

CHARTING ACADEMIC FREEDOM: 102 YEARS OF DEBATE

Draft 1.0: May 22, 2017

Document	1915 Declaration of Principles on Academic Freedom and Academic Tenure (1915 AAUP Declaration)	1940 Statement of Principles on Academic Freedom and Tenure	Report on the University's Role in Political and Social Action (Kalven Report)	Report of the Committee on Freedom of Expression at Yale (Woodward Report)	Academic Freedom and Educational Responsibility (AAC&U Statement)	Report of the Committee on Freedom of Expression (Stone Report)	The Architecture of Intellectual Freedom (NAS Statement)	Truth Seeking, Democracy, and Freedom of Thought and Expression (George & West Statement)	Free Inquiry on Campus: A Statement of Principles (Middlebury Statement)	Campus Free Speech: A Legislative Proposal (Goldwater Statement)
Year	1915	1940	1967	1974	2006	2015	2016	2017	2017	2017
Author(s)	Seligman Committee: Edwin R. A. Seligman, Chairman; Richard T. Ely; Frank A. Fetter; James P. Lichtenberger; Franklin H. Giddings; Roscoe Pound; Ulysses G. Weatherly; J. Q. Dealey; Henry W. Farnam; Charles E. Bennett; Edward C. Elliott; Guy Stanton Ford; Charles Atwood Kofoid; Arthur O. Lovejoy; Frederick W. Padelford; Howard C. Warren	Joint Committee(s): Commissioners not listed, but included AAUP general secretary Ralph E. Himstead and college presidents from the Association of American Colleges, e.g. Henry M. Wriston of Brown University; W.C. Dennis of Earlham College; S.P. Capen of the University of Buffalo; E.J. Jacqua of Scripps College; Meta Glass of Sweet Briar College; Carl Wittke, dean of Oberlin College; W.O. Tolley, president of Allegheny College	Kalven Committee: Harry Kalven, Jr., Chairman; John Hope Franklin; Gwin J. Kolb; George Stigler; Jacob Getzels; Julian Goldsmith; Gilbert F. White	Woodward Committee: C. Vann Woodward, Chairman; Steven A. Benner; Elias Clark; James P. Comer; Lloyd N. Cutler; Robert A. Dahl; Marjorie B. Garber; Walter R. Rieman; Philip J. Sirlin; Elisabeth McC. Thomas; Hillel Weinberg; Harry H. Wellington	Jerry Gaff, et al.	Stone Committee: Geoffrey R. Stone, Chairman; Marianne Bertrand; Angela Olinto; Mark Siegler; David A. Strauss; Kenneth W. Warren; Amanda Woodward	Peter Wood	Robert P. George and Cornel West	Jay Parini, Keegan Callanan, et al.	Stanley Kurtz, James Manley, and Jonathan Butcher
Originating Body	American Association of University Professors	American Association of University Professors, Association of American Colleges	University of Chicago	Yale University	Association of American Colleges & Universities	University of Chicago	National Association of Scholars	James Madison Program in American Ideals and Institutions, Princeton University	Many Middlebury Professors	Goldwater Institute

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Occasion	Numerous cases of alleged infringement of academic freedom	Restatement following a series of conferences, 1934-; given impetus by investigations and terminations of Communist faculty members, e.g. the Morris Schappes case	Pressure to take an official position on the Vietnam War	Several disinvitations and student riots to prevent outside speakers from speaking at Yale	David Horowitz's campaign for an Academic Bill of Rights; anti-war students preventing outside speakers from speaking	"Recent events nationwide that have tested institutional commitments to free and open discourse"	2015 Student Riots	2017 Middlebury Riot	2017 Middlebury Riot	2015-2016 Student Riots
Endorsements	Interest by American Council on Education led to drafting of the 1940 Statement of Principles; influenced <i>The Architecture of Intellectual Freedom</i>	140 professional organizations, including American Library Association, Association of American Law Schools, American Political Science Association	Influenced <i>Campus Free Speech: A Legislative Proposal</i>	Influenced <i>The Architecture of Intellectual Freedom and Campus Free Speech: A Legislative Proposal</i>	Ithaca College	Foundation for Individual Rights in Education	None to date	600+ signatories	97 signatories	None to date
University Purposes	Inquiry; human knowledge; general instruction; developing expertise for public service; generating new truths; conserving old ones	Common good	Discovery, improvement, and dissemination of knowledge	Discover and disseminate knowledge	Education for democracy and diversity	Free and open inquiry in all matters	To sustain a complex of freedoms so as to transmit our civilization and seek out truth	None given	The cultivation of the mind, thus allowing for intelligence to do the hard work of assimilating and sorting information and drawing rational conclusions	Discovery, improvement, transmission, and dissemination of knowledge
Pursuit of Truth as Ground for Free Speech	Yes: inquiry into "ultimate realities and values"	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Yes: "Truth-seeking remains essential to academic freedom"	Yes: "love of truth"	Not mentioned	Not mentioned

