

Remarks to the UC Board of Regents

James Steintrager, Chair of the Academic Senate

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On April 26, 1971, Chris Burden climbed into a locker at UC Irvine, where he remained for five days. He was an MFA student at what was then the newest UC campus. UCI had matriculated its first class of students only six years earlier in 1965. The photos of UCI at the time show a campus situated much like UC Merced today: buildings rising from fields and nothing much else visible around but hills and chapparal. I arrived at UCI in 1997, when cows still grazed right up to the campus's edge, where now there is faculty and staff housing, as well as a megachurch. Back to Burden and what became known as the "Five Day Locker Piece," a seminal moment in the development of performance art. Police nearly ended the piece for Burden's safety and a dean nearly intervened as well. Eventually, Burden emerged of his own accord. He would go on to make other, equally controversial contributions to art history: the piece "Shoot" (1971), where a friend shot him through the arm; and "Trans-Fixed" (1974), where he was crucified on a Volkswagen Beetle. He would also make "Urban Light" (2008), an installation of 202 antique street lamps positioned outside of the LA Museum of Art that's now one of the most recognizable icons of the city. When Burden died in 2015, UCI did not mark a passing of—for some of us—one its most famous alumni. In 2021, however, Kim Kanatani, the director of UCI's Institute and Museum of Art, did send out a thorough and thoughtful communication about "Five Day Locker Piece" on its fiftieth anniversary. I sent her a note of appreciation, remarking that UCI's earlier disregard had struck me as "somewhat philistine and frankly prissy." I was glad that we had apparently turned a corner and could acknowledge and even celebrate Burden's difficult work.

This must seem a strange way to start my remarks given what is going on in the world and on our campuses. To be honest, I was originally thinking about Burden in the context of long-planned remarks on the importance of the arts and of "creative works" at a research university. The near exclusive focus on STEM education and research at meetings such as these and nationally does strike me as, once again, somewhat philistine. But rather than abandoning this train of thought entirely in favor of speaking to real-world problems confronting us today, I thought: How entirely relevant to these problems is "Five Day Locker Piece." It is an artwork that involves testing human endurance, that is about discomfort and pain, one that pushed the limits of expression, one that invited institutional intervention, and one that still has the power to force us to think uncomfortable thoughts and have difficult conversations.

I am not a creative artist and will admit that sometimes in the humanities we struggle to assert the value of our research and our disciplines where the practical applications and vocational pathways are not immediately evident. Yet, as a scholar of literature, let me assert there is potential civic value to skills such as interpretation and rhetorical analysis. Along these lines, I want to consider a couple of terms I hear frequently these days and suggest that far from being crystal clear, pure, and inviolable, they are worthy of careful rhetorical analysis. By such an analysis, I mean considering the context in which these terms are uttered, how they are meant to move us, what they are meant to do, and what they attempt to preclude. In particular, I think what these terms are often meant to preclude are uncomfortable thoughts and difficult discussions. These terms are "safety" and "academic freedom."

Safety. It appears obvious and is doubtless true that we want our students, faculty, and staff to be safe. I think we all wish the institution had done a better job of providing safety for those protestors encamped

at UCLA on the night of April 30th, and this even if you disagree with their actions or positions. Otherwise, I doubt there would be a presidential investigation into what went wrong. Trickier is when the safety of the protestors is invoked to bring in police and forcibly clear the encampment. The institution has some good points here, but so do those who would assert that the invocation of safety is disingenuous and even double-speak given the nature of the intervention. Trickier still is when we hear safety asserted where others might rather insert (necessary) intellectual discomfort. It is not obvious to me how we adjudicate such claims or draw clear boundaries—or even that we should draw boundaries.

Academic freedom. The sanctum sanctorum—that which the UC Regents bylaws specifically enjoin the Academic Senate to nurture and protect. I hear it invoked to say that we can't or shouldn't do this or that, and often I agree. However, we know there are limitations on academic freedom: just think of the limitations that institutional review boards place on research with human subjects; or the legal constraints and our general acceptance of the ethical necessity to respect the Native American Graves Protection and Repatriation Act. So, let's not pretend that every assertion of academic freedom is innocent or unimpeachable. When "academic freedom" is used to justify this or that course of action—or of inaction—it is okay and even in keeping with the principle to think about and question such instances. You may even want to consult the Academic Senate's Committee on Academic Freedom for an opinion.

Now let me climb out of my own rhetorical locker and simply assert: if the University of California cannot have difficult conversations and debates on these topics, I'm not sure what the right place might be. And let me further assert that such conversations and debates will be uninformed and unproductive unless they call on our political scientists, historians, and the array of cultural and linguistic experts at our disposal.

And since I want to conclude with some remarks on shared governance, let me add that I hope these difficult conversations and debates will take place across and between various parts of the University: Regents, administration, Academic Senate, classrooms, and extra-curricular spaces. Chair Leib asked me the other day in private conversation to define shared governance. I'm not sure I did so sufficiently at the time, in part because there are various ways one can approach the matter. We can say that shared governance, from the Academic Senate's point of view, gives the faculty voice and provides us representation within the organization. True enough.

Let me take, however, a more technocratic approach, and one that includes more than just the Regents and the Academic Senate: shared governance describes a form of division of labor appropriate to a complex organization; it allows centralized coordination while taking advantage of localized knowledge. Within UC's shared governance model there is a group of part-timers in the governance business who are generally well intentioned, deeply knowledgeable in specific areas, sometimes a bit underinformed in other areas and not entirely aware of this lack, and who collectively feel as if they should have a say in everything. I am referring, of course, to the faculty. If you thought I meant another group, feel free to draw your own conclusions. As I have pointed out on a couple of occasions now, faculty tend to dedicate as much time as possible to their research or creative activities, followed by teaching, followed by service, which includes but is not limited to Academic Senate service. We do, nonetheless, tend to have knowledge and experience in those areas carved out in the delegated authorities—above all, curricular matters and attending to academic freedom. We are deliberative, tend to or try to base our decisions on

evidence and sound argument, and we prefer iteration to snap judgments. “Slow” is not necessarily an insult. For a complex organization such as ours to work, different parts of the organization must cede some of their authority to others. Ceding authority requires trust. Without trust, the organization doesn’t work—or doesn’t work well. There’s a reason they call them votes of no confidence and, why, even if not binding and even when they don’t pass, such votes tend to have an impact. In recent months and accelerating over the past weeks, one thing that I have sensed and experienced among various parts of the university organization and community is a distinct lack of trust. I certainly don’t have a universal solution, especially given the immediate pressures on the University, although I do know that lots of work must be done. At the Regents’ last meeting, I laid out four ways the Board and the Senate might repair a damaged relationship. These were ways to rebuild and to assert trust. I’m glad that Chair Leib has in his remarks acknowledged, at least in part, my recommendations in this regard—an acknowledgment that is also now part of the public record.

By the way, when Chris Burden confined himself to that locker at UCI, his wife was ready the whole time to let him out if need be.