach first year courses because "you're always on your guard against committing some kind of violation or infraction of the progressive and woke rule book. "

One particular flashpoint in *l'affaire Wax* was her invitation of the white supremacist and editor of American Renaissance, Jared Taylor, to speak to a seminar she was teaching on conservative thought. Mr. Taylor has written a book entitled "White Identity." He was a contemporary of Ms. Wax at Yale.

The Sun pushes Ms. Wax on the merits of importing Mr. Taylor to her classroom. She responds that "whether you like it or not Jared Taylor is an educated informed articulate proponent

of a far right position.” She explained that “students know nothing about this stuff” except that “they are supposed to condemn it and call it evil.”

Ms. Wax worries over this ignorance of both students and academic administrators of positions they find repugnant, saying how neither her pupils nor their instructors can “define a white nationalist,” which signals a state of “complete and total ignorance.” Spreading her arms and leaning forward in her chair, Ms. Wax declares “I am a teacher, I am a professor, and I am there to banish that ignorance.”

Within this condition of what she calls “educational malpractice,” Ms. Wax contends that she is a “very important person at the University of Pennsylvania” because of her “pastoral role” as mentor and confidant. She suggests that she is the only faculty member at Penn conservative students believe will not “turn them in” for contraband thought.

The professor casts back to her childhood to explain the distinction between “defending your right to say something” and “agreeing with what you say,” a difference that to her has been lost. She recalls sitting at the “dinner table when the Nazis marched through Skokie and my father said ‘I’m proud to live in a country where the Nazis can’” fly their flag. The American Civil Liberties Union defended the marchers then, but would be [unlikely to do so now.](#)

If Ms. Wax is a kind of pastor to the unwoke, her congregation stretches beyond Penn’s campus. She sees herself as channeling the thinking of an “enormous chunk of our democracy,” voicing opinions that are “discussed in living rooms and kitchens behind closed doors and at dinner parties” but have no place in the contemporary academy.

Reaching for examples of the kind of opinion she speaks that others wouldn’t, she cites Charles Murray’s “Facing Reality” for the persistent existence of a “one standard deviation

difference in cognitive ability between blacks and whites.” She points to “differences in family structure and family stability and birth rates out of wedlock” as “really important.”

Speculating on her future, Ms. Wax calls the case against her “pathetic” but acknowledges the possibility that a “show trial” undertaken by a “kangaroo court” could oust her. She explains that she “would love to stay on” and that, aided by deep-pocketed backers, she is going to “fight the good fight to the death.”