

**Walter L. Smith
12319 Countryview Drive
Glen Allen, Virginia 23059**

President Ryan, Rector Murray, BOV Members
Office of the President
University of Virginia
P.O. Box 400224
Charlottesville, Virginia 22904-4224

October 6, 2020

Dear President Ryan, Rector Murray and Members of the Board of Visitors:

(This letter was drafted soon after Rector Murray's September 29, 2020 communication and has been held only for fear of getting canceled by a University community that should be THE bastion of free speech. While I very much appreciate that you cannot please everybody in his position, President Ryan's communication in the October 5, 2020 Daily Report does not "fix" the problem.)

If you wish to understand why the University of Virginia is currently in a state of turmoil, you need look no further than your mirror.

I have seen the response to the Tom Neale letter, and Aubrey Daniel's letter and now Rector Murray's September 29, 2020 Statement in Support of the Administration. Free speech is probably the only thing we fully agree on, and is a poor excuse for the terrible circumstances that we find now. I believe in free speech, one of the many enduring legacies from Thomas Jefferson, and will engage in it now.

As leaders of the University, you were given a great honor – to oversee an "academical village," the dream of one of the greatest human beings who ever existed. Numerous alumni have cited many of his great accomplishments and they do not need repeating here. I'll cite some others – the "Jefferson Bible," Notes on the State of Virginia, the beautiful Palladian architecture, his extended correspondence with John Adams and numerous other important people of his day. When one thinks of a Renaissance man, Jefferson has to be listed. Perhaps no "Founding Father" was his equal in any of these incredibly varied interests, and that may be why he was chosen to write the Declaration of Independence, the charter of American liberty. He not only wrote the justification for the American Revolution, he signed the document and committed treason against the most powerful nation in the world. The first draft of his indictment against George III contained this language (ultimately deleted, but not at Jefferson's request) - He has waged cruel war against human nature itself, violating its most sacred rights of life & liberty in the persons of a distant people who never offended him, captivating & carrying them into slavery in another hemisphere or to incur miserable death in their transportation thither.

Post-presidency, Jefferson worked tirelessly to establish the University, even soliciting the aid of the Father of the Constitution, James Madison, and the man who as President would establish the Monroe Doctrine. Is there any school in the entire United States of America with such a legacy? When Jefferson died, he considered the founding of the University of Virginia one of three things he wished to be remembered for.

The honor of being given responsibility for such a school should be almost overwhelming, and should invoke a profound sense of obligation to do justice to his vision. Here are two quotes on his dream for the University and his belief in free speech –

Extract from Thomas Jefferson to William Roscoe, 27 Dec. 1820

This institution will be based on the illimitable freedom of the human mind. For here we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it.

Extract from Thomas Jefferson to Columbia, South Carolina, Citizens, 23 Mar. 1801

In every country where man is free to think & to speak, differences of opinion will arise from difference of perception, & the imperfection of reason. But these differences, when permitted, as in this happy country, to purify themselves by free discussion, are but as passing clouds...

And here is the Mission Statement from your very own Manual –

Purpose

The University of Virginia is a public institution of higher learning guided by a founding vision of discovery, innovation, and development of the full potential of talented students from all walks of life. It serves the Commonwealth of Virginia, the nation, and the world by developing responsible citizen leaders and professionals; advancing, preserving, and disseminating knowledge; and providing world-class patient care.

We are defined by:

- Our enduring commitment to a vibrant and unique residential learning environment marked by the free and collegial exchange of ideas;
- Our unwavering support of a collaborative, diverse community bound together by distinctive foundational values of honor, integrity, trust, and respect;
- Our universal dedication to excellence and affordable access.

With Jefferson's desires, your Mission in the Board of Visitors Manual, the current unrest at the University and widespread alumni dissatisfaction in mind, can you honestly say that you have fulfilled your duties? That the alumni are having to rebel against your failure to live up to Jeffersonian ideals and your Mission at Jefferson's own University is appalling.

How did this alumni disconnect happen?

Over the years I think alumni have become inured to politics coming out of our academical village, in line with a Jeffersonian belief in free speech. But that creeping politicization has now become an obsession which seems to have reached a peak with the Unite the Right rally and stayed at that level since, to the detriment of actual intellectual inquiry and reasoned discourse.

Since the Unite the Right rally it seems all the alumni hear from the people in charge of the University is racism and contextualization – ponderously named Committees to study “controversial” topics and make recommendations which seem aimed at wiping out history in the name of “racial equity.” Published reports about the Unite the Right rally describe the “white supremacists” as ranging from

dozens to 250. While I am not sure all of the people were actually “white supremacists,” to gather a group of 250 of them required an assemblage from all over the United States. I would guess that there are more dangerous drunks in Charlottesville on a football weekend than “white supremacists” in all of the Commonwealth of Virginia. Seriously, 250 (at most) whackos “took over” our Grounds that good people needed to take them back and wear TAKEBACKOURGROUNDS wristbands years later?

Overblown hysteria. And on account of this, what should have passed by now as an historical event to study and learn from, cancel culture comes for Thomas Jefferson?

