

Statement on Free Speech and Expression¹

The Faculty Senate affirms the principles of Academic Freedom stated in the Faculty Handbook Section 2.9.1. In addition, the Faculty Senate affirms the following resolution:

As an institution of higher education, one specifically committed to the Catholic and Marianist tradition, St. Mary's University is committed to free and open inquiry, deliberation and debate in all matters, and the untrammelled verbal and nonverbal expression of ideas. It is important that St. Mary's University provides all members of the University community, including faculty, students, and staff, the broadest possible latitude to speak, write, listen, challenge, and learn.

The ideas of different members of the University community will often and naturally conflict. It is not the proper role of a university to insulate individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Deliberation or debate may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or ill conceived.

Individual members of the University community have the right to judge the value of ideas and to act on those judgments not by seeking to suppress speech, but by openly, energetically, and peacefully contesting those arguments and ideas that they oppose. Fostering the ability of members of the University community to engage with each other in an effective and responsible manner is an essential responsibility of the University.

The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the institution. These, however, are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions not be used in a manner that is inconsistent with a strong commitment to a free and open discussion of ideas.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed by other members of the community, or by individuals who are invited to campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of deliberation and debate, but also to protect that freedom when others attempt to restrict it.

In 1990 Ernest Boyer, President of Carnegie Foundation wrote, “[A] university is an open, honest community, a place where freedom of expression is uncompromisingly protected, and where civility is powerfully affirmed.”² Because it is essential to free and open inquiry, deliberation, and debate, all members of the University community share in the responsibility for maintaining civil and respectful discourse. But concerns about civility and mutual respect can never be used as a justification for closing off the discussion of ideas, no matter how offensive or disagreeable those ideas may be to some members of our community.

¹ This policy borrows from Georgetown University’s Policy on Speech and Expression (<https://facultyhandbook.georgetown.edu/section4/l/>) and the Report of the Committee on Freedom of Expression of the University of Chicago (<https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>).

² Ernest L. Boyer, Campus Life: In Search of Community, Carnegie Foundation for the Advancement of Teaching, Mar. 14, 1990 (<http://boyearchives.messiah.edu/files/Documents1/1000%200001%200251ocr.pdf>).