

News

Speech Restrictions Draw Fire

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A proposed [policy](#) at Northeastern Illinois University would require protesters to submit copies of fliers and signs to administrators two weeks before bringing them on the campus, sparking criticism from free speech advocates.

The policy, introduced more than a year after two students were [arrested](#) while protesting CIA recruiters on campus, is intended to clarify university rules -- not to stifle speech, according to Sharon Hahs, president of the university. The university wants to keep a record of materials distributed on campus, but does not intend to prevent lawful demonstrations, she said.

"It would not be used to decide whether you may or may not hand it out," she said. "You just must submit a copy of it."

Asked about the rationale for prior review of materials, Hahs said Northeastern Illinois administrators are addressing potential security concerns. Particularly in the wake of recent shootings on college campuses, administrators are "expected to know" about activities on university grounds, she said.

"One of the pieces of information that might be helpful some day, some time, is what groups are on your campus and what materials are they handing out," Hahs said.

The policy has garnered the endorsement of the Student Government Association and a group representing state employees on campus, but the Faculty Senate has yet to give its approval. The Foundation for Individual Rights in Education ([FIRE](#)) called the policy "blatantly unconstitutional," and a [blogger](#) on free speech issues suggested "the entire policy needs to be tossed."

"That's really over the top, the idea that you have to turn in your visual communications a week in advance," said John Wilson, a blogger at [collegefreedom.org](#) and author of *Patriotic Correctness: Academic Freedom and Its Enemies*. "I've never seen anything quite that restrictive at a public university before."

The new policy includes "newspapers" under the definition of "visual communications," but Hahs assured that the campus's student newspaper would not be required to submit its publication to administrators in advance. Only "a random newspaper that has nothing to do with the university" would be subject to prior review, she said.

Other restrictions in the policy forbid demonstrations in particular buildings and limit protests to particular hours. Both restrictions, however, can be lifted in certain cases, according to the policy.

Employers Heckled at Fair

The Northeastern Illinois policy was created by a special university panel that included faculty and staff members and students. The group was working on the policy as early as 2006, before Matthew Larson and Kenneth Barrios, two members of an anti-war student group, were arrested while protesting the CIA. The students were charged with battery.

"Defenders of student actions at these events argue that the students were asserting their right to free speech," Hahs wrote in a 2007 newsletter. "This argument assumes that freedom of speech is subject to no restrictions. This is simply not the case, nor should it be."

Hahs theorizes that the university's career fair, which has "acquired a reputation as a contentious and inhospitable environment," has been sparsely attended because employers and military recruiters expect to be heckled by protesters. Hahs said that she would be open to protesters demonstrating outside the event, but that the university needs a policy that will prevent protesters from disrupting

the event itself.

It's not just employers who have faced protests on the campus. Students have also been on the receiving end. A group known as Heterosexuals Organizing for a Moral Environment, or HOME, has distributed "bizarre, homemade hate literature" on campus for years, according to Erica Meiners, a faculty adviser to the campus Lesbian Gay Bisexual Transgender Queer group.

Students affiliated with the gay student group approached administrators with concerns about HOME, and Hahs said the task force may have considered the concerns when crafting the new policy. But Meiners said the group never intended for a crackdown on speech.

"The curtailing of free speech was not what the LGBTQ students wanted when they asked the administration to 'do something,' " Meiners wrote in an e-mail. "LGBTQ students wanted a more robust, visible commitment to educating the campus about LGBTQ lives and communities. Some of the things they asked the administration for included training for staff and faculty around LGBTQ issues and an LGBTQ resource center, support for a LGBTQ studies program, and more."

Professor Claims Retaliation Over Speech

Recent free speech issues at Northeastern Illinois have also prompted a lawsuit from a faculty member, who alleged that she was retaliated against for supporting the students who challenged the CIA recruiters, among other issues. Loretta Capeheart, an associate professor in the department of justice studies, claimed she was denied a position as department chair -- even after colleagues elected her to the post -- because of her outspoken views.

Capeheart's initial suit against the university was dismissed, but she has filed an amended [complaint](#) against Hahs and several other administrators. Capeheart could not be reached for comment Monday, but her lawyer said he views the proposed speech policy as part of a larger pattern of challenges to the First Amendment.

"I found it very surprising, the issuance of this proposed code for speech," said Tom Rosenwein, Capeheart's lawyer. "It seems like a tremendous overreaction and is basically very hard to understand in the context of an academic institution, where presumably the free expression and clash of ideas is not only encouraged but is cherished."

— **Jack Stripling**