

# MODEL RESPONSES:

## A GUIDE TO CAMPUS PROVOCATEURS



Network of Concerned Academics  
Discovery • Debate • Diversity • Democracy



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# ABOUT THE REPORT

Different Constituencies within higher education – administrators, faculty, and students – can most effectively respond to right-wing assaults on campus life and campus politics when they make efforts to understand one another and work collaboratively. However, these constituencies are often pitted against one another, which plays into the narrative of campus provocateurs rather than protects the university. This report reflects the NCA’s collaborative process to examine and understand best practices by all three constituencies.

**Why Should You Care?.....3**

**For Administrators.....4**

**For Faculty.....6**

**For Students.....11**



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# WHY SHOULD YOU CARE?

The current debates over free speech on campus have created a misleading narrative about faculty instruction and research. The issue is not whether political conservatives may speak on college campuses—that is an ongoing and regular occurrence. The issue is whether colleges and universities may govern their own educational practices without being overridden by external groups, many of which seek to provoke distrust of higher education and of all types of academic research.

Like other countries, the United States has witnessed continuous, politically-motivated claims that universities generally impair freedom of thought and expression. These false claims help discredit university research in the eyes of the public. One well known example was right-wing speaker Milo Yiannopoulos, whose campus events were staged as much so he could claim censorship by university officials as for the sake of his actual message. He was diligently covered by his former employer Breitbart news, which has been a leader in [denying climate science](#).

A similar theme was sounded by the U.S. Secretary of Education, Betsy DeVos, in 2017, when she told a conference that “the faculty, from adjunct professors to deans, tell you what to do, what to say, and more ominously, what to think.” DeVos’s statement was one moment in a broad, longstanding campaign to depict universities as privileged bastions of liberal bias against regular Americans. Favorite examples in this campaign include gender and ethnic studies and climate science. When public figures assert again and again that universities lack

intellectual integrity, citizens have an excuse to underfund research and ignore its findings. In addition, treating campus speech exclusively as a First Amendment issue may compromise the academic freedom on which instruction and research depend. Universities must not only respect and uphold the First Amendment's strict protections for speech that pertain to the public purposes of self-government; they must also protect the conditions of open inquiry.

This means that universities must enable faculty to consider and reject claims that fail academic tests of evidence and self-reflective argument. Universities must also protect the conditions under which the frameworks and ground rules of knowledge are questioned. Since the early days of the research university (as theorized by Immanuel Kant among others), it has been understood as the place where the demands of the government, or influential lobbyists, or business interests are studied and evaluated rather than simply imposed. On campus, the First Amendment means the freedom to analyze, disprove, dispute, reject, oppose, and talk back to the purveyors of the outdated truisms or outright nonsense that the First Amendment defends.

Whatever your discipline or particular perspective, the current free speech debates threaten the authority of academic disciplines to define their knowledge, forms of scholarship, and content of teaching.



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# FOR ADMINISTRATORS

## In relation to faculty.

When faculty are attacked for extra-mural speech (Facebook, Twitter, comments at a political rally, or in an op-ed article) or in-class comments, the first response of leadership should be to state clearly the values of the university as expressed in university policy on academic freedom and free speech (distinguishing between the two).

The response of Syracuse University Chancellor Kent Syverud is exemplary. He was asked to fire Professor Dana Cloud, who had tweeted what were taken to be threats of violence from a rally in New York City that was protesting an anti-Sharia demonstration. Cloud was already on the right-wing Professor Watch List for her support of BDS and was clearly being tracked by them. An outcry from the likes of such staunch supporters of free speech as Ann Coulter demanded her firing. Syverud, refusing to concede, offered this reply: "They insist that the University - and that I - denounce, censor, or dismiss the professor for her speech,". He went on, "I can't imagine academic freedom or the genuine search for truth thriving here without free speech. Our faculty must be able to say and write things -- including things that provoke some or make others uncomfortable -- up to the very limits of the law."

The next step is to talk to the faculty member about the charges against him/her rather than accept the information provided by those making the charges. The president, provost and dean should visit with the faculty member, learn more

about the accusations and find ways to offer support, even if disagreeing on specifics. Expressing support and even solidarity with the accused faculty member is a vital part of collegiality and a clear statement of the values of the university extended toward an individual in need. The role of a university leader is to refuse pressure from legislators, politicians, trustees, donors, or outside agitators, and to use the occasion to instruct their trustees about the principles of free speech and academic freedom upon which the university is based.

