

**Committee on Academic Freedom and Responsibility, Free Expression, and  
Engagement.  
REPORT  
April 11, 2025**

**I. Executive summary**

The Committee on Academic Freedom and Responsibility, Free Expression, and Engagement met from August 2024 to April 2025. Composed of 14 faculty members drawn from across Duke’s professional schools and Trinity College, it was charged by the Executive Committee of Academic Council in consultation with the President’s and Provost’s Offices with reviewing Duke’s Academic Freedom policies, last updated in 1976. The committee reviewed the policies, discussed case studies, researched similar policies at peer institutions, investigated the history of academic freedom at Duke, met with leadership groups, held a town hall, and distributed a questionnaire to the Duke community. It submits this document as a consensus report.

Most importantly, the committee finds that academic freedom and its attendant responsibilities are essential to the existence of Duke University. Duke is dedicated to the pursuit and spread of knowledge in the service of society. This lofty goal requires the broadest possible latitude for academic freedom. Scholars cannot develop new knowledge unless they are free to inquire and to speculate without coercion or external interference; they cannot share and enhance such knowledge unless they can openly discuss it with peers, students, and the general public. Intellectual advances and new perspectives are often resisted, sometimes strenuously; academic freedom gives such advances and perspectives the space necessary to be evaluated on their merits. In the words of our former President Terry Sanford, Duke is an institution with “outrageous ambitions”; that means we must be free to articulate and evaluate ideas that initially may be regarded as outrageous. Academic freedom exists not to enforce consensus but to protect inquiry.

The foundational principles of academic freedom are rightly subject to regular reflection, examination, affirmation, and enhancement—particularly when they are under strain from forces not contemplated when Duke adopted those principles [more than a century ago](#). The committee’s deliberations and conversations with community members revealed a sense that academic freedom and free speech can be better supported and implemented at Duke. But those deliberations and conversations also led the committee to reaffirm the language of the policy itself, including its affirmative protections for research, teaching, and the freedom to act or speak in a private capacity.

To better protect and achieve those values, the committee recommends changes in visibility, messaging, and education, with the goal of demonstrating the importance of academic freedom to Duke’s mission and vitality. It recommends that a website be created that showcases the policy, that the policy be moved to the first chapter of the Faculty Handbook and its paragraphs be rearranged so that the relationship between academic

freedom and responsibility is clearer. It also recommends that Duke develop an educational module on academic freedom and responsibility for new faculty orientation, best practice documents for departments and divisions dealing with conflicts over academic freedom and responsibility, and a stronger roster of resources that are proactive as well as reactive to the difficulties faculty might face in exercising their academic freedom.

This report also contains discussion of Duke policies that, while beyond the scope of the committee's charge, nevertheless invoke the concept of academic freedom as a rationale: the question of institutional voice; and the current Pickets, Protest, and Demonstration policy.

## II. **Committee composition and process**

The Committee on Academic Freedom and Responsibility, Free Expression, and Engagement was charged by the Executive Committee of the Academic Council in consultation with the President's and Provost's Offices in the spring of 2024 and began its meetings in September, as announced by [Duke Today](#). The faculty committee consisted of 14 members and 2 ex officio members, drawn from across Duke's departments and schools, including the Schools of Law, Medicine, and Nursing, the Fuqua School of Business, the Sanford School of Public Policy, the Nicholas School of the Environment, the Pratt School of Engineering, the Divinity School, and Trinity College. Members held a variety of institutional ranks, both tenure track and non-tenure track, and represented a wide range of disciplinary expertise, experiences, and viewpoints. The committee met regularly throughout the academic year.

In addition to these meetings, committee members conducted 14 interview sessions with faculty and administrators from across the institution. They also hosted a Town Hall event on January 29, 2025 to gather input from the Duke community, including faculty, staff, and students. A questionnaire with 8 open-response questions was distributed to the Duke community, resulting in 510 responses regarding academic freedom and responsibility at Duke. 236 faculty members, roughly 6% of the total number of faculty at Duke, filled out the questionnaire.

