



Southern
Illinois University
Carbondale

Office of the Chancellor
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January 7, 2009

Samantha K. Harris
Director, Speech Code Research
Foundation for Individual Rights in Education (FIRE)
601 Walnut St., Suite 510
Philadelphia, PA 19106

Dear Ms. Harris:

This is in response to your letter of December 22, 2008. In it, you ask us to inform you if your understanding of the facts about free speech at Southern Illinois University Carbondale is in error. It most certainly is.

Your baseless claim that this University fails to uphold the First Amendment rights of students and faculty is totally erroneous.

Here are the facts.

Your letter refers to the Protest Policy in our Registered Student Organization (RSO) Handbook as designating just one area as an "Open Forum Area," located south of Anthony Hall. This designation exists to accommodate groups and individuals who wish to use amplified sound. As I am sure you would agree, in addition to protecting and encouraging a free and robust exchange of ideas, we also have an obligation to ensure that a gathering of individuals does not interfere with the rights of others on the campus.

I would draw your attention to the paragraph titled "Protest Policy" in the RSO Handbook. The first sentence refers the reader to our full policy on demonstrations, which is available at <http://www.siu.edu/~policies/policies/demonstr.html>. I would encourage you to read the full policy.

The policy begins by quoting, in part, policies of our University's governing body, the SIU Board of Trustees. "The university is a community dedicated to intellectual development by the process of rational thought and to the freedom of expression of ideas and opinions. It is a community that not only tolerates dissent; it welcomes responsible dissent and discourse on the issues of our time. Southern Illinois University has historically stood in this tradition."

It continues: "Freedom is indivisible, and recognition of this fact is paramount to the maintenance of the open university community. Freedom to protest by lawful means must and will be protected by all the authority available to the university."

The policy sets out standards of respect and civility for diversity that are designed to respect the rights of all members of the campus community. It also notes that there are two "Designated Public Forum Areas," the aforementioned "Open Forum Area" and another location near Morris Library. Rather than implementing what you refer to as "a perversion of constitutional and statutory law," our approach offers members of the campus community areas where even the presence of a large group would not interfere with the rights of others to go about their business unimpeded.

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By engaging in a thorough examination of our policies, you would be aware of a section called "Events Outside of Designated Public Forum Areas." It reads as follows: "Individuals, organizations, and groups of persons seeking to engage in noncommercial free expression on property owned and/or controlled by the University may do so in accordance with the Standards of Respect and Civility in the University Learning Community, as noted above." That does not qualify as ignoring constitutional guarantees of freedom of speech. To the contrary, it reflects our longstanding commitment to that principle and practice.

A recent example clearly illustrates that this university does not "restrict and corral free expression," as your letter erroneously suggests. In October, the Center for Bio-Ethical Reform erected a very graphic anti-abortion display that many letter-writers to our student newspaper decried as, among other things, "graphic," "upsetting" and "inappropriate." This display included images of miscarried and aborted fetuses and compared abortionists to Nazi "death camp doctors."

It is essential that you realize that this expression of a viewpoint, contentious as it may have been, did not take place in the "free/open forum areas." In fact, it was located in one of the busiest areas of campus for pedestrian traffic.

There is no prohibition on our campus that prevents anyone from handing out leaflets or pamphlets. We rightly expect demonstrators, wherever they may be on campus, not to leave an area littered with trash, debris or personal property. We also do not impose "onerous" pre-registration regulations, monetary deposits or insurance requirements on members of the campus community.

SIUC is indeed an institution committed to intellectual rigor, robust debate, and a free and vibrant community.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel Goldman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Samuel Goldman
Chancellor

c: Greg Lukianoff, President, FIRE