

# Chapter 1: Fundamental Tenets of Membership in the University Community

## 1.A Freedom of Speech and Artistic Expression

The University of Michigan recognizes the free expression of ideas as fundamental to its mission of education and research. This commitment is outlined in the University's [Standard Practice Guide 601.01](#). The statement was adopted by the Board of Regents in 1988 and revised in 1993.

Recent events at the University of Michigan and elsewhere emphasize the pressing need for members of the University community— including administrators, faculty, staff, and students—to reaffirm formally their deep commitment to freedom of speech and artistic expression and to clarify the implications of that commitment. Freedom of speech in this context will be taken to encompass all forms of communication and artistic expression as well as the freedom to listen, watch, protest, or otherwise participate in such communication. It is hoped that this reaffirmation will win the support, in spirit and in letter, of people representing the entire spectrum of opinion of the University community in order to create a truly open forum, one in which diverse opinions can be expressed and heard.

Expression of diverse points of view is of the highest importance, not only for those who espouse a cause or position and then defend it, but also for those who hear and pass judgment on that defense. The belief that an opinion is pernicious, false, or in any other way detestable cannot be grounds for its suppression.

When a speech or some form of artistic expression such as a play or concert is prevented by disruptive protest from taking place or concluding, the effect is just as surely an attack on freedom of speech or artistic expression as the deliberate suppression or prohibition of a speaker or artist by authorities. At the same time, however, the rights of free expression enjoyed by speakers or performers do not negate the rights of free expression of those who would protest the speech or performance.

The guidelines that follow concern how most fully to protect rights of free expression for speakers, performers, and protesters alike. They apply to settings in which an audience has been assembled for a talk or performance, or in which a talk or performance takes place in a public setting at the University, but do not apply to the classroom.

They are not general guidelines concerning freedom of expression among individuals or in other University settings where protest might occur. Moreover, they do not cover acts of physical violence, or verbal harassment or threats directed at individuals in which there is no intent to communicate publicly or with a wider audience. Nor do these guidelines in any way restrict the application of civil or criminal law. Finally, these are not guidelines concerning appropriate or civil conduct at speeches or artistic performances. Rude or offensive behavior, though inconsistent with the standards of civility that we hope would prevail on a university campus, sometimes falls within the legitimate exercise of freedom of speech and, when it does, may not be suppressed.

These guidelines apply to members of the University community (students, faculty, staff, and administrators) and to their invited guests. By following these guidelines, we seek to maintain at the University an environment in which the free exchange of opinions can flourish, where the learning that such exchange makes possible can occur. We welcome members of the broader public to participate in

this free exchange, and we expect those who do to observe the limits of mutual tolerance embodied in these guidelines.

With these qualifications in mind, the Committee on Civil Liberties and Civil Rights of the Senate Assembly recommends to the University community endorsement and adoption of the following guidelines pertaining to freedom of speech and artistic expression as published in [SPG 601.01](#).

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## **1.B Fundamental Tenets Statement**

The statement below was adopted by the Senate Assembly on June 18, 1990.

*The University of Michigan is a community devoted to learning. Members of our community advance, preserve, and transmit knowledge through study, teaching, artistic expression, research, and scholarship. As a public university, we have a special obligation to serve the public interest.*

*All who join the University community gain important rights and privileges and accept equally important responsibilities. We believe in free expression, free inquiry, intellectual honesty, and respect for the rights and dignity of others. We respect the autonomy of each person's conscience in matters of conviction, religious faith, and political belief. We affirm the importance of maintaining high standards of academic and professional integrity. In defining the rights we enjoy and the responsibilities we bear, we must keep those basic principles in mind.*

*All members of the University have civil rights guaranteed by the Bill of Rights. Because the search for knowledge is our most fundamental purpose, the University has an especially strong commitment to preserve and protect freedom of thought and expression. Reasoned dissent plays a vital role in the search for truth; and academic freedom, including the right to express unpopular views, is a cherished tradition of universities everywhere. All members of the University have the right to express their own views and hear the views of others expressed, but they must also take responsibility for according the same rights to others. We seek a University whose members may express themselves vigorously while protecting and respecting the rights of others to learn, to do research, and to carry out the essential functions of the University free from interference or obstruction.*

January 2022

## **1.C Senate Assembly Statement on Academic Freedom**

In January 2010, the Senate Assembly endorsed a statement that defines the standards of academic freedom as follows.

*Academic freedom is the liberty that faculty members must have if they are to practice their*

*scholarly profession in accordance with the norms of that profession. Academic freedom is not a term or a condition of employment; rather, it is based in the institutional structure of this and other universities and is fundamental to their common mission of promoting inquiry and advancing the sum of human knowledge and understanding. Although some aspects of academic freedom are also protected by the First Amendment to the United States Constitution, academic freedom exists, independent of any external protection, as a basic prerequisite for universities to fulfill their mission to our society. Academic freedom is most commonly vindicated by individual faculty members, but remains first and foremost a professional prerequisite of faculty members as a group.*

*Academic freedom includes the following specific freedoms:*

- *freedom of research and publication. Within the broad standards of accountability established by their profession and their individual disciplines, faculty members must enjoy the fullest possible freedom in their research and in circulating and publishing their results. This freedom follows immediately from the university's basic commitment to advancing knowledge and understanding. Restrictions on research and publication should be minimal and unobtrusive.*
- *freedom of teaching. This freedom is an outgrowth of the previous one. Faculty members must be able not only to disseminate to their students the results of research by themselves and others in their profession, but also to train students to think about these results for themselves, often in an atmosphere of controversy that, so long as it remains in a broad sense educationally relevant, actively assists students in mastering the subject and appreciating its significance.*
- *freedom of internal criticism. Universities promote the common good not through individual decision or bureaucratic calculation, but through broad-based engagement in the scholarly endeavor. Faculty members, because of their education and their institutional knowledge, play an indispensable role as independent participants in university decision making. By virtue of this role, they are entitled to comment on or criticize University policies or decisions, either individually or through institutions of faculty governance.*
- *freedom of participation in public debate. Both within and beyond their areas of expertise, faculty members are generally entitled to participate as citizens in public forums and debates without fear of institutional discipline or restraint, so long as it is clear that they are not acting or speaking for the University.*

*Since academic freedom derives from the institutional structure of American universities, it is qualified in various respects. However, when academic freedom is so qualified, it is of critical importance that restrictions be drawn up and implemented with substantial faculty input, in such a way as to minimize infringement of academic freedom. In large part, this goal should be accomplished by ensuring that institutional discipline of faculty members is in proportion to the severity and persistence of misconduct, and by insisting that alleged offenses be handled with appropriate standards of due process, including, wherever possible, the judgment of competent peers. For the rest, however, it must be recognized that contemporary threats to academic freedom are constantly evolving. This University – its faculty, administration, and students alike – must exercise constant vigilance in resisting such threats, whether they arise within the university or from outside.*

## 1.D Professional Standards for Faculty

The University of Michigan's policy on professional standards for faculty is applicable campus-wide. In addition, the schools and colleges may have their own policies, which accord with and enhance this policy. The University policy, [SPG 201.96](#), was developed in 2013 and revised in 2016.