Committee members researched academic freedom at other institutions, reviewed cases in which academic freedom was tested, and examined Duke's academic freedom policy and history. They also compiled and discussed responses from the listening sessions and community questionnaire.

The committee submits this document as a consensus report.

## III. **Report**

### A. **Importance of academic freedom at Duke.**

Academic freedom is fundamental to the life of Duke University and its core pursuits of education, research, and service. Duke's mission statement dedicates us "to promot[ing] an intellectual environment built on a commitment to free and open inquiry," and this report reaffirms that commitment without qualification. Robust freedoms to research,

publish, teach, practice, speak, listen, question, and learn are necessary for the intellectual, social, and technological advances upon which this nation and all democratic societies depend. Academic freedom and the related freedom of all members of the campus community to freely exchange ideas are essential to “provid[ing] a superior liberal education,” to “advance[ing] the frontiers of knowledge,” and to otherwise fulfilling the goals and obligations laid out in our mission statement.

Duke is dedicated to the pursuit and spread of knowledge in the service of society. This lofty goal requires the broadest possible latitude for academic freedom. Scholars cannot develop new knowledge unless they are free to inquire and to speculate without coercion or external interference; they cannot share and enhance such knowledge unless they can openly discuss it with peers, students, and the general public. Intellectual advances and new perspectives are often resisted, sometimes strenuously; academic freedom gives such advances and perspectives the space necessary to be evaluated on their merits. In the words of our former President Terry Sanford, Duke is an institution with “outrageous ambitions”; that means we must be free to articulate and evaluate ideas that may initially be regarded as outrageous. Academic freedom exists not to enforce consensus but to protect inquiry.

As a foundational principle of this university, academic freedom carries its own rights and responsibilities. As it pertains to faculty, academic freedom is the right to practice the scholarly profession according to its own standards, free from external interference by government, donors, or others. These standards ensure that academic freedom is not license, but rather liberty exercised in communities of knowledge with their own specific criteria and professional ethics, sustained by processes of peer review for both research and pedagogy. Academic freedom is thus a privilege predicated on the collective commitment of scholars not only to the pursuit of truth, but also to the ongoing adjudication of which explanations best capture the evidence. Rigorous application of those standards has served as the lodestar for the University’s unique ability and obligation to produce and spread knowledge and, in so doing, to serve the common good in a richly diverse and pluralistic society.

In exercising their rights of academic freedom and free expression, all members of the Duke community are responsible for maintaining a climate of mutual respect that enables intellectual exchange and also, in keeping with our mission statement, promotes “a deep appreciation for the range of human difference and potential, a sense of the obligations and rewards of citizenship, and a commitment to learning, freedom and truth.” Free inquiry is an essential element not only of our dedication to the pursuit of knowledge, but also of Duke’s *Commitment to Diversity and Inclusion*, which states that “Our collective success depends on the robust exchange of ideas—an exchange that is best when the rich diversity of our perspectives, backgrounds, and experiences flourishes.”

Not all speech has a place at Duke or any other scholarly institution. As a private institution, Duke University is not bound by the First Amendment, but narrowly defined and constitutionally unprotected categories of speech like harassment, unlawful discrimination, libel, plagiarism, obscenity, threats of harm, and fraud can be prohibited here just as they can at public institutions that are bound by it. The University may also reasonably regulate the time, place, and manner of expression to ensure the institution's proper functioning, although such regulations themselves should be subject to regular reflection through shared governance. And while all members of the University community are free to vigorously contest ideas and speakers on campus, they may not do so in ways that deny others the equal right to express or hear contrary views.

As with the First Amendment, the applications of academic freedom and free speech will take shape in the crucible of specific controversies, controversies that will inevitably test but not overturn Duke's shared values of "respect, trust, inclusion, discovery and excellence." The autonomy of the university and the practice of shared faculty governance enable collective deliberation and decision-making to meet our institution's needs. But in all instances, the question must be how, not whether, to live up to our commitments to academic freedom, free inquiry, and one another.

