

The University of Michigan
REGENTS COMMUNICATION

REQUEST FOR ACTION


Subject: University of Michigan Principles on
Diversity of Thought and Freedom of Expression

Action
Requested: Adoption of Principles on Diversity of Thought and
Freedom of Expression


Effective date: January 16, 2024

I recommend that the Board of Regents adopt the Principles on Diversity of Thought and Freedom of Expression attached to this Regents Communication.

Respectfully submitted,



Santa J. Ono
President



Timothy Lynch
Vice President and General Counsel

January 2024

University of Michigan Principles on Diversity of Thought and Freedom of Expression

The University of Michigan serves the public through teaching and research. We create and advance knowledge. We prepare the next generation to participate in democracy. We fulfill our mission¹ through rigorous scholarship and scrutiny in the humanities and sciences, in the arts and engineering, in every field and every discipline. Open inquiry and spirited debate—the lifeblood of our institution—promote discovery and creativity.

We have a proud history of engaging with issues of great societal importance. Our 1988 Freedom of Speech and Artistic Expression policy, built upon the Board of Regents 1977 Freedom of Speech Guidelines, affirms protections for speakers, performers, and the audiences who assemble to watch and listen and for protestors who are free to disagree but not disrupt the presentations.² Our practice of confronting controversial topics is a hallmark of our culture. We uphold “the right to intellectual freedom” by practicing “firm traditions of self-criticism, by learning to respect differences of opinion and belief, and by recognizing that the progress of a society is inextricably linked to a diversity of opinions and beliefs and the freedom to express them.”³ When we fall short of these ideals, we vow to learn from our missteps as a community that aspires to be “leaders and best.”⁴

As a great public university guided by the letter and spirit of the First Amendment, we enthusiastically embrace our responsibility to stimulate and support diverse ideas and model constructive engagement with different viewpoints in our classrooms and labs, lecture series and symposia, studios and performance halls, exhibits and publications, and among our entire community of students, teachers, researchers, and staff. When we disagree on matters of intellectual significance, we make space for contesting perspectives. We must listen critically and self-critically.

Our commitment to freedom of expression is entirely consistent with our commitment to nurturing a diverse, equitable, and inclusive community. By bringing together individuals with different backgrounds, experiences, and viewpoints—and supporting and empowering them to use their voices and share their views—we make our community stronger and advance our mission.

We affirm the value of exchanging ideas; questioning assumptions; learning from those with whom we disagree and those whose voices have been marginalized; challenging views we find misguided or pernicious; and engaging with the broadest range of scholarly subjects and

¹ Mission Statement, University of Michigan (October 9, 1992) (“The mission of the University of Michigan is to serve the people of Michigan and the world through preeminence in creating, communicating, preserving and applying knowledge, art, and academic values, and in developing leaders and citizens who will challenge the present and enrich the future.”).

² SPG 601.01, Freedom of Speech and Artistic Expression, <https://spg.umich.edu/policy/601.01>.

³ Hon. Thurgood Marshall, Written Excerpts from Commencement Address, University of Michigan (December 19, 1964).

⁴ Louis Ebel, “The Victors” (1898).

materials. We strive to meet conflict and controversy with understanding and reason, refuting our opponents rather than revoking invitations or refusing them a platform, and contesting their ideas instead of attacking their character.

Not all ideas are of equal value. That is precisely why they must be subject to intense scrutiny and thoughtful debate. Our deep commitment to free expression does not extend to speech or conduct that violates the law or University policy, including targeted speech that constitutes bullying,⁵ defamation, destruction of property, discrimination,⁶ harassment,⁷ violence, or threats. And the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the University's ordinary activities.

We recognize that free inquiry and expression can offend. Every member of our academic community should expect to confront ideas that differ from their own, however uncomfortable those encounters may be. We commit to these Principles because they help us to create, discover, and fulfill our vital mission.

⁵ See, e.g., Statement of Student Rights and Responsibilities, IV.F. ("Bullying: any written, verbal, or physical act, or any electronic communication, directed toward a person that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the University's educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.").

⁶ See, e.g., SPG 201.89-1.

⁷ See, e.g., Statement of Student Rights and Responsibilities, IV.F. ("Harassing: conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.").