

Academic Freedom and Freedom of Expression

Report of Colgate University's Task Force on Academic Freedom and Freedom of Expression.

Background

Colgate's Task Force on Academic Freedom and Freedom of Expression was formed by President Brian Casey in the summer of 2017, after consultation with Colgate's Faculty Affairs Committee. The Task Force, chaired by Spencer Kelly, was composed of 13 members of the Colgate community, including representatives of the faculty, staff, Board of Trustees, and student body.

President Casey provided the following charge to guide the efforts of the Task Force:

“Academic freedom and freedom of expression being central to the academic mission of Colgate University and to the enterprise of higher education generally, the Colgate Task Force on Academic Freedom and Freedom of Expression is charged with reviewing the history of academic freedom and freedom of expression policies and developments at Colgate University and drafting a statement on academic freedom and the freedom of expression as it relates to all sectors of the University's community. The task force will recommend the statement for consideration by the faculty, the Board of Trustees, and the Student Government Association.”

The Task Force met regularly over several months to fulfill its charge. The members of the Task Force reviewed materials relating to the topics of freedom of expression and academic freedom, including Colgate's own existing statements, policies, and pronouncements on these topics; statements and policies issued by national academic associations and leading universities; and numerous relevant articles and thought pieces. Members of the Task Force also convened forums with students, faculty, and staff on campus to discuss the concepts of freedom of expression and academic freedom and received significant and valuable input from many members of the Colgate community. As one would expect with a Task Force that included such diverse perspectives as ours, we debated many points quite vigorously, but through a process in which we spoke freely and listened carefully, we reached consensus on the report that follows.

Goals and Mission of a Colgate Education

The Task Force spent considerable time reviewing the goals of a Colgate education, as well as the University's mission. It is useful here to recall Colgate's mission statement: “Colgate's mission is to

provide a demanding, expansive educational experience to a select group of diverse, talented, intellectually sophisticated students who are capable of challenging themselves, their peers, and their teachers in a setting that brings together living and learning. The purpose of the University is to develop wise, thoughtful, critical thinkers and perceptive leaders by challenging young [people] to fulfill their potential through residence in a community that values intellectual rigor and respects the complexity of human understanding.”

As Colgate approaches its bicentennial, we are reminded that we are members of a community that precedes us, that will follow us, and that, if it is to succeed, must recommit itself to a common venture dedicated to rigorous academic discourse. President Brian Casey’s **Vision Statement for the Third Century** describes well our community’s aspirations: “[W]e must introduce our students to the challenges and power of rigorous, academic discourse. In an era of heated rhetoric and political divisions in which shouting is prized, we will give our graduates a profound gift should they leave the campus with the power to summon reason, to gather facts, and to engage in a discourse that is sound, fair, and powerful.”

In our deliberations, the Task Force kept in mind three specific goals for members of the Colgate community: growing in knowledge; becoming effective communicators; and learning from multiple and diverse perspectives. When considered separately, these are admirable goals. **When these goals are viewed together, they aggregate to form a much loftier ambition: to share knowledge and foster understanding within a complex, rapidly changing, and diverse world.**

To pursue these ends, Colgate must commit itself both to a set of community values and to the principles of freedom of expression and academic freedom.

Shared Values of the Colgate Community

A community whose members aspire to such a mission must be committed to certain values and to the cultivation of particular habits of heart and mind. Among these are empathy, curiosity, warmth of spirit, concern for others, and pride in our community. Such a community requires a dedication to inquiry and knowledge seeking, the desire to attain understanding and awareness, and the humility to recognize how far we fall short.

Colgate aspires to a shared commitment to learning, inquiry, and community that encourages individuals to listen and speak with care, so that all voices among us are heard. All of us should be sensitive to the positive and negative ways that we can affect one another, keeping in mind that words and deeds can help and harm; be understood and misunderstood; advance knowledge and impede it.

Colgate embraces diversity, not only so that we may accord all members the concern and respect that they are due, nor only so that our members can take their place as leaders in an increasingly complex world—worthy as these goals are. Rather, our community also embraces diversity because we recognize how much we need one another in order to consider new perspectives and extend the limits

of our understanding. Colgate's mission requires an open mind and a spirit of toleration, even for positions we might abhor. It likewise requires the courage to question what many might think unquestionable, to insist on clarity and rigor of thought, to seek out the strongest arguments on all sides of an issue, and to recognize that such arguments might be found in the quietest or most marginalized of voices.

The Task Force believes that these values are necessary for the community to engage constructively in a free exchange of ideas and to fulfill Colgate's goals and its mission. Without the practice of these values, freedom of expression can lose much of its potential to advance understanding and knowledge.

Colgate's Commitment to Freedom of Expression and Academic Freedom

In the statement that follows we often use "Freedom of Expression" as a term to embrace both freedom of expression and academic freedom.