#### **B. History of Academic Freedom at Duke**

Duke University has a tumultuous history of debates and protests. Often, these efforts were led by students, as with the ["Allen Building takeover"](#) of 1969, part of the campaign to found a department of African American Studies at Duke; at other times, faculty and students combined their energies, as with [the silent vigil](#) after the assassination of Dr. Martin Luther King Jr. in 1968. The committee recognizes that Duke is still grappling with this history and its ongoing legacies.

While these dramatic events inform Duke's historical memory, we hope to place alongside them the perhaps less well-known evidence of Duke's time-tested commitment to academic freedom. That active commitment began in 1903, when, while still Trinity College, it stood firm in defending the academic freedom of History Professor John Spencer Bassett, who had published an article condemning political race-baiting by white supremacists. Furious influential segregationists, including some on the Board of Trustees, called for Bassett to be fired from the faculty and for parents and clergy to steer students away from Trinity. But the president and the majority of the board held the line. While Bassett's work does not promote racial equality by today's standards, Trinity's protection of Bassett's academic freedom is nevertheless a landmark in the development of the concept. Visiting the campus after the incident, President Theodore Roosevelt held Trinity up as a model for higher education in this regard, saying "I know of no other college which has so nobly set forth as the object of its being the principles to which every college should be devoted."

Duke's continued commitment to academic freedom stretches across the twentieth century and into the twenty-first. For example, in December of 1930, Norman Thomas, a prominent Socialist speaker, writer, and former U.S. presidential candidate, delivered a lecture at Duke at the invitation of the student-run Liberal Club. After the fact, Duke's willingness to host Thomas was criticized by journalists who decried Thomas's support for "social equality between the races" and his interest in "destroy[ing] our Government." In a letter to a Duke University trustee, President William Preston Few defended the students' and university's ability to invite any speaker to campus saying, "it is the business of Duke University to hear both sides of all questions" and that "we shall especially need the open mind and a willingness to give a fair hearing to every well-meaning man."

In 1952, Senator Joseph McCarthy threatened legal action against Duke University if Duke President Hollis Edens did not suppress a report critical of McCarthyism published by sociology professor Hornell Hart. President Edens reaffirmed academic freedom by publicly stating that a professor at Duke "has the right to pursue research investigations of his choice."

Nearly four decades later, Duke faculty clashed over the nature of a liberal arts curriculum in 1990. Some, members of the National Association of Scholars, advocated for the centering of an intellectual tradition focused on Western thought, concepts, and classics to ensure that these things would not be displaced by other areas, including minority and women's studies; others called such advocacy "racist, sexist, and homophobic." President Keith Brodie underscored that the disagreement was emblematic of the university's commitment to academic freedom noting, "The right to debate the issues is fundamental to the academic enterprise. This administration and this faculty will not permit the de facto creation of a policy of coercion or intolerance."

President Nan Keohane echoed these values in 2003 in response to the controversy over the invitation of Laura Whitehorn to speak on campus. Whitehorn, who was invited to speak on her AIDS activism, had been imprisoned for fourteen years for participating in the 1983 bombing of the United States Capitol protesting the U.S.'s invasion of Grenada. Keohane and John Burness, Duke's Senior Vice President of Public Affairs and Government Relations issued a statement saying, "We've encouraged a debate about this incident for the same reason we resist pressuring our faculty, students or departments in their selection of speakers: We are committed to an open airing of ideas and opinions. Students, faculty members and others in the Duke community benefit from hearing and debating a wide variety of ideas."

Although the challenges we face continue to change, our commitment to academic freedom and free speech remains unalterable. In the present moment, as Duke grapples with challenges that could not have been imagined when it was founded a century ago, the committee found inspiration in the documented history of commitment to the principles of academic freedom on the part of Duke's administrative

leaders, faculty, and students. These commitments are particularly noteworthy because they were forged in the face of external pressure. We include that history here in the hope that Duke's next hundred years will carry on this tradition.

