

From: "Kahana, Michael J." <kahana@psych.upenn.edu>

Date: December 15, 2023 at 10:25:08 AM EST

To: Eric Feldman <eafeldma@law.upenn.edu>

Cc: Julie Platt <juliebplatt@gmail.com>, Marc Rowan <rowan@apollo.com>, "Seligman, Martin E P" <seligman@psych.upenn.edu>, "Tetlock, Philip" <tetlock@wharton.upenn.edu>

Subject: [External] Question about your Faculty Senate Letter

Hi Eric (cc: Julie Platt, Marty Seligman, Phil Tetlock, and Marc Rowan),

I just read your tri-chair letter to the faculty castigating the trustees and advisors for meddling in the affairs of the university. Your letter specifically calls out Marc Rowan's questions, which I have studied and found to be both reasonable and helpful. What exactly did you object to in Mr. Rowan's questions (your letter doesn't say)? And why do you feel it is inappropriate for an "advisor" to ask such questions? Indeed, if an advisor can't offer their advice then why invite them to be an advisor? Maybe I'm not tutored in the intricacies of institutional governance, but this seems like common sense. Further, under the charter, the trustees are "charged with the ultimate responsibility for the course of the University". They should be faithful fiduciaries.

Now perhaps the faculty senate doesn't like the idea of having advisors / trustees meddling in the affairs of the university, but your letter doesn't lay out this charge.

Speaking of the faculty senate.... this is a curiosity to me. In my 20 years at Penn I have taught students at all levels, served in many capacities, and won most of the major awards in my field, but somehow I have never known what the faculty senate is, or how it works. Not once has the senate solicited my opinion about anything. Maybe I am not the "type" of faculty whom you would be welcome in the senate. Or maybe I failed to pay the union dues? If your letter is meant to convey the views of the faculty, then conduct a formal vote (by secret ballot so junior faculty don't feel compelled to side with the senate chairs)? I suspect that many faculty would not endorse your senate letter criticizing the advisors, trustees and alumni.

As a scientist, I try to discover truths about the world and share my love of discovery with my Penn students. I generally avoid university politics, but when I see a dedicated advisor, trustee, or alumnus trying to help our beloved institution, I cannot find justification in chastising them for offering their guidance. Maybe the senate chairs don't agree with everything in Mr. Rowan's letter or the actions of the trustees, but this should not prevent us from having a thoughtful dialogue about the issues.

Sincerely,

Mike Kahana

Edmund J. and Louise W. Kahn Term Professor of Psychology

University of Pennsylvania

<http://memory.psych.upenn.edu>

On Dec 14, 2023 Seligman, Martin E P <seligman@psych.upenn.edu> wrote:

Penn is in trouble, perhaps the most in my 55+ years. Much of the trouble comes directly from the policies of the administration and the faculty.

We should welcome wise advice, not the least from the trustees and the advisory boards. Mr. Rowan seems to be offering advice, not “determination” on how the administration and faculty might correct misguided policy.

From: Psych-fullprof <psych-fullprof-bounces@groups.sas.upenn.edu> on behalf of John Trueswell <trueswel@psych.upenn.edu>

Date: Thursday, 14 December 2023 at 7:20 PM

To: faculty <faculty@psych.upenn.edu>

Subject: [Psych-fullprof] Fwd: Faculty Letter to Penn Trustees: Inviting you to add your signature

In case you didn't see this.

John

----- Forwarded message -----

From: Office of the Faculty Senate <senate@pobox.upenn.edu>

Date: Thu, Dec 14, 2023 at 12:46 PM

Subject: Faculty Letter to Penn Trustees: Inviting you to add your signature

To: FACULTYSENATE@LISTS.UPENN.EDU <FACULTYSENATE@lists.upenn.edu>

Dear Standing Faculty colleagues,

We write today to call your attention to the email and “Questions for UPenn Trustees” that Mr. Marc Rowan, Chair of the Wharton Board of Advisors, submitted to the Trustees on December 12, 2023. Those materials have been covered by the Philadelphia Inquirer (which can be accessed via the Penn Libraries). In response to Mr. Rowan’s communication and the ongoing attack on the University of Pennsylvania’s independence, we ask you to consider signing the following letter to the Trustees. We also encourage you to share this message with your colleagues and within your schools for wider distribution.

