

**Colorado Conference of the American Association of University Professors  
Statement on the Termination of Ward Churchill  
(to be included in the Brief of *Amici Curiae* National Lawyers Guild, et al)**

Since 1915 the American Association of University Professors has assumed the responsibility of protecting the academic freedom of university professors to teach, research, and speak without fear of retaliation from trustees whose motivation is often political. Academic freedom ensures that universities remain havens for the expression of ideas, even controversial ones, and as such is necessary for the very preservation of democracy. Trustees of public, as opposed to private (or proprietary) institutions have a particular obligation to uphold the principles of academic freedom; if a public university is going to ask the public for financial support, then they had best understand society's interest in the free exchange of ideas.

The following passage from the AAUP's 1915 Declaration of Principles on Academic Freedom and Academic Tenure states:

"Trustees cannot be permitted to assume the proprietary attitude and privilege, if they are appealing to the general public for support. Trustees of such universities or colleges have no moral right to bind the reason or the conscience of any professor. All claim to such right is waived by the appeal to the general public for contributions and for moral support in the maintenance, not of a propaganda, but of a non-partisan institution of learning."

If the lower courts' findings that faculty have no viable recourse to challenge decisions of the trustees are allowed to stand, academic freedom, including the tenure system on which it rests, will be no stronger than a university's will to protect it in the face of political pressure from trustees, legislators, and the public who may not understand the necessity of the free exchange of ideas in sustaining a vital democracy.

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