**C. Statement of the committee's goals.**

The committee was charged with reviewing Duke University's academic freedom policy. This policy is currently housed in Appendix D of the Faculty Handbook and was last revised in 1976. In reviewing the policy, the committee considered the ways in which both the institution and the world it inhabits have changed since 1976, including: the inescapability of social media and the increasing porousness between intramural speech and extramural speech; the changing nature of the academic workforce and the increasing percentage of non-tenure-track faculty; and greater external pressures on university practice and policy from donors, government entities, and others. The committee also attended to aspects of academic freedom that cannot be understood as speech or expression, such as clinical practice and funding requirements. The committee's goal was to make sure that Duke's academic freedom policy met the challenges of the changing landscape of higher education in a manner in keeping with Duke's history and traditions.

**D. Recommendations.**

**i. Policy recommendations**

- a. The committee considered a variety of changes to the current policy's language and parameters. Some of those considerations are detailed below. Ultimately, however, the committee concluded that a strong affirmation of the principles of academic freedom as embodied in the current policy was more important than any minor change to it. This affirmation reflects the committee's unanimous and wholehearted commitment to these principles. Therefore, the committee **recommends no changes** to Duke's academic freedom policy. In combination with continued shared governance between faculty and administration, and greater efforts in visibility and education as detailed below, we believe that the policy can withstand the challenges of the moment.
- b. The committee concluded that the policy deserves greater prominence and visibility. **It therefore recommends moving the policy from Appendix D to the first chapter of the Faculty Handbook.**
- c. The committee also recommends **that the academic freedom policy (Appendix D.I) be more closely paired with the existing Faculty Handbook statement regarding the responsibilities attendant on academic freedom (Appendix D.III.G).** The committee believes that the current organization obscures the crucial interdependence of academic freedom and responsibility, as explained in Section III.A of this report. A draft of what this reorganization would look like is included in this report (Section V.B).
- d. The committee also **recommends that a list of resources available to faculty be included in the Faculty Handbook** following the policy.

- e. The committee held extensive discussions on the question of whom Duke’s academic freedom policy covers. We relied on the definition of “faculty” in the Faculty Handbook: “the university faculty consists of the officers of the university as elected by the Board of Trustees, the registrar, the university librarian, all deans, all regular rank faculty, and all other full-time members of the instructional staff and other persons designated by the president and approved by the Executive Committee of the Board of Trustees or by the Board of Trustees.” Yet, we also considered the fact that Duke’s faculty has a much higher percentage of non-tenure-track members than it did in 1976, including Professors of the Practice, Clinical Faculty, Lecturing Fellows, and teaching graduate students. The committee acknowledged that academic freedom in these ranks may be subject to a higher level of scrutiny and a greater burden of proof than it would be for tenured or tenure track professors—it also may be time-limited by length of contract or, in the case of graduate students, by length of course of study. Tying the strongest form of academic freedom to tenure has the advantage of preserving the unique value of tenure to university life, a value this committee wholeheartedly supports; too close an association of academic freedom with tenure, however, can leave the most vulnerable members of the instructional staff exposed to constraint or coercion. The committee therefore chose to emphasize that academic freedom grants *significant* protections to individuals of all ranks. **In sum, the policy, as written, states that the principle of academic freedom applies to all ranks, but the policy, as practiced, may manifest in different ways based on the specific circumstances of the member.**
- f. In our meetings with community members, we received a number of questions related to **the relationship between academic freedom and the constitutional right to free speech**. The current policy lists a faculty member’s right “[T]o act and to speak in their capacity as a citizen without institutional censorship or discipline.” **While we do not recommend changing the language of the policy, we offer the following elaboration here.**

One’s rights and responsibilities as a faculty member do not abrogate or obscure one’s constitutional right to free speech. Duke does not have oversight over all speech made by its employees. Individuals are more than just their jobs, and there are many matters on which faculty may speak “without institutional censorship or discipline.” Duke’s [Guide to Advocacy](#) states: “Duke recognizes and supports faculty and staff’s engagement as private citizens in public policy and the political process and does not restrict such interactions.” Academic freedom and free speech both derive from the belief that the free exchange of ideas is essential not only for a vibrant academic environment, but also for democracy itself. Our faculty enjoy the same rights to speak and act as all members of our polity.