Sincerely,

Tulia, Eric, and Vivian

Penn Faculty Letter to Trustees

To the Members of the Board of Trustees:

The undersigned faculty members of the University of Pennsylvania unambiguously reject the view that the Board of Trustees, the Schools’ Boards of Advisors, alumni, or donors should determine Penn’s academic priorities or governance policies. The Faculty Handbook makes abundantly clear that the Board of Trustees delegates the management of the University to the President and the decision-making process to the shared governance of faculty, staff, and students (Section 1.A.). The current efforts of some members of the broader Penn community to reverse our longstanding governance structure threatens the freedom of the faculty to conduct independent and academically rigorous research and teaching. Penn’s academic excellence is built upon decades of shared governance in which the faculty play a central role in crafting policies around teaching, research, and all other aspects of our University’s academic mission, grounded in the principles of academic freedom and open expression. These principles and policies strengthen our process of knowledge creation and dissemination, while making our institution one of the foremost leaders in higher education in the U.S. and globally. We oppose all attempts by trustees, donors, and other external actors to interfere with our academic policies and to undermine academic freedom.

TO ADD YOUR SIGNATURE TO THIS LETTER, [CLICK HERE](#).

This message was sent by:

The Faculty Senate Tri-Chairs

Tulia G. Falletti, Class of 1965 Endowed Term Professor of Political Science, Chair of the Faculty Senate

Eric A. Feldman, Heimbold Chair in International Law and Professor of Law, Chair-Elect of the Faculty Senate

Vivian L. Gadsden, William T. Carter Professor of Child Development and Education, Past Chair of the Faculty Senate

Box 9 College Hall

Philadelphia, PA 19104-6303

Tel 215.898.6943

Fax 215.898.0974

senate@pobox.upenn.edu

On Dec 14, 2023, at 10:49 PM, Steven E. Johnston <stevenjohnston@gmail.com> wrote:

Congrats on the success of the initiative to remove Magill and Bok, and appreciate the questions you are asking related to Penn's governance and operation. Please keep interested alumni posted as to the progress/next steps. I think most alumni do not consider ourselves "external" to Penn, despite what those uncomfortable with reform may say.

Best,

Steve Johnston WG'14

On Wed, Dec 6, 2023 at 7:22 PM Steven E. Johnston <stevenjohnston@gmail.com> wrote:

Please see my 2 emails I've sent to Magill and 1 email I've sent to Bok.

Best,

Steve Johnston WG'14

----- Forwarded message -----

From: **Steven E. Johnston** <stevenjohnston@gmail.com>

Date: Wed, Dec 6, 2023 at 4:25 PM

Subject: Fwd: The time for delayed words is over

To: <scottlbok@gmail.com>, <sbok@greenhill.com>

Mr. Bok,

I have watched with great embarrassment the situation at Penn.

As an alum who cares deeply about the university, I urge you and President Magill to step down from your positions.

It is for the good of Penn so that we can move forward as a unified university, with moral clarity.

Genocide is wrong. No matter the context. Period.

Already hundreds of millions in donations to Penn have been lost, perhaps billions.

After yesterday's hearing, I strongly suspect much more is at stake.

I wish you well in the future, but please do the right thing.

Resign.

Best wishes,

Steve Johnston WG'14

----- Forwarded message -----

From: **Steven E. Johnston** <stevenjohnston@gmail.com>

Date: Tue, Dec 5, 2023 at 9:16 PM

Subject: Re: The time for delayed words is over

To: <magill@upenn.edu>

President Magill,

I watched your testimony before Congress today.

I cannot stress enough my hope that you will resign.

In no context it is okay to call for the genocide of a people, Jewish or otherwise.

I'm sorry to hear you do not understand this.

With all due respect, please resign.