The president may use his or her bully pulpit to disagree with the ideas the targeted professor has expressed, or the choice of words she has used. But the point is to teach tolerance of ideas we don't agree with, not to silence the speech with which we disagree. If there is serious question about the competence of the teacher, then there are procedures to follow to examine those charges. As in the law, a jury of one's peers can be established to weigh the merits of the charges and how they reflect on the scholarship and teaching of the faculty member. But this is usually beyond what is necessary—the firm insistence by the university leadership on the speech rights of the targeted faculty member are usually enough.

### **In relation to students.**

The key principle here is to avoid defining the situation in terms of security as much as possible. Procedures should be internal, guided by academic values and priorities, not only by managerial considerations.

If students are protesting an invited speaker, administrators should listen to their objections and then (these are often teachable moments) invite a conversation to explore possible responses (perhaps in coordination with faculty). While stating their concerns, administrators also need to acknowledge the concerns of students. Convening a university forum on how to respond, in advance of the speaker's appearance, is one possible way to address the issue.

If there are student protests, it is important to distinguish between what is unacceptable and possibly subject to disciplinary action (violent disruption) and

what is not (posters, hostile questions, picketing or boycotting the event). Also, even with unacceptable actions, procedures should be in place to address them (including student judicial boards) that handle the conduct through internal university disciplinary processes.

For student complaints about professors, see themes 1, 2 and 3 under "For Faculty."

Administrators need to be firm and vigilant about prohibiting surreptitious recording in classrooms—a practice being encouraged by groups like Turning Point USA. Universities should be clear that any audio or video recordings of class sessions without the explicit permission of the professor will be subject to disciplinary action.

### **In dealing with controversial outside speakers.**

When a controversial speaker is invited by an accredited campus group, or (as has been the case at public universities with the white supremacist Richard Spencer) when an outside organization hires an auditorium on a campus, the first concern ought to be how to meet the potential for provocation without inciting major protests. Such provocation is often exactly the result the speaker intended. The goal to make the university appear intolerant of free speech. Security, while not the first concern, should be part of a sound event management plan to enable the speech to proceed.

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Public and private institutions may have different responses because they have different legal frameworks and constituencies. At private colleges and

universities, the response of Adam Falk, President of Williams College, is exemplary. He distinguished between right-wing bloggers with offensive messages and conservatives whose point of view was worth hearing. Here was a college president insisting on the need for a speaker to bring something to the education mission of the university beyond hateful polemics. At public institutions, the president can offer a criticism of the speaker and explain in a public document why his or her views are offensive to the university community and its mission. The president can also support—indeed encourage—alternative lectures and meetings to be held in advance, at the same time, or immediately after the controversial speaker's appearance.

The administration needs to define its actions in collaboration with, not antagonism towards faculty and students. This has to be presented as an opportunity for community consolidation—despite political differences—not “class” antagonism between faculty, students, and administrators. What is at stake is the future of higher education in America. The assault is well-funded and very powerful. It needs to be resisted. University and college leaders who can work with their communities, not against them, will help protect these valuable and fragile institutions.

Patricia McGuire, president of Trinity College put it clearly when she accepted the AAUP Alexander Mikieljohn award in 2010: “The] most important obligation as a university president is not to raise money (a popular view of the presidency that is part of that devolution of [its] purpose), but rather, to protect the climate for academic freedom on campus because that climate is the lungs, the oxygen, the nourishment that is essential for the life of the university to flourish.”



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# FOR FACULTY

## **Avoid Calling for Speakers To Be Banned.**

Given that celebrity activist speakers are seeking a spectacle, trying to prevent them from speaking on campus provides them with free publicity and political credit. Instead, publicize why invited speakers' arguments are wrong and how they fail to meet genuine academic standards. One example of this can be seen in the Columbia University faculty letter responding to a scheduled appearance on campus of Charles Murray. Faculty should learn about the speakers and their backers in order to reveal both the intellectual weakness and political aims of the event.