In such speech, however, faculty must take care to clarify that they are speaking *in a private capacity*. Even when they express themselves without explicit mention of a Duke affiliation, it behooves our faculty to recognize—especially when speaking on matters related to their expertise—the special responsibilities they have by virtue of the positions they hold. As the Faculty Handbook states, “While the university will always protect freedom to espouse an unpopular cause, faculty members have a responsibility not to involve the university. Hence, when speaking, writing, or acting in the capacity of a private citizen, they should make every effort to indicate that they are not spokespersons or representatives of the university” (Appendix D.III.G).

The committee acknowledges that in the age of social media, the line between speech as a faculty member and speech as a member of the polity is difficult to draw. However, it decided against enshrining specific rules about social media in Duke’s policy. Media itself is subject to constant change, and difficult cases must be untangled as they occur.

We also note that the right to speak in a private capacity does not exempt faculty from adherence to Duke’s stated employment policies. For example, Duke’s Guide to Advocacy states that Duke employees should “use personal e-mail, social media, or other online accounts (and not duke.edu accounts or other Duke electronic resources)” when contacting political representatives or circulating political petitions. The “right to speak as a citizen” does not allow faculty to violate this internal policy under the aegis of free speech.

- ii. **Non-policy recommendations.** While the committee does not recommend changes to the Duke’s existing policy on academic freedom, we do recommend the implementation of a number of non-policy interventions to ensure that academic freedom and its attendant responsibilities are well understood and robustly practiced by the Duke community.
  - a. **Visibility.** In addition to relocating the policy to Chapter 1 of the Faculty Handbook, we recommend that a separate website be created focused on “Academic Freedom at Duke” in recognition of its importance to the institution. We also recommend the following: that this report be linked to the Academic Council website and to the Provost Committee website; and that a statement on academic freedom be made available to faculty for voluntary use in syllabi, in much the same way as sample language about disability access and religious observances are offered to faculty to use in course materials at their discretion
  - b. **Education.** We recommend that a unit on academic freedom be developed for inclusion in new faculty orientation. We also recommend that schools,



divisions, and departments develop, distribute, and discuss best practice documents to address questions of academic freedom, including those related to social media, departmental statements, and pedagogy.

- c. **Resources.** In addition to existing resources, which primarily support faculty who have encountered difficulties exercising their academic freedom, we recommend that Duke develop proactive support and advice networks for faculty teaching or researching challenging topics or considering teaching or researching challenging topics.

#### **IV. Duke policies beyond the charge of the committee and their relation to academic freedom**

##### **A. Institutional voice and its relationship to academic freedom.**

While the question of institutional voice was not included in the committee's charge, the committee felt that the relationship between institutional voice and academic freedom was too close to be ignored. The committee did not find consensus on the question of institutional voice amongst ourselves, nor did we find consensus in our community questionnaire, despite strongly expressed feelings on all sides. We offer the following analysis of the potential impact of institutional voice on academic freedom in case it is useful for subsequent decision-making on this question.

Many faculty at Duke and in higher education more generally believe that institutional neutrality is a mechanism that reinforces academic freedom. The argument here is if senior leaders take a prominent and particular stand on an issue, this may have a chilling effect on the diversity of views that important university stakeholders will feel free to express. While tenured faculty members cannot be terminated for their opinions, there are many other levers administrators have over faculty including: promotion after tenure, teaching assignments, RA/TA allocations, office/lab relocation, research budgets, summer support, salary and pay raises, and even retirement negotiations. Tenure track (but not tenured) faculty may be in a weaker position given that administrators will be pivotal in their promotion to tenure, and non-regular-rank faculty are even more vulnerable with regard to such levers. If administrators have specific views on current issues, this may discourage active debate. This is the so-called chilling effect. Another argument offered for neutrality is that once an administration starts giving institutional voice on certain issues, its silence on other issues will be read as "voice," whether intended or not.