Sincerely,

Steve Johnston WG'14

On Mon, Oct 23, 2023 at 2:31 PM Steven E. Johnston <stevenjohnston@gmail.com> wrote:

President Magill,

I'm writing as a follow up to my mailing to Penn in which I enclosed my final \$1 donation, as well as my email in which I indicated I am pausing my automatic annual donation to Penn.

While I love Penn very much and previously attended your recent speaking engagement in Washington, DC and even thanked you for finally calling the October 7 attack on Israel what it is (terrorism), it has become clear to me that new leadership is needed for Penn.

Your words regarding the Palestinian conference and, more recently, the terrorist attack came far too late and demonstrated an inability to effectively lead Penn.

In your ADL letter, you indicated you were committed to addressing antisemitism. However, the attack of October 7 was without a doubt the greatest act of antisemitism in

my lifetime, and you chose to speak to Indigenous Peoples' Day on October 9 and could not make a statement until October 10, at which point you could not use the words "terrorism" or "antisemitism."

In the wake of that vacuum of moral clarity, Penn student groups issued a horrible statement blaming Israel for their being attacked. Under pressure from numerous alumni, you finally issued your additional statement on October 15, but the silence that preceded this was quite deafening.

Since that time, I've had to read countless stories about additional antisemitic words and incidents on campus as well as Jewish Penn students indicating they do not feel safer than they did a month ago, according to a story in the Inquirer.

The same day as that story, I also read an op-ed from Scott Bok that alluded to Marc Rowan's letter. I do not know either of these alumni, but my honest assessment is that Mr. Rowan does not want to be doing what he is doing, but feels he has to. I found many of his points to be persuasive and worth your consideration.

Meanwhile, I found Mr. Bok's op-ed to unreasonably strawman Mr. Rowan's critique (which he failed to link to) and found the op-ed to both gaslit readers and demonstrate an unwillingness to either listen to the valid concerns of Mr. Rowan and countless alumni or bring about fundamental change at Penn.

The time for delayed words is over, and thus, I join my many fellow alumni in calling for you and Mr. Bok to step aside from your leadership roles so that Penn can bring about a new chapter of moral clarity.

I wish you and Mr. Bok well in your future endeavors, and I hope Penn will finally listen to its alumni and bring about fundamental change to demonstrate its unequivocal opposition to antisemitism.

Leges Sine Moribus Vanae,

Steve Johnston WG'14

94 Woodland Drive
New Britain, Pa. 18901
December 9, 2023

Mr. Marc Rowan
CEO, Apollo Global Management
NY, N.Y. 10019

Dear Mr. Rowan:

As a fellow Penn grad, I share your angst over the turmoil besieging our campus. I applaud you for taking a monetary stand against the administration's lukewarm response to campus anti-semitism. The campus strife and fear that has gone unchecked is simply unacceptable. That said, I'd like to reach out to you to consider re-directing your largesse to an institution that has stood firmly against what Penn has allowed to fester. That institution is Wilson College - a small, liberal arts college in Chambersburg, Pa. Wilson's mascot is the Phoenix which is so appropriate given how the college has risen from near obliteration to a very viable institution of higher learning. Like many small colleges, Wilson is still reeling from the effects of the pandemic and has thus embarked on a 3-year, \$16 million campaign to rise above it. You were willing to step up to give Penn a significant donation to add

to its 5th endowment. In contrast, a much smaller donation to Wilson would help support the values you embrace. Wilson is not making national headlines because its President cannot distinguish between free speech and harassing, threatening speech. You are obviously someone who not only values higher education but also the decency and social responsibilities institutions of higher learning are supposed to embrace. Dr. Wesley Fugate, Wilson's President, would not evade a congressional inquiry with obtuse answers. So, while you are not a Wilson grad (like me), I hope you will seriously consider supporting this institution - it won't disappoint! And, it will not take you for granted! I serve as a Chair for Penn's secondary schools committee and, to say the least, it's been hard explaining to current applicants for admission what is going on.

Thank-you for reading this; I hope you will agree that supporting Wilson will support the values you hold dear. For any considerations you are kind enough to extend in this regard, my most sincere thanks in advance.