Cancel culture is decidedly non-Jeffersonian, and two can play that game. I do not know a single white supremacist. I don’t think I know anyone who knows a white supremacist. The closest I could get to that would be to say I know people who know Ralph Northam, and I presume he knows who is in the Klan robe in his infamous yearbook photo. Didn’t Ralph Northam’s family own slaves? Is it moral to accept a BOV appointment from such a man? Should those BOV votes even count in the September 11, 2020 endorsement?

Another opportunity to end the madness may have been refusing to buckle over the silly controversy requiring a re-design of the re-designed athletics logo. Really? Grips on the swords caused pain because the grips were to be reminiscent of the Serpentine Walls? What happens when these affected people drive on a country road? Is that even safe? Can they study light waves and sound waves and geometry? Why the Enslaved Worker Memorial might even present some dangerous shape. Maybe we should re-do all of the architecture in Mies Van der Rohe brutalist style as a precaution to avoid any curves or elegance. In fact, why should the Serpentine Walls exist at all? Will french fries be safe for students of Irish descent in the cafeteria? Will Jewish students need protection from Egyptian influences? Certainly, all the Palladian bricks could remind them of their forced labor making bricks, and we might be required as a moral imperative to convert everything to brutalist architecture and cement as the answer. OK, I’m done being stupid on purpose. My point was the athletics logo was an easy “no.” If it was truly “painful,” then I respectfully suggest mental medical intervention to cure an irrational fear. But, if you had stepped up and put an end to the insanity then, maybe we would not be dealing with the Lawn door controversy. (And the logo looks even more cartoonish without the grips!) Nature abhors a vacuum and your lack of firm non-politicized leadership has created this firestorm.

And now the Board has endorsed the report of the Racial Equity Task Force, including the need to contextualize Thomas Jefferson. How many members actually read the entire report? I don’t have the time to deconstruct the deconstruction in the Racial Equity Task Force entire report, so I’ll make two observations. First, how is it that none of the task force participants and apparently not one of the Board of Visitors members objected to the abandonment of content of character and all men are created equal principles in favor of explicit race-based color of skin requirements? Is that not racist per se? Second, the term “inclusive excellence” is an oxymoron, hiding an underlying post-modern Marxism. “Excellence” appears 37 times in the task force’s report – 25 times it is preceded by “inclusive.” In about half of the 12 other excellence mentions, the context implies “inclusive.” The word “excellence” is exclusive – excellence occurs when one excels at some task or skill over a lengthy period with repeatedly proven results (for example, Ms. Mangano’s soccer career). How exactly does one do “inclusive” excellence? My take is it is Newspeak for a racial spoils system – the new and improved Jim Crow for money and advantage. Thomas Jefferson and Martin Luther King, Jr., would not approve of the report which the BOV just endorsed. One would think being true to Jefferson’s intellectual legacy would be somewhat important to the BOV. And, since you provided legal advice on defamation in Rector Murray’s letter, you

might want to check the 4th line of the first paragraph on page 5 of the Racial Equity Task Force report. The overstatement could be defamatory per se.

The profane Lawn doors have finally awakened the alumni to ignore no more the politics of the BOV and administration. Perhaps this will prove to the good of the University by providing needed oversight from alumni who exist outside of the elite academic world. Hiding behind advice of counsel on First Amendment grounds only confirms a demonstrated lack of leadership. Consistent with free speech and the BOV's mission you could have said, "Of course, her message is offensive, and I believe grossly inaccurate. Nonetheless, at Thomas Jefferson's University we revere the value of free speech, and our student has the same right as all others to express her opinions. We do not approve of her manner of expression as it violates our values of the collegial exchange of ideas and mutual respect. Additionally, residency on the Lawn is an honor and carries responsibilities to respect not just the University, but its status as a UNESCO/World Heritage site. I, with the entire Board of Visitors, strongly encourage her to express her opinions in a manner consistent with all of these expectations I have laid out." Since you have not chosen to express any disapprobation, it now falls to alumni and the people of the Commonwealth of Virginia to shine sunlight on the day to day and long-term governance of "Mr. Jefferson's University."

I have exercised my First Amendment rights in writing you and expressing my opinions. I suspect many alumni agree with many points, but I would doubt any alumnus is in total agreement on all points. Human beings are not monolithic groups. That is the point of free discourse. Similarly, I would expect that you and anyone who may see this letter would be capable of responding with reasoned discourse and not seek to cancel me, my family or friends. I think many students, alumni and faculty are fearful of expressing dissent, and it is your charge, Mr. Jefferson's wish, that such fears should be unfounded.

The problems at the University of Virginia are due to you concentrating on politics rather than the pursuit of truth. I am sorry to be blunt here, but you could take the accomplishments of all participants in drafting and creating the documents and websites related to the Racial Equity Task Force, add them up to one number, multiply that number by 100 and it would not begin to compare to Thomas Jefferson's accomplishments and contributions to the world. That alumni are having to step in to defend Jefferson and to upbraid you for your dereliction of duty is a disgrace. Please, on behalf of the entire University of Virginia community – students, faculty, alumni, and friends worldwide - drop the politics and get back to real academic and research excellence. The alumni would support that, and it would be "Jeffersonian."

Sincerely,



Walter L. Smith, College 1979, JD/MBA 1984