

## New Campaign to Protect Academic Freedom

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Last week Free Exchange on Campus members, the American Association of University Professors launched a new "awareness and action campaign" called "Speak Up, Speak Out" to protect Academic Freedom from a spate of attacks based on the 2006 Supreme Court decision *Garcetti v. Ceballos*.

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In *Garcetti v. Ceballos*, the U.S. Supreme Court allowed a Los Angeles district attorney's office to discipline a deputy district attorney for having criticized his supervisors' actions; the Court ruled that when public employees speak "pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline." Though the Court did not address the question of whether this ruling applied to "speech related to scholarship and teaching" lower courts have construed the ruling to limit protections of faculty members' speech both in shared governance and teaching and research.

In order to maintain the University's mission to seek out truth, academic freedom protects faculty members' research and teaching as well as their right to act as citizens on issues of importance to them, or in their area of expertise. It also ensures that faculty can speak frankly in fulfilling their governance roles.

Unfortunately, the post-*Garcetti* rulings have classified research, teaching, and shared governance as "official duties." If this trend continues, the First Amendment would only protect a faculty members' speech if it they are speaking on a topic outside of their area of expertise.

To combat this new challenge, the AAUP's "Speak Up, Speak Out" campaign reminds participants that academic freedom was first asserted not as a matter of law, but as a principle vital to the functioning of higher education. To this end the AAUP is encouraging faculty members to ensure that protections for academic freedom and faculty speech are codified into their university's policy.