Respectfully,
-Janice Kimerhour

December 13, 2023

Marc Rowan
Apollo Global Management
9 W 57th St Fl 43
New York City, New York, 10019,

Dear Mr. Rowan,

Marc Rowan has recently requested that Scott Bok, chairman of University of Pennsylvania's board of governors, and Liz Magill, President of the University of Pennsylvania resign from their positions. Mr. Bok's response has been nothing less than that of a bully and a street thug.

Marc's argument is really quite simple... Penn knowingly allowed the Palestine Writes Literature Festival ("**PWLF**") to occur on its campus using its "faculty, departments and centers" as "sponsors, speakers and volunteers". By Liz Magill's own admission in a letter dated September 12, 2023 the "festival" was to include *"several speakers who have a documented and troubling history of engaging in antisemitism by speaking and acting in ways that denigrate Jewish people"*. Even Roger Waters was invited to present. This is the Roger Waters who was "Pink Floyd's lyricist, co-lead vocalist and conceptual leader" (Wikipedia). Roger's academic credentials include:

"Morley Memorial Junior School in Cambridge and then the Cambridgeshire High School for Boys (now Hills Road Sixth Form College)... Waters was unhappy at school, saying: 'I hated every second of it, apart from games. The regime at school was a very oppressive one ... The same kids who are susceptible to bullying by other kids are also susceptible to bullying by the teachers.'

Waters met future Pink Floyd members Nick Mason and Richard Wright in London, at the Regent Street Polytechnic (later the University of Westminster) School of Architecture. Waters enrolled there in 1962, after a series of aptitude tests indicated he was well suited to that field. He had initially considered a career in mechanical engineering." It appears from Wikipedia that Mr. Waters did not graduate from Regent Street Polytechnic School of Architecture.

Mr. Water's other credentials include the following as excerpted from Wikipedia:

9. "the Simon Wiesenthal Center accused Waters of antisemitism",
10. "the Anti-Defamation League charged that Waters' remarks were antisemitic",
11. "writer Ian Halperin produced a documentary, Wish You Weren't Here, accusing Waters of antisemitism",
12. "the German city of Frankfurt cancelled one of Waters' scheduled shows, calling him one of the 'most widely known antisemites'",
13. "German police opened a criminal investigation into Waters and the Nazi-style uniform he wore during his Berlin performance for possible incitement",
14. "The US Department of State called it "deeply offensive to Jewish people" and accused Waters of having a record of using antisemitic tropes."



15. "In the UK, the secretary of state, Michael Gove, and the Labour leader, Keir Starmer, issued statements condemning him."
16. "from Waters' past collaborators, including the Wall producer Bob Ezrin, who say Waters made offensive remarks about Jewish people. In a separate statement, Ezrin said he did not object to Waters' challenging Israeli policy, but that "if your language directly or by implication promotes the eradication of the world's only Jewish state, then that is absolutely antisemitism in my book". Waters responded in a statement that he was "frequently mouthy and prone to irreverence" but not antisemitic, and that the film misrepresented his views."

Clearly Mr. Waters' lack of academic achievement in literature of any sort, including Palestinian Literature, did not disqualify him to be a speaker at the PWLF. His known history of antisemitism also did not disqualify him but was, perhaps, the reason he was invited to speak at a "Palestine Writes Literature Festival".

Liz Magill asserted that the PWLF event was not "organized by the University", perhaps trying to absolve herself or "the University" of responsibility for the reprehensible nature of the speakers. But, after reading her exact quote I am not sure what she means by "the University". She wrote on Sept 12, 2023 *"This public event is not organized by the University. As is routine in universities, individual faculty, departments and centers, and student organizations are engaged as sponsors, speakers and volunteers at this conference intended to highlight the importance and cultural impact of Palestinian writers and artists."* If a student wrote such a self-contradictory statement in an English comp class, I would hope that the Professor would call him out. Surely if an employee wrote such a self-contradictory statement in a report for my business their competence would be called into question.

