

### **Resolution 2018-3. On Principles for the Promotion and Protection of Free Speech.**

The Faculty Council endorses the “Statement on Speech at The University of North Carolina at Chapel Hill” as adopted by the Communications Working Group on March 28, 2018.

*Submitted by the Communications Working Group.*

-----  
**Full Text of the Statement:**

*Statement on Speech at The University of North Carolina at Chapel Hill*  
[Adopted by the Communications Working Group on March 28, 2018.]

The University of North Carolina at Chapel Hill is committed to the production and dissemination of knowledge through open inquiry and the fearless exchange of a wide-range of ideas. The founding charter in 1789 charges the University “to consult the happiness of a rising generation, and endeavor to fit them for the honorable discharge of the social duties of life, by paying the strictest attention to their education.” The University’s current mission statement reflects this ongoing attention to the “social” benefits that follow from providing “access to learning” to “a diverse community” by emphasizing the ways the University’s research and educational activities “enhance the quality of life” for our students and for the larger society our efforts strive to “improve.”

The ability to speak freely, debate vigorously, and engage deeply with differing viewpoints is the bedrock of our aspirations at Carolina. As the oldest state university in the country, with a long and complex history, we are ever aware that speaking out on controversial issues often raises opposition and efforts to silence the outspoken. Therefore the faculty of the University of North Carolina at Chapel Hill hereby resolve to endorse the principles for the promotion and protection of free speech on campus that were originally articulated by the faculty at the University of Chicago as follows:

[T]he ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, 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 University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University’s commitment to a completely free and open discussion of ideas.

In a word, the University’s fundamental commitment is to the principle that debate or deliberation 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 wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

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 on campus, and to criticize and contest speakers who are invited to express their views on 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 debate and deliberation, but also to protect that freedom when others attempt to restrict it.

Through calm waters and rough, the mission of The University of North Carolina at Chapel Hill is advanced by our commitment to aspirational principles that guide our public conversation no matter how unsettling. By reaffirming a commitment to full and open inquiry, robust debate, and civil discourse we also affirm the intellectual rigor and open-mindedness that our community may bring to any forum where difficult, challenging, and even disturbing ideas are presented. At Carolina, we have long known that light and liberty are the essential tools that allow problems to be seen, ideas to be tested, and solutions to be found. At a moment of deep societal division and flux, we embrace these truths once again.

Mimi V. Chapman, Professor of Social Work (Chair)

Michael J. Gerhardt, Samuel Ashe Distinguished Professor in Constitutional Law

Shayna Hill, Chair of the Employee Forum

Benny Joyner, Associate Professor of Pediatrics, Anesthesiology, and Social Medicine

John McGowan, John W. and Anna H. Hanes Professor of English and Comparative Literature

Mark McNeilly, Professor of the Practice, Kenan-Flagler Business School

Jill D. Moore, Associate Professor of Public Law and Government

Richard. Myers, Henry Brandis Distinguished Professor of Law

Gloria D. Thomas, Director, Carolina Women's Center

Lindsie D. Trego, Graduate Student, School of Media and Journalism and School of Law