

REPORT AND RECOMMENDATION ON INSTITUTIONAL PLURALISM

Tufts University is a pluralistic community, committed to academic freedom and freedom of speech. With a history of active citizenship, both locally and internationally, we are dedicated to free and open inquiry in the creation and application of knowledge. Consistent with those values, and in response to a request from the president and provost, we recommend that university leadership adopt a policy of refraining from issuing statements on political and social matters that are not directly related to the educational, research and service mission of the university. At the same time, we encourage leadership to speak forthrightly when that mission is threatened.

In this report, we set forth the process of the Working Group established by the provost, our recommended statement, the rationale for it, and the scope of its intended application. We conclude with a recommendation on follow-up mechanisms to protect academic freedom and freedom of speech. All members of the Working Group endorsed this report, though not necessarily everything in it.

THE WORKING GROUP'S PROCESS

On November 15, 2024, Provost Caroline Genco announced the formation of an Institutional Neutrality Working Group, composed of faculty selected from across Tufts' schools and tasked with exploring the appropriateness of a policy on institutional neutrality for Tufts. The group was asked to recommend, specifically, "whether it is appropriate for Tufts to establish a policy of not taking positions on geopolitical or social matters that do not pertain directly to the teaching and research mission of the university." In the event the Working Group recommended such a policy, it was further asked to draft that statement, which, Provost Genco advised, would apply university-wide to all Tufts' schools and colleges. The provost gave no sense of a desired outcome, nor did she indicate that the Working Group would be restricted to using the term or concept of "neutrality."

The Working Group met 15 times, beginning on November 12. We studied and discussed the decisions of other colleges and universities that have adopted statements concerning

institutional neutrality, institutional restraint, and related policies. We reviewed the growing literature on reasons for and against doing so and we spoke with experts outside the Tufts community. We sought the opinions of Tufts faculty, students, and staff at five university-wide listening sessions and at numerous meetings convened at Tufts' schools and colleges. We established an online portal through which their written comments could be conveyed. In total, 700-800 members of the Tufts community participated in these fora. After carefully considering the views conveyed through all these channels, we have concluded that it would be appropriate for President Kumar to issue a new policy statement concerning these matters on behalf of Tufts.

RECOMMENDED STATEMENT OF THE PRESIDENT ON INSTITUTIONAL PLURALISM

In the interest of protecting and encouraging pluralism of viewpoint among its faculty students, and staff, Tufts University leadership will refrain from making statements attributable to Tufts as an institution about political or social matters that do not bear directly upon the university's core teaching, research, and service mission or its corporate responsibilities. This policy continues Tufts' long-standing commitment to free speech, open inquiry, and academic freedom. It implies neither neutrality nor indifference on the part of Tufts leadership, faculty, staff, or students. Rather, it intends to encourage Tufts community members to speak in their own voices, as individuals or in groups.

RATIONALE

A university must be a community that seeks to learn respectfully from multiple and often conflicting viewpoints, while working to advance knowledge through rigorous inquiry and creative exploration across disciplines. The statement, therefore, recommends adherence to *pluralism* rather than neutrality. While the term pluralism has many meanings, we use it here to connote a plurality of viewpoints. The term *neutrality*, on the other hand, could be interpreted as a directive to quash some speech or mandate other speech in an effort to achieve a perfect balance that, in the give-and-take of the academic world, can never be reached. Further, neutrality is easily misunderstood as implying indifference or callousness or even capitulation in the face of mounting challenges to higher education, academic freedom and freedom of speech.

To the contrary, our recommendation aims to *bolster the protection* of free speech, open inquiry and academic freedom, and to reinforce the university's commitment to those values.

The rationale for recommending that university leaders refrain from making statements on political and social matters that do not bear directly on the university's core mission has several elements.

First, such statements can have the effect of discouraging faculty, staff and students from expressing contrary opinions.

Second, such statements are inevitably selective. University leaders cannot be expected to speak on every local, national or international event that impacts our community. Yet speaking to one issue while remaining silent on another implies that the former is weightier than the latter. That silence can alienate some faculty, staff, students and alumni by signalling that their concerns are less worthy of a statement than those of others.

Third, such statements presume to speak for others, but without their consent. The announcement of a political position, made through official channels of communication in the name of the university, could imply the existence of a campus-wide consensus. That implication would rarely be correct given the multiple viewpoints held by Tufts faculty, staff, and students, who typically come from all fifty U.S. states and a hundred different countries.