## **Insist that campus leaders respond with concrete arguments rather than vague statements about campus values.**

Point to the ways in which the speakers debase ideas, disregard knowledge, and demean individuals and groups. Clarify the distinction between academic freedom, which is based on a relationship to truth, and free speech, which is based on a rejection of a public authority's power to suppress discussion.

## **Stand in solidarity and assist students who are seeking to organize protests or counter events in response to the speakers.**

Discourage efforts to prevent speakers from speaking and encourage organizing alternative speeches, debates, or protests. Work with students to delegitimize the speakers, not to provide them with free publicity and the status of free speech martyrs.

**Seek contacts in the press or write columns and posts.**

Explain the distinction between academic freedom and free speech and why the former is crucial to the functioning of higher education.

Understand that while an individual speaker may come and go, these issues and challenges will not go away. Form groups and organizations to be prepared for future challenges. Reach out to colleagues elsewhere and to the AAUP.

Take advantage of materials provided by The NCA.



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# FOR STUDENTS

## Know the context.

Know their game and strategize accordingly. Since Trump's election conservative and right-wing organizations and individuals have increased their recruiting efforts. Their goal is to make bigotry unchallengeable. Their goal is to make it harder for people to fight against social inequalities and structural forms of marginalization. One of their tactics is to terrorize people who disagree with them. Another of their tactics is to portray university campuses as places full of "the intellectual elite" and "the fascist left" who don't abide by claimed American values of free speech. They are using their vast resources to bring to campuses speaker-provocateurs who spew hateful ideas that demean others, in order to inflame campuses. By labelling those who object to them as not respecting free speech, they seek to reduce the credibility of academia as a whole. Don't be stage-managed. Don't fall into their traps. Think beyond them and outsmart them.

## Know your goals.

What do you want to achieve and why? Name your goals ahead of time to help you communicate clearly to the media and university administration.

Possibilities:

- Mobilizing a movement, building solidarity among people fighting for common principles of inclusivity and anti-racism.
- Countering the ideas and policies of people promoting racism and undercutting democratic education.
- Delegitimizing people who spread racist, divisive, demeaning ideas.

- Compelling university administrators to condemn the content of racist, misogynist, or Islamophobic speakers' talks.
- Making university accommodations for fascism publicly problematic for university administration. DROP THIS
- Re-centering the meanings and purposes of academic freedom, freedom of speech, first amendment rights, rights to education, etc. DROP THIS

### **Know the speaker.**

Knowing everything you can about the speaker-provocateur, their claims, policy proposals, and their funders is necessary for challenging them. This will let you set the terms of the debate. See how many of these speakers are funded [here](#).

- Develop talking points to challenge the speakers' claims and assumptions.
- Develop information-rich questions to put to the speaker during the Q&A. This is your chance to clarify what is really at stake in their presence on your campus. If you don't take part in the event, these questions could be the basis for discussion at a parallel event.

### **Know the administration.**

Have a map of who in the university administration is responsible for what -- PR, legal counsel, security, etc.-- and know what their concerns are likely to be. Engage with them in a way that lets them know that you understand where they're coming from, even if you do not agree with their priorities. Use their professed values and concerns in your arguments for what you are asking them to do. Refer to their own public statements and documents.

### **Know your ally faculty.**

Act together with those who share your values. Seek out ally academics as support, participants, and possible liaisons. Ask them for public statements in support of your positions and events. See Columbia University faculty letter [here](#).

Organize your events, publications, media, and narratives.

Organize a counter-event (a speaker, a teach-in, a celebration) at the same time as the problematic event. Draw the oxygen and attention to your priorities, goals, and values. For example, organize:

- A pride celebration.
- A teach-in on settler-colonialism that explains the connections between Islamophobic politics in Israel and the United States.
- A teach-in on McCarthyism.
- A teach-in on racism in higher education in the U.S. and elsewhere.

### **Know your rights and who can help assert them.**

Be familiar with the university rules on public events. Have printouts or URLs to relevant regulations on hand during your event.

There are intensifying efforts to criminalize protected political speech and human rights advocacy. Talk to allies at your law school clinic about what counts as protected speech and how to act towards any officials seeking to curb it. For example, if FBI agents want to talk to you, [know your rights](#).