A community dedicated to a mission such as Colgate's must stand upon the bedrock principles of intellectual freedom—freedom of expression and academic freedom. This freedom to speak, to write, to listen, to question, to challenge, and to examine any problem that engages one's interest is essential for living thought. Such freedom is not only a crucial means for the pursuit of knowledge, but a constitutive part of it; propositions learned by rote, protected from challenge, do not further our pursuit of knowledge or our attainment of understanding. **Accordingly, the University should support a climate of debate and deliberation that is open and robust, and must not suppress ideas because some consider them wrong, immoral, or offensive.**

The Task Force also recognizes that the principles of freedom of expression and academic freedom are not without boundaries. There are certain forms of expression that stand outside the law, constitute no part of the search for truth, and, accordingly, find no shelter here. These include expressions that falsely defame a specific individual, that constitute true threats or harassment, that unjustifiably invade substantial interests of privacy or confidentiality, or that incite imminent lawless action. Further, to facilitate the exchange of ideas and arguments and avoid disruption of its educational functions, the University may enact content neutral rules concerning time, manner, and place of expression. But such concerns must never be used as a pretext for the University to suppress disfavored opinions or compromise the principle of intellectual freedom. The Task Force urges the University to be guided by the principles of the First Amendment and, within reason, to err on the side of permitting expression and inquiry without concern of punishment.

A Community in Which Free Expression and Inquiry Can Flourish

The shared values of the Colgate community and the University's commitment to free expression and inquiry play complementary roles in working toward fulfilling Colgate's mission. Free expression is more powerful when we, as members of our broader community, consider the perspectives of the people with whom we are communicating and when we approach discussion and debate with a spirit of humility, curiosity, generosity, and care. All members of our community can benefit from instances in which we voluntarily limit our expressions and inquiries to make room for others to speak, to listen better, and to keep our own minds open to the views of others.

As a community, we must be mindful that the exercise of intellectual freedom without consideration of these other values can and does cause harm to others, and these harms often linger long after the harmful words have been spoken. Freedom of expression that is unconstrained by a spirit of toleration and a sensitivity to the views and backgrounds of others can cause needless damage to our community. At times, expressions of free speech, even when exercised in all fairness of spirit, can hurt others, particularly over matters about which we care deeply but differ sharply. The Task Force encourages all members of our community to recognize that expressions can carry different weights depending on both who says and who receives them, resulting in potentially disparate effects on different members of our community.

The university's commitment to freedom of expression and inquiry may occasionally come into conflict with certain of Colgate's shared values. **Freedom of expression should not be stifled in service of other values; however, while this freedom must be defended, the Task Force urges all of us to cultivate by example the values of the Colgate community.** Inquiry and expression that carefully consider the perspectives of others are learned skills that require sustained effort and practice; Colgate should strive to provide a supportive environment in which its members can develop these lifelong habits of mind and behavior.

Consideration of Exclusionary Behavior, Privilege, and Historical Perspective

The Task Force considered the impact of privilege and exclusionary practices on the exercise of freedom of expression and academic freedom. We recognize that practices that exclude members of the community impede the exercise of freedom of expression and academic freedom. Over its history, Colgate, like the broader society of which it is a part, has engaged in exclusionary practices that have had a negative impact on members of the community. These practices should have no place at Colgate, both because they harm members of our community and because they impede the university's mission to nurture thinking, creativity, and leadership. Colgate should reaffirm its commitment to eliminate exclusionary practices, support the inclusion of marginalized and underrepresented groups, and promote equity of access and expression.

The Task Force believes that a commitment to freedom of expression provides an important means of mitigating the negative impacts of exclusionary practices by giving voice to marginalized views. **While**

a commitment to freedom of expression does not in and of itself resolve these issues, it is an indispensable tool for enabling those with underrepresented or unpopular views to be heard.

Throughout history—from the abolitionist newspapers, to demonstrations and speeches for women’s rights, to the marches, sit-ins and oratory of the civil rights movement—freedom of expression has been a vital means of social advancement.

Conclusion

Colgate should affirm its commitment to the principles of freedom of expression and academic freedom as essential to fulfilling its mission and goals. To that end:

As a University dedicated to the liberal arts, Colgate should support the rights of all community members to voice their views, even if unpopular, while helping them to likewise cultivate the habits of mind and skills necessary to respond effectively to views that they may find wrong or offensive.

Colgate should endeavor to establish and maintain a culture and community that will inspire its members to pursue knowledge with rigor and curiosity, speak and listen with care, and work so that even the quietest or most underrepresented voices among us are heard.

The University should educate all members of our community about the mission, goals, and values of Colgate and the importance of exercising our right of freedom of expression in a manner that is in furtherance of that mission and those goals and values, remembering that the exercise of intellectual freedom without consideration of these other values may cause needless harm to our community.

Colgate should encourage faculty, administrators, staff, and students to model the civic behavior that forms the basis for the exercise of freedom of expression within a community committed to Colgate’s mission, goals, and values.

The Task Force is hopeful that this report will encourage conversations on these important matters within and across all campus communities. We respectfully submit this report to the Colgate community for its consideration.

Task Force on Academic Freedom and Freedom of Expression

Spencer Kelly, Chairperson

Professor of Psychological and Brain Sciences

Derek Baker,

Class of 2018

Dan Bouk,

Associate Professor of History

Stanley Brubaker,

Professor of Political Science

Christine Chao '86,

Member, Board of Trustees

Michael Herling '79, P'08'09'12,

Vice-Chair, Board of Trustees

Becky Hurley '81,

Member, Board of Trustees

Jason Kawall,

Associate Professor of Philosophy and Environmental Studies

Nancy Ries,

Professor of Anthropology and Peace and Conflict Studies

Rebecca Shiner,

Professor of Psychological and Brain Sciences

Peter Tagtmeyer,

Science Librarian, Associate Professor in the University Libraries

Kim Taylor,

Associate Dean for Conduct and Administrative Advising

Susan Thomson,

Associate Professor of Peace and Conflict Studies

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13 Oak Drive Hamilton, NY 13346

(315) 228-7000