Mr. Rowan and several other high profile Penn alumni including Cliff Asness, Jon Huntsman and Henry Silverman apparently thought that it was an egregious violation of trust to use Penn's resources as a podium for several known antisemitic speakers or as Asness put it "an antisemitic Burning Man Festival". The decision to allow this "Festival" to happen showed a breach of the trust in which the donors and other supporters of Penn place in the Board and its President to guide the institution to fulfill its mission. Indeed, it would be hard to imagine the President and Penn's board allowing *"several speakers who have a documented and troubling history of engaging in antiblack racism by speaking and acting in ways that denigrate black people"* to speak at a "Festival" on Penn's campus sponsored by "individual faculty, departments and centers". These three donors (amongst others) publicly declared that they will not be donating to Penn in the future until changes were made.

Scott Bok apparently disagreed with this characterization of the PWLF. He not only disagreed but actually declared that those calling for his and Ms. Magill's ouster were the ones sowing divisiveness within the Penn community, not those with a "documented and troubling history of engaging in antisemitism". Scott told two trustees who signed onto a public letter criticizing the University that "they could consider voluntarily resigning, thereby freeing from all the constraints involved in serving on a board." **The Daily Pennsylvanian Oct 12.**

Daily Pennsylvanian Oct 24, 2023.

Neither individual decided to resign, and Bok wrote that they "remain welcome as members of Penn's board." Bok said that all trustees are entitled to their viewpoints, explaining that any trustee implicitly commits to a "confidential and deliberative decision-making process." He added that once a decision is reached, it is "extremely unusual" for a board member to "publicly oppose that decision, let alone solicit others to join their dissenting view."



GLAZER
CAPITAL MANAGEMENT

"Our Trustee Executive Committee, after thoughtful deliberation, concluded that we would not force the resignation of anyone who took that unusual step," Bok wrote.

Somehow it does not strike me as magnanimous, as Bok seems to imply, that the Committee did not force the resignation of those members. It seems self-serving and cynical to characterize the decision to not force a resignation as coming "after thoughtful deliberation" – this sounds more like a humble brag. Really Scott was trying to whitewash an attempted boardroom coup by turning the targeted victims into the villains who then received mercy from the "magnanimous" chairman. Is there even such a thing as forcing a voluntary resignation of a board member?

For an investment banker who advises boards of directors of some very big companies, it is hard to believe that Scott cannot countenance disagreement from *any* board members. After all, Penn's board has 40 members! Scott's desire to have 40 people all agree with him and the president about an unambiguously controversial topic, is not so much a desire to have a functioning board as it is a desire to create a rather large cheering section.

Scott also asserted on Oct 26 as quoted by Bloomberg that "Change, particularly if perceived as being forced by the withholding of contributions, would serve to only increase division within the broad university community." Is Scott advocating that, not only should you resign the board, but you should maintain your generous contributions (the ones that got you on the board in the first place) and keep your opinions to yourself – otherwise that would "increase division"? I have a question for Scott – How exactly would change, particularly if perceived as being forced by the withholding of contributions, serve to increase division within the broad university community? If a Penn constituent wanted to institute change, then may he change his donations at all? Should he donate *more* money so that Penn's board would institute the changes? Should he just keep his donations the same – even though he feels Penn has created an unsafe and deeply racist and offensive environment for certain students? That surely doesn't sound right. So, again, Scott, how exactly would it increase division if change were implemented because donations were withheld? *Are you suggesting that donors should always maintain their donations to Penn or else they will "increase division"?* This sounds coercive and somewhat threatening.

PS. Scott Bok and Liz Magill have resigned their positions at Penn. I hope that Mr. Bok maintains his level of giving to the University so that he does not increase division within the broad university community.

Yours truly,

Paul Glazer

President, Glazer Capital, LLC

Wharton, Bachelor of Science in Economics, Dec 1984

CC Trustees of the University of Pennsylvania
Cliff Asness, Ken Griffin, Marc Rowan, Henry Silverman, Ronald Lauder

EDWARD ANDREW RECESKI

12/18/23

Dear Mr. Rowan,

Thank you for leading the charge to remove Liz Magill and Scott Bok. I believe their removal is a big step to return Penn to its core mission of education and research. I fully support your efforts to have Penn's Trustees address your recent 18 questions. All of your efforts and contributions in support of Penn are greatly appreciated!

Sincerely, Ed Receski W'86