The idea of institutional neutrality is usually traced to the University of Chicago's 1967 Kalven Report. The norm that developed at the University of Chicago does not just cover the president. Indeed, simply having institutional neutrality applied to a single official would unlikely significantly diminish academic freedom. At Chicago, the norm is embraced by divisional and department leaders as well as centers and institutes. For example, some would argue it is much less likely that a faculty member would engage in debate on a controversial issue, if their dean has taken a public stand and thus given the

impression that the dean's view is the accepted - and by implication, the only accepted - view.

There is a contrary position that is also strongly held. The argument here is that the research university is a communal institution with shared values and commitments. When there are significant developments – globally, nationally, or locally – that contravene those values or commitments, then the institution should feel free to speak up about such developments. Those holding this view feel that our higher education institutions are never really neutral and thus should be more transparent about that. A distinguished university like Duke can be a trusted voice in such moments and it would be wrong to muzzle that institutional voice. Proponents of this view also argue that university statements on the pressing issues of the day would not squelch disagreement and debate amongst institutional stakeholders and that such statements must be made with this in mind so as to protect the academic freedom of our students and faculty.

The challenge for both sides of this debate is how to draw lines to specify when and how an institution should speak out. Even for those who support institutional neutrality as an essential norm, there are important limits to that neutrality. The case for the institution speaking out with an official voice becomes strongest when the issue at stake directly and immediately, in the language of the Kalven report, “threatens the very mission of the university and its values of free inquiry.” As the Kalven report goes on to state, “In such a crisis, it becomes the obligation of the university as an institution to oppose such measures and actively to defend its interests and its values.” Of course, there is room for contestation around the precise lines. Though this “mission exception” does leave room for leaders to take a stand, today it is rarely used. The difficulty here is that there is not widespread agreement amongst university stakeholders about how to apply general agreement about our mission to the specific exigencies of a particular case.

One possible mechanism to potentially solve this problem is the formation of a faculty-nominated Committee on Institutional Voice and Academic Freedom. This committee would be very small in size and nimble enough to be consulted in real time by the administration during a crisis. This committee could be a sounding board for the President and Provost and offer advice as to whether an issue crosses the “mission exception” and warrants an institutional statement.

We also want to urge our leaders to be as clear as possible that when they do take stands on pressing issues that impact the very mission of the institution, they do so with great care, indicating to all campus stakeholders that their speaking out should not preclude disagreement, debate, or the articulation of alternative perspectives. In order to do this, we would urge that in such cases mechanisms such as community forums are used to explain decisions and to engage all viewpoints on the issue.

The foregoing analysis of the relationship between institutional voice and academic freedom is based on research into the history of institutional neutrality, a review of the policies of peer institutions, meetings with university leaders and leadership groups, comments at the community town hall, and extensive discussion amongst committee members themselves. We also drew upon the responses to our community questionnaire, which expressed a diversity of opinions on the question of institutional voice. While the survey was designed as a medium for community input into the committee's process, rather than to generate quantitative data, it is fair to say that of those faculty who chose to respond to the question about institutional voice, a majority supported institutional neutrality, with a significant minority supporting institutional voice.

**B. Duke's Pickets, Protests, and Demonstrations policy and its relationship to academic freedom.**

As a faculty committee, we felt that Duke's Pickets, Protests, and Demonstrations (PPD) policy held an equivocal place in our charge, since, while it is included in the Faculty Handbook, its application extends beyond faculty to students. Moreover, while the committee concentrated on the principles of academic freedom, the PPD policy focuses on operationalizing those principles, something that we felt was outside our remit. But we take this opportunity to note that many respondents to our questionnaire, faculty and students, expressed concern about the policy as revised this year. We understand that the Executive Committee of the Academic Council has formed a committee to review the policy; the committee supports the formation of this committee and looks forward to its findings. We take this opportunity to note how strongly academic freedom is invoked by the policy, and urge the committee formed by ECAC to take this report on academic freedom at Duke into account when reviewing the policy.

