

President's Guidelines for Resolving Controversial Issues

Presented by President John I. Jenkins, C.S.C., April 5, 2006

Adopted by President Robert A. Dowd, C.S.C., August 9, 2024

A. Faculty and departments must explore controversial issues. A university has an obligation to promote the free discussion of issues that are controversial in our society. A Catholic university has an added obligation to sponsor academic events that consider controversial issues in the light of Catholic teachings.

B. It is understood that certain presentations are intended to be provocative, and are so with good reason. Chairs, however, must make informed judgments on whether provocative presentations have academic or artistic value, or are gratuitously offensive. While the former may merit sponsorship, the latter do not. In making such judgments all must recognize the special identity of the University of Notre Dame, and take account of associated sensibilities.

C. Departments should act within their disciplinary expertise in sponsoring events. Inter-disciplinary events are encouraged, but there should be some connection between the sponsoring department's discipline and the primary subject of the event. When inter-disciplinary events are sponsored, departments should seek joint sponsorship with relevant departments.

D. Following the principle of subsidiarity, departments are best situated to decide what events should and should not be sponsored, and to explain the nature of their sponsorship. Chairs should be an important part of communicating the academic rationale for controversial events. In contentious matters, they should avoid use of framing and language (e.g., festival, celebration, and fundraising) that misleadingly give the impression of endorsing controversial perspectives, especially those directly contrary to Catholic teachings. Chairs should not try to suppress the expression of views that merit attention. The remedy for speech which might be misunderstood as endorsement is more speech. By that is meant they should aim at ensuring that a forum is provided in which multiple viewpoints and voices on controversial topics can be heard, an appropriate balance among viewpoints is maintained, and, when a significant issue in the Catholic tradition is touched upon, that tradition should be presented. The manner in which balance and the representation of the Catholic tradition is achieved will depend on the nature of the event. If the event is a lecture by an individual, these are best achieved by sponsoring other speakers over a period of time; if the event is a conference, departments may strive to include speakers who will bring balance or a Catholic perspective.

E. Deans similarly have a responsibility to make clear on campus and off that sponsorship does not necessarily imply endorsement. In situations recognized as complicated, the Dean normally should consult with the College Council. Efforts should be made to avoid misunderstanding while supporting the balanced expression of multiple viewpoints and preserving academic freedom.

F. The President should rarely be involved in such day-to-day matters. After lower levels have attempted resolution, the President should, when necessary, make clear what is implied by departmental sponsorship in a particular case.

G. If the President has concerns that inappropriate judgments are being made, he may speak to the parties involved. If the matter cannot be resolved through informal discussion, the President will ask the Provost to gather an ad hoc advisory committee. The Provost, who does not vote, chairs the committee and may submit a separate recommendation. The committee will consist of eight members. The Academic Council will elect four members from the faculty at large. The Provost will then appoint two members from the faculty. The President will then appoint two members. The committee will be chaired by the Provost. The President will state his concerns to the committee, and, after deliberating, the committee will make a recommendation to the President on the matter. The President will then render a decision on the matter and publicly make clear his reasons for the decision. In making a decision, the President should always strive to support the expression of multiple viewpoints in a balanced fashion and to ensure the engagement of these viewpoints with Catholic thought.