Title: MUFA Statement on Academic Freedom and Freedom of Expression

To protect its members' academic freedom and freedom of expression, MUFA must remain scrupulously neutral with respect to the views of its members.

The members of MUFA are a "community of scholars" dedicated to generating, preserving and distributing knowledge. Conceptual diversity is central to scholarly work. It is only through considering, studying, discussing, and debating different ideas that scholarship advances. In universities, scholarly activity is protected by the principles of academic freedom and the freedom of expression, which require the protection of diverse ideas and viewpoints regardless of how accepted, popular, or politically expedient they are (Kalven et al., 1967; Stone et al., 2014).

One of MUFA's central goals is to protect the diverse views of its members. In establishing MUFA, the faculty at McMaster formed a social contract with each other, the terms of which are written down in the MUFA Constitution, agreeing on the goals of the Association and the processes used to advance them. Like faculty associations at most other Canadian universities (Heron, 2015; Horn, 1994), MUFA was formed to advance faculty working conditions – academic freedom, compensation, tenure, and collegial governance (Jackson, 2001; Johnston, 1981).

MUFA must have a clear position on its mandate to protect academic freedom, the freedom of expression, and the freedom to dissent in the face of external and authoritarian pressures.

Historically, many threats to academic freedom and free speech in universities have come from authoritarian forces within religions, governments, and university administrations (Stone, 2015). In Canada, academic freedom became an important issue for faculty associations when Professor Harry Crowe was fired in 1958 for writing a private letter that was critical of religious influence at the university at which he worked (Horn, 1999). More recently, threats to academic freedom and free speech have arisen from governments and university administrations in Canada and all over the world (CAUT, n.d.; Dummitt & Patterson, 2022; Hodge et al., 2025; Kaufmann, 2021; Nichol, 2019; Robinson, 2025; Weinstein & Blanchard, 2023). Such actions may align with the political views of some faculty. Indeed, threats to academic freedom and free speech are sometimes driven by the political views of faculty or students (Kaufmann, 2021; MacDonald, 2018; Moon, 2018). MUFA's Constitutional mandate to protect the diversity of views of its members requires MUFA to resist such efforts.

Relatedly, the democratic mechanisms of faculty associations across Canada have at times been used to advance the political views of a subset of their members. Such efforts are also inconsistent with MUFA's mandate to protect academic freedom.

The MUFA Constitution specifies the use of democratic processes to carry out many of the day-to-day activities of the Association. However, the members of MUFA never agreed, as part of the social contract that binds them together, to submit their political and intellectual views for adjudication by a majority vote. It is nearly inconceivable that academics – a group of people whose livelihood depends on the freedom to consider, discuss, and debate ideas – would ever agree to do so. Rather, the mandate to protect academic freedom requires protecting minority views against a "tyranny of the majority". When the Association, through a majority vote, endorses the political views of some of its members over others, it tramples over this mandate.

The Kalven Report of the University of Chicago made a similar point (Kalven et al., 1967).

> The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic. It is, to go back once again to the classic phrase, a community of scholars. To perform its mission in the

> society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. It is not a club, it is not a trade association, it is not a lobby.
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> Since the university is a community only for these limited and distinctive purposes, it is a community which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. It cannot insist that all of its members favor a given view of social policy; if it takes collective action, therefore, it does so at the price of censuring any minority who do not agree with the view adopted. In brief, it is a community which cannot resort to majority vote to reach positions on public issues.

In the Association, the fundamental unit for the free expression of ideas, criticism and dissent is the individual faculty member; it is not the Association. The Association protects and sponsors the diverse views of its members, particularly dissenting voices. It is for the individual members of the Association, not the Association, to make their own judgments about which ideas are more meritorious. Consequently, MUFA does not interfere with the right of individual members to openly discuss and debate ideas, regardless of how objectionable their views may be to other members.

The mandate to protect academic freedom requires the Association to avoid evaluating, condemning or endorsing the diverse views and opinions of its members except in the limited circumstances determined by the social contract. For instance, MUFA has taken an active role in promoting gender equity in faculty compensation. Examples like this fall within MUFA's mandate to use democratic processes to protect and advocate for the working conditions of its members.

MUFA also supports the rights of its members to organize and take collective action on matters outside of MUFA's mandate, provided it does not involve the Association.

There are limits on MUFA's mandate to protect the views of its members.

- For MUFA to protect the right of its members to openly discuss and debate ideas, it is important that the Association be neutral, and be seen to be neutral, with respect to the diverse views that its members hold. A necessary corollary is that members must not attribute their own views to the Association or claim to represent the Association when expressing their views. This neutrality enables the Association to protect any and all of its members in the event that their rights of academic freedom or freedom of expression are infringed upon.
- The Association supports the right of members to vigorously contest or criticize views that they disagree with or otherwise find objectionable, but members must not interfere with the right of others to speak freely.
- To promote the democratic deliberation of matters related to its mandate, MUFA has the right to impose reasonable restrictions on the speech of its members during meetings, as specified in the rules of order adopted by the Association.
- The University may legitimately prohibit hate speech, threatening or harassing speech, defamatory speech, or speech that violates privacy or confidentiality obligations.

- The University may also impose reasonable time, place, and manner restrictions on the expression of speech so that it does not interfere with the University's regular activities.

These are narrowly crafted exceptions to the principle that members of the Association should be free to express their views on any matter, and they should never be used in a way that is inconsistent with the commitment to the freedom to openly express and discuss ideas (Stone et al., 2014).

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