

Principles and Prejudice

When I arrived at the University of Tennessee last August, I was surprised to learn that the anti-discrimination statement for the University does not include sexual orientation. I was actually shocked at this omission, and I remain ashamed of this institution for its failure to take a principled position in repudiating bias toward gay and lesbian applicants for positions, as well as gay and lesbian employees on the campus.

Is there any reason to maintain this exclusion from anti-discrimination in the 21st century? I can see none. I have worked closely with individuals all my life who have a different sexual orientation from my own, and I know many gays and lesbians work on the Knoxville campus and contribute on high levels to our programs. Would anyone seriously argue that our campus would have been better off not hiring them because of their sexual orientation, or that we should take into account the sexual orientation of candidates in future hires?

I have been told that the present language in our anti-discrimination statement conforms to federal policy, and that we do not want to extend our statement beyond what is federally mandated. To me that's nonsense. In fact, most of the better institutions of higher education in the country, the institutions we are seeking to emulate in academic excellence, have gone beyond federally condoned language and included sexual orientation in their anti-discrimination statements.

When I have sought to introduce policy changes to the campus, I have often looked to see what peer institutions do. If schools that we'd like to be like do it, then it's a pretty good indication to me that we should move in that direction. If we are among schools we'd like to move away from, then it's also a pretty good sign that we should change.

What schools do not have sexual orientation in their affirmative action statement? There are very few I would consider peers or that I would like us to emulate: in this ignominious group are Mississippi, Georgia, Alabama, and Auburn. Which schools include sexual orientation in their statement? Here we find public institutions with the highest academic reputations: Berkeley, UCLA, Michigan, North Carolina, Wisconsin, Virginia, and Florida. I would also note that Vanderbilt, Kentucky, and LSU include sexual orientation in their anti-discrimination statement; a number of public institutions in Tennessee do so as well.

We fool ourselves if we believe that the absence of a direct statement regarding discrimination against gays and lesbians does not harm our institution. In competition for faculty and staff, we sometimes lose battles based on our backwardness in this area. We are probably hurt not only by gay and lesbian candidates preferring to go elsewhere, but by heterosexuals who are as horrified as I am that we will not pledge to treat gay and lesbian applicants without prejudice.

Even those people who don't condone homosexual activity should recognize that we can place the interests of the university above personal preferences. Would a businessman fire an excellent employee because she is lesbian? If he did, he would be harming his business. We do not want similarly to hurt the University of Tennessee by making it less competitive in the intellectual marketplace.

In maintaining our exclusion of sexual orientation from our anti-discrimination statement, we continue an unfortunate tradition of intolerance that has not redounded to the credit of the University of Tennessee. In 1925 UT refused to intervene in the controversy surrounding the teaching of evolution in Tennessee schools, when doing so might have prevented passage of the law that ignited the Scopes trial. In the early 1950s it refused to side with individuals in its employ in communist witch hunts and, indeed, fired professors facing flimsy accusations. Until the 1960s it declined to integrate its undergraduate population, and in so doing lost its opportunity to lead the South decisively in justice and healing. Today we clearly recognize that UT should have taken a principled stand on these matters in the past. In fifty years, or perhaps in twenty, will we again be looking back at something we should have done, but did not have the courage to do?

The single best reason to insert the words "sexual orientation" into our anti-discrimination statement is not because other schools do so, or because it emulates good practice in business, or because we fear another black-eye in the historical record, but simply because it's the right thing to do. It's long past the time when we can be pioneers or early supporters of an idea whose time has come. We can barely be latecomers at this point. If we do not act soon and decisively, however, we will likely find ourselves branded (rightly) as intolerant, outside the mainstream of higher education, and violators of decency toward fellow human beings.

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PS I am delighted to report some progress on this issue. Effective immediately all advertisements for staff and faculty positions on the Knoxville campus will include the words "sexual orientation" in the anti-discrimination statement.

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