**V. Appendices**

- A. Committee charge and roster.
- B. Example of what the policy would look like at the front of the handbook.

**CHARGE TO THE COMMITTEE ON  
ACADEMIC FREEDOM & RESPONSIBILITY, FREE EXPRESSION, AND ENGAGEMENT**

Academic freedom and responsibility, free expression and belonging, and constructive engagement with different viewpoints are fundamental to the life of the university and critical to its core missions of education, research, and service. Although these commitments should not be subject to the vagaries of political moments or diminished by the passage of time alone, they are appropriately the object of regular reflection, examination, affirmation, and enhancement. In consultation with the President's and Provost's Offices, the Academic Council (via ECAC) will charge and assemble a faculty committee to examine the state of academic freedom and responsibility, free expression and belonging, and constructive engagement at Duke. Among other things, the committee will:

- (1) **review** institutional structures, governance policies, practices, and educational programs both at Duke and at peer institutions, which bear on free, open, respectful, and responsible scholarly inquiry, teaching, and service;
- (2) **examine** whether these structures, policies, practices, and programs honor Duke's commitment to the robust, respectful, and responsible exchange of ideas in a community that prizes and aspires to safeguard the belonging and flourishing of all its members; and
- (3) **describe** opportunities to affirm, deepen, and expand Duke's commitment to academic freedom and responsibility, free expression and belonging, and constructive engagement in a pluralistic community, and where appropriate, make recommendations concerning changes to existing institutional structures, policy, and practices.

The Committee will begin work in the Spring of 2024 and will issue a report jointly to the Academic Council, the Provost, and the President in the 2024-2025 academic year. In conducting its work, the Committee should consult and have access to a broad range of stakeholders, including faculty, deans, administrators, trustees, students, staff, and others.



**Committee on Academic Freedom & Responsibility, Free Expression, and Engagement**

*As of 6.11.24*

1. [Charlotte Sussman](#), Professor of English, Trinity College of Arts and Sciences and Chair of the Committee
2. [Campbell Harvey](#), J. Paul Sticht Professor, Fuqua School of Business & member of the Executive Committee of the Academic Council
3. [Peter Feaver](#), Professor of Political Science, Sanford School of Public Policy
4. [Adrian Hernandez](#), Professor of Medicine, School of Medicine
5. [Georgia Tomaras](#), Professor in Surgery, Immunology, Molecular Genetics and Microbiology, School of Medicine
6. [Joseph Blocher](#), Lanty L. Smith '67 Distinguished Professor of Law
7. [Timothy Lovelace](#), John Hope Franklin Research Scholar Professor of Law
8. [Dalia Patino-Echeverri](#), Gendell Family Associate Professor, Nicholas School of the Environment
9. [Eric Mlyn](#), Kenan Distinguished Faculty Fellow & Lecturer in the Sanford School of Public Policy
10. [Shani Daily](#), Cue Family Professor of the Practice, Pratt School of Engineering
11. [Nancy MacLean](#), William H. Chafe Distinguished Professor of History and Public Policy, Trinity College of Arts and Sciences
12. [Brittany Wilson](#), Associate Professor, Divinity School
13. [Eleanor McConnell](#), Associate Professor, School of Nursing
14. [Deondra Rose](#), Kevin D. Gorter Associate Professor, Sanford School of Public Policy

***Ex officio:***

[Trina Jones](#), Jerome M. Culp Distinguished Professor of Law and Chair of Duke's Academic Council

