

Wisconsin Institute for Law & Liberty: Files petition for review with the Wisconsin Supreme Court in Professor McAdams' case against Marquette University

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November 8, 2017 - Milwaukee, WI - The Wisconsin Institute for Law & Liberty, on behalf of Professor John McAdams, has asked the Wisconsin Supreme Court to immediately take his case against Marquette University and bypass the Court of Appeals.

WILL believes the court should hear the case now because there is no binding precedent on the question of how far academic freedom extends; a ruling from the court would also provide a standard for the rights of professors at UW System schools and private universities and colleges that also promise their faculty academic freedom.

In November 2014, McAdams shared a story on his blog, Marquette Warrior, of an undergraduate student who had been told by a graduate student instructor, Cheryl Abbate, that he could not express his disagreement with same-sex marriage in her theory of ethics class because doing so would be homophobic and offensive. The story went national, resulting in significant amounts of bad press for Marquette.

In response, Marquette summarily suspended McAdams from his teaching duties and banned him from campus, then initiated proceedings to revoke his tenure and fire him. An internal faculty hearing committee (FHC) was convened to judge the dispute, but it suffered from serious procedural flaws, as Marquette withheld evidence from McAdams and allowed a clearly-biased professor to sit on the FHC. The FHC eventually recommended McAdams be suspended for two semesters. Instead, Marquette President Michael Lovell suspended McAdams indefinitely without pay unless he issued a written apology for his behavior – effectively firing him.

Background of the case is available [here](#).

“Professor McAdams’ case continues to be a bellwether for academic freedom. Nothing he said or wrote justifies having his tenure stripped from him. Marquette’s decision to fire him is arbitrary and sets a dangerous precedent for professors not just at Marquette, but at UW System schools and other private colleges,” noted Rick Esenberg, president and general counsel at WILL.

He continued, “A ruling from the Wisconsin Supreme Court would provide guidance on the relationship between schools and their faculty and codify the parameters of academic freedom.”