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Direction of Threats to Free Speech	Trustees; public and its representatives	Not mentioned	Not mentioned	Students	Conservative activists; students	Not mentioned	PC [political correctness]	PC [political correctness]	Not mentioned	PC [political correctness]
Sanctions for Violators	Yes: "judicial severity when the occasion requires"	Not mentioned	Not mentioned	Yes: "enforced by appropriate formal sanctions"	Not mentioned	Not mentioned	Yes: "backed by real sanctions"	Not mentioned	Not mentioned	Yes: "the model bill constructs a multi-tier system of sanctions"
References to Notable Violations	Yes: many, all unnamed	Not mentioned	Not mentioned	Yes: named	Not mentioned	Not mentioned	Yes: unnamed	Not mentioned	Not mentioned	Yes: named
Freedom of Teacher	Yes: <i>Lehrfreiheit</i>	Yes: research, classroom, extramural utterance	Yes: freedom of inquiry	Not mentioned	Yes: via "diversity"	Not mentioned	Yes: in classroom, coordinate with duties to students	Not mentioned	Yes: via free opinion and discussion	Not mentioned
Role of Tenure Emphasized	Yes: "to make teaching honorable and secure; to make professor independent of financial inducement or fear"	Yes: freedom and "economic security to make the profession attractive to men and women of ability"	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned
Professorial Duties	Yes: "only those who carry on their work in the temper of the scientific inquirer who may justly assert this claim"	Yes: academic freedom "carries with it duties correlative with right"	None mentioned	None mentioned	Yes: "establishing goals for student learning, for designing and implementing programs of general education and specialized study that intentionally cultivate the intended learning, and for assessing students' achievement."	None mentioned	Yes: to avoid bias and indoctrination in the classroom	None mentioned	None mentioned	Yes: "may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe"

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Classroom Privacy	Yes: "[classroom] utterances ought always to be considered privileged communications"	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned
Freedom of Inquiry and Research	Yes	Yes	Not mentioned	Not mentioned	Yes: "Academic responsibility requires professors to submit their knowledge and claims to rigorous and public review by peers who are experts in the subject matter under consideration"	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned
Freedom of Extramural Utterance and Action	Yes	Yes	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Yes
Freedom of Student	Yes: "Lernfreiheit"	Yes	Yes: as "instrument of dissent and criticism"	Not mentioned	Yes: "To develop their own critical judgment, students also need the freedom to express their ideas publicly as well as repeated opportunities to explore a wide range of insights and perspectives."	Not mentioned	Yes: "a combination of freedom from indoctrination and freedom to engage in disciplined inquiry, which includes the freedom to read, hear, and consider views that differ from those of their instructors"	Not mentioned	Not mentioned	Yes: due process; free expression, so long as other people's rights to free expression aren't infringed

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Distinction Between Freedom of Speech and Academic Freedom	Yes: "It is, in short, not the absolute freedom of utterance of the individual scholar, but the absolute freedom of thought, of inquiry, of discussion and of teaching, of the academic profession, that is asserted by this declaration of principles."	Not mentioned	Not mentioned	Yes: "We take a chance, as the First Amendment takes a chance, when we commit ourselves to the idea that the results of free expression are to the general benefit in the long run, however unpleasant they may appear at the time."	Yes: "Students do have a right to hear and examine diverse opinions, but within the frameworks that knowledgeable scholars—themselves subject to rigorous standards of peer review—have determined to be reliable and accurate."	Not mentioned	Yes: "Students do indeed have a First Amendment right to speak out on controversial issues, but their academic freedom consists of something else: the freedom to pursue an education."	Not mentioned	Not mentioned	Not mentioned
University duties to public	Yes: "The trustees are trustees for the public... They cannot be permitted to assume the proprietary attitude and privilege, if they are appealing to the general public for support. "	Yes: obligations to society and the common good	None mentioned	None mentioned	None mentioned	None mentioned	Yes: "academic freedom is a public trust"	None mentioned	None mentioned	Yes: "Every official of the university, moreover, has a special obligation to foster the free interchange of ideas and to ensure that is not obstructed."

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Religious Institutions Can Regulate Free Speech Relevant to their Credal Commitments	Yes: such institutions are becoming rarer, and they must state their religious commitments openly	Yes: 1940: "Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment." 1970: "Most church- related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 "Statement," and we do not now endorse such a departure."	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Yes: proper in "faith-based colleges and universities that explicitly frame their mission as rooted in a creedal orthodoxy"; improper as undeclared social-justice dogma	Not mentioned	Not mentioned	Not mentioned
University duties to its members	None mentioned	Yes: to provide academic freedom and to follow tenure rules strictly	Yes: institutional neutrality	Yes: "duty of all members of the University community to defend the right to speak and refrain from disruptive interference"	Yes: to support professors, "who drive the production of knowledge and the process of education "	Yes: "the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it."	Yes: to foster the complex of academic freedoms and the search for truth	None mentioned	None mentioned	Yes: "Because the university is committed to free and open inquiry in all matters, it guarantees all members of the university community the broadest possible latitude to speak, write, listen, challenge, and learn."

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University neutrality	Not mentioned	Not mentioned	Yes: "Because the university is committed to free and open inquiry in all matters, it guarantees all members of the university community the broadest possible latitude to speak, write, listen, challenge, and learn."	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Yes: "the model bill affirms the principle of institutional neutrality on issues of public controversy."
Administrative Freedom and Duties	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Not mentioned	Yes: "administrators do have the freedom to state their views publicly, but that they must do so with scrupulous attention to how those views are to be constructed. Administrators must exercise that freedom to foster rather than to inhibit the academic freedom of other members of their institution."	Not mentioned	Not mentioned	Not mentioned