[Abbas Benmamoun](#), Vice Provost for Faculty Advancement

## Appendix B

### **Revised placement and consolidation of academic freedom policies. For Chapter 1 of the Faculty Handbook.**

Academic freedom is fundamental to the life of Duke University and its core pursuits of education, research, and service. Duke’s mission statement dedicates us “to promot[ing] an intellectual environment built on a commitment to free and open inquiry,” and this report reaffirms that commitment without qualification. Robust freedoms to research, publish, teach, practice, speak, listen, question, and learn are necessary for the intellectual, social, and technological advances upon which this nation and all democratic societies depend. Academic freedom and the related freedom of all members of the campus community to freely exchange ideas are essential to “provid[ing] a superior liberal education,” to “advance[ing] the frontiers of knowledge,” and to otherwise fulfilling the goals and obligations laid out in our mission statement.

Duke is dedicated to the pursuit and spread of knowledge in the service of society. This lofty goal requires the broadest possible latitude for academic freedom. Scholars cannot develop new knowledge unless they are free to inquire and to speculate without coercion or external interference; they cannot share and enhance such knowledge unless they can openly discuss it with peers, students, and the general public. Intellectual advances and new perspectives are often resisted, sometimes strenuously; academic freedom gives such advances and perspectives the space necessary to be evaluated on their merits. In the words of our former President Terry Sanford, Duke is an institution with “outrageous ambitions”; that means we must be free to articulate and evaluate ideas that may initially be regarded as outrageous. Academic freedom exists not to enforce consensus but to protect inquiry.

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In exercising their rights of academic freedom and free expression, all members of the Duke community are responsible for maintaining a climate of mutual respect that enables intellectual exchange and also, in keeping with our mission statement, promotes “a deep appreciation for the range of human difference and potential, a sense of the obligations and rewards of citizenship,

and a commitment to learning, freedom and truth.” Free inquiry is an essential element not only of our dedication to the pursuit of knowledge, but also of our parallel commitments to diversity, equity, inclusion, and civil discourse. As summarized in Duke’s *Commitment to Diversity and Inclusion*, “Our collective success depends on the robust exchange of ideas—an exchange that is best when the rich diversity of our perspectives, backgrounds, and experiences flourishes.”

Not all speech has a place at Duke or any other scholarly institution. Narrowly defined and constitutionally unprotected categories of speech like harassment, unlawful discrimination, libel, plagiarism, obscenity, threats of harm, and fraud can be prohibited here just as they can at institutions bound by the First Amendment. The University may also reasonably regulate the time, place, and manner of expression to ensure the institution’s proper functioning. And while all members of the University community are free to vigorously contest ideas and speakers on campus, they may not do so in ways that deny others the equal right to express or hear contrary views.

As with the First Amendment, the applications of academic freedom and free speech will take shape in the crucible of specific controversies, controversies that will inevitably test but not overturn Duke’s shared values of “respect, trust, inclusion, discovery and excellence.” The autonomy of the university and the practice of shared faculty governance enables collective deliberation and decision-making to meet our institution’s needs. But in all instances, the question must be how, not whether, to live up to our commitments to academic freedom, free inquiry, and one another.

### **Policy:**

#### **I. Academic Freedom**

- A.** To teach and to discuss in their classes any aspect of a topic pertinent to the understanding of the subject matter of the course being taught.
- B.** To carry on research and publish the results subject to the adequate performance of their other academic duties.
- C.** To act and to speak in their capacity as a citizen without institutional censorship or discipline.

#### **II. Mutual Obligations**

The principles of academic freedom impose certain obligations both upon Duke University and upon members of the faculty. As members of learned professions, faculty members of Duke University should remember that in a deeper sense they cannot separate freedom as a member of the academic community from their responsibility as a privileged member of society. While the university will always protect freedom to espouse an unpopular cause, faculty members have a responsibility not to involve the university. Hence, when speaking, writing, or acting in the

capacity of a private citizen, they should make every effort to indicate that they are not spokespersons or representatives of the university. (language currently in appendix D, section III.G of the handbook)

**III. Resources for faculty:**

1. Ombudsman
2. Faculty Hearing Committee.
3. Guidance on Advocacy
4. Campus Security Crisis Response Team