Fourth, university leaders lack the expertise to comment on every political and social issue of the day. Administrators are selected for their skill in running a university. Faculty members are hired for their subject matter expertise. The university contributes to forging values in a pluralistic society by providing a protected space within which its faculty share that expertise and students learn to formulate their own positions and develop the deliberative, persuasive, and conciliatory skills crucial to a smoothly-functioning democracy.

Our recommendation concerns statements on political and social matters that are *not* directly related to the research, teaching and service mission of the university. Conversely, it is appropriate and often necessary for leaders to speak on matters that *do* impact our core mission. Policies or events that differentiate the university from other organizations may warrant a statement, whereas policies that equally affect groups and individuals within society at large would not. Inevitably, it will not always be clear on which side of the line a policy or event falls. Recognizing that certain cases will require the exercise of judgment, leaders should err on the

side of avoiding official statements. They should especially avoid statements that discourage members of the community from speaking for themselves or expressing dissent.

University leaders may also be required to speak on matters that implicate the university's corporate responsibilities. Universities buy and sell goods and services, invest and divest, construct buildings, employ people, initiate and defend lawsuits, and engage in myriad business transactions. Many Tufts staff and faculty obtain and deploy external resources. Universities celebrate employees' accomplishments and research, publicize educational programs and praise public engagement undertaken by members of their communities. Without necessarily endorsing their positions or embracing their individual views as institutional views, these communications support the participation of community members in civil society on varying and sometimes opposite sides of social and political issues. These types of communications would not be covered by the policy to refrain from making statements.

SCOPE OF APPLICATION

The following elaboration may be useful in understanding the Working Group's intent in choosing the particular wording that we recommend.

First, the policy statement is intended to constitute a standard, not a rule. The Working Group considered recommending a rule or rules that would govern the policy's specific application, but we rejected that approach as risking precisely what we seek to avoid—quelling free and open inquiry and expression. To spell out in fine detail when certain speech is permitted or prohibited could dampen expression and promote self-censorship in the fear that the contemplated speech is somehow disapproved. A rule, moreover, could be selectively applied and turned into a formal restraint on free speech. Better, we concluded, that the president promulgate a general standard, leaving it to Tufts leaders to exercise their best judgment in carrying out the policy, consonant with its fundamental object and purpose—to protect and promote viewpoint pluralism.

Second, the policy applies to university leaders as well as the leaders of all Tufts schools and colleges who have the capacity to speak for the university or the units within.

Third, the policy does not prevent Tufts leaders from speaking on political and social issues in their own names. Like all university community members, university leaders have expertise on a range of matters and have every right to speak as individuals or collectively on those

matters. Whether they choose to do so and in what ways must be left to their own judgment. Our recommended statement simply counsels that they not speak for others without their consent.

CONCLUSION

As stated in the opening sentence of this report, Tufts is committed to pluralism, academic freedom and freedom of speech and expression. While the proposed policy is an important step towards reinforcing that commitment, it alone cannot suffice. The working group recommends a thorough review of current Tufts policies on academic freedom, freedom of speech, and time, place and manner. A committee could be established to perform these reviews. In addition, the working group recommends a review of this statement on institutional pluralism in 3-5 years.

Protecting the dignity and freedom of all community members to research, teach, work, study, inquire, debate, and to form their own opinions without fear of reprisal is essential to our enterprise as a university, especially in an era when higher education, academic freedom and free speech are increasingly threatened. For this reason, we frame our recommendations as a commitment to pluralism.

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Co-chair, Ian Johnstone, Professor of International Law, The Fletcher School

Co-chair, Colleen M. Ryan, Vice Provost for Faculty, School of Arts & Sciences

Elizabeth Byrnes, Professor of Comparative Pathobiology, Cummings School of Veterinary Medicine

J.P. de Ruiter, Professor of Psychology and Computer Science, School of Arts & Sciences and School of Engineering

Kimberly Dong, Associate Professor of Public Health and Community Medicine, School of Medicine

Kevin Dunn, Associate Professor of English, School Arts & Sciences

Kendra Field, Associate Professor of History, School of Arts & Sciences

Michael Glennon, Professor of Constitutional and International Law, The Fletcher School

Peter Levine, Lincoln Filene Professor of Citizenship & Public Affairs, Tisch College of Civic Life

Malik Mufti, Professor of Political Science, School of Arts & Sciences

Elena N. Naumova, Professor of Nutrition Epidemiology and Data Science, Friedman School of Nutrition and Science Policy

Aruna Ramesh, Professor of Oral and Maxillofacial Radiology, School of Dental Medicine

Mark A. Sheldon, Teaching Professor of Computer Science, School of Engineering

Jeannie Simms, Professor of the Practice, Media Arts and Photography, School of the Museum of Fine Arts