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Resolving Conflict on Campus: A Case Study on Free Speech and Controversial Speakers

Benson Clayton, T.¹ and Huff, J.²

I. INTRODUCTION

By their very charge, institutions of higher education are intended to serve as venues for exploring personal ideologies, promoting intellectual curiosity, and encouraging vigorous debate about contested issues. However, when an institution and its core values come into direct conflict with viewpoints that are fundamentally inconsistent with those values, the dissonance created by the clash of perspectives can be profound. Fundamental differences in perspective on highly charged issues and topics have become recurring themes for universities in the United States. From campus speakers, to speaker protests, to demonstrations in support of free speech and a range of other inclusion and diversity-related topics, the work of managing diversity related to conflict has become a high priority issue for campuses nationwide.

Strategies to address campus conflict can range from comprehensive and multipronged to singular and targeted, depending on the specific nature of the conflict. However, the tension between the key academic core values of diversity and free speech has been especially challenging, increasing the complexity of campus environments and requiring greater management expertise. How institutions choose—or fail—to effectively address such conflict can ultimately impact internal and external perceptions about the institution’s ability to create and sustain diverse, inclusive environments that are welcoming to all.

The centrality of diverse and inclusive learning environments to innovation, critical thinking and creative problem solving are vital benefits to individual campuses in the United States (“U.S.”) and generally. These benefits present compelling interests for campus leaders to determine how to more effectively manage diversity and free speech-related conflict and dissonance. This is particularly the case when such dissonance can be disruptive to academic environments, especially at

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2. Julie Huff is the Director of Strategic Initiatives and Communications for the Provost’s Office at Auburn University. Huff provides administrative leadership to the implementation of Auburn University’s Strategic Plan, and is responsible for managing multiple projects designed to advance the university’s attainment of institutional goals and commitments. Her expertise includes strategic planning, crisis management, project management, designing rhetorical strategies, data collection and assessment, case study analysis, and strategic marketing.

research universities. Such was the opportunity for