

W&M Pres urges ‘serious look’ at free speech policy after students protest ACLU speaker

By W&M News

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Students protest a presentation by the American Civil Liberties Union.

(Courtesy Isabel Larroca/ The Flat Hat)

President Taylor Reveley sent the following message to the campus community Oct. 12, 2017 – Ed.

Dear William & Mary Community,

There is a rich history of protests in the United States. Often they express deep frustration, anger and alienation. They can be instrumental in pushing our society to change in crucial ways. Protests have had an especially telling part in our country’s ongoing struggle to end racial injustice.

There are many viable ways for protests to occur at William & Mary. We value and protect the right to protest in these forms. Emphatically not among them, however, is preventing an invited speaker from making her remarks and then

preventing her from engaging in informal dialogue with members of the audience. This happened recently at William & Mary for the first time in memory.

Alma Mater Productions (AMP), the student-run programming organization on campus, invited the Executive Director of the American Civil Liberties Union of Virginia to speak at W&M on September 27. She was asked to talk about the First Amendment, to answer questions and to hear concerns, including some that would likely have been critical of the ACLU's actions in Charlottesville last August. The goal was a robust discussion to provide context, sharpen issues, and increase understanding among all comers.

As the ACLU speaker began her remarks, she was shouted down by a group of student protestors. The protestors were offered the opportunity to read a statement, which they did. They were then asked to let the speaker continue. Again, they drowned her out. And when some students from the audience gathered around her on the stage in an effort to talk informally, the student protestors formed a circle around them and shouted them down too.

Soon thereafter, I made a statement that said, in part: "Silencing certain voices in order to advance the cause of others is not acceptable in our community. This stifles debate and prevents those who've come to hear a speaker, our students in particular, from asking questions, often hard questions, and from engaging in debate where the strength of ideas, not the power of shouting, is the currency."

In my view, refusing even to hear ideas with which we disagree does nothing to sharpen our own capacity to combat them in a cogent, convincing fashion. I do not believe it is an effective way to push toward needed change. And it is very unlikely to persuade those with whom we disagree to consider the possibility that they might be mistaken.

Hanna Holborn Gray, president emerita of the University of Chicago, cut to the core when she noted that "education should not be intended to make people comfortable. It is meant to make them think. Universities should be expected to

provide the conditions within which hard thought, and therefore strong disagreement, independent judgment, and the questioning of stubborn assumptions, can flourish in an environment of the greatest freedom.”

William & Mary is a public university. As such, we are legally bound to uphold the First Amendment. Equally important, we uphold the First Amendment because it is so basic to the health of our university and our society. Here are the rules that apply when a speaker comes to campus at the invitation of an authorized sponsor.

William & Mary’s Student Code of Conduct prohibits:

- “Behaving in a manner that a reasonable person would find alarming or intimidating” (III.A.1).
- “Engaging in conduct that infringes on the rights of others” (III.A.3).
- “Disrupting or obstructing . . . the functions or activities of the university” (III.A.8). These functions include “educational activities, cultural events, and recreational, extracurricular or athletic programs.”
- “Failing to comply with the directions of university officials or law enforcement officers acting in performance of their duties” and “failure to identify oneself to these persons when requested to do so” (III.C.4).
- “Hosting guests who violate policy. All guests are expected to abide by university regulations. Students are responsible for the behavior of their guests and may be sanctioned for violations committed by their guests” (III.C.9).

William & Mary’s Statement of Rights and Responsibilities charges each member of the university community – that’s all of us – with “a responsibility, based upon the special mission of an institution of higher education, to respect the rights of others to function in an atmosphere where freedom to teach, to learn, and to conduct research and publish findings is preserved and respected, an atmosphere which includes, without limitation, . . . the right to hear and study unpopular and controversial views on intellectual and public issues” (III.A.6).

Violation of these requirements, especially if they involve denial of other people's First Amendment rights, seriously undermines William & Mary's welfare. Such violations have disciplinary consequences, with sanctions running up to and including suspension or dismissal from the university, depending on the scope and severity of an individual's actions and prior disciplinary record.

Going forward we will provide event organizers with more guidance as they plan and more support during events.

This is my twentieth year at William & Mary. Along the way I have come to know our magnificent institution very well. Among its myriad virtues, one that I've especially cherished is the civility and mutual respect with which we wage our disagreements, even when they are passionately felt. This way of living and working together has served us well. Let's not lose it.

Not losing it will entail, in part, talking with one another about very difficult matters in ways that welcome participation from many different perspectives and ensure everyone is heard. This has become hard to do these days on campuses across the country and in our society generally. Let's keep trying.

I believe, too, our campus will benefit from a serious look at the First Amendment this academic year, including how it shapes the life of a public university. It's my hope that our Law School faculty and students will join with special vigor in the conversation. All views about what the amendment does and does not protect will be welcome, as well as thoughts about its relevance for contemporary America. There are many such views. Let's engage them.

You have my best wishes.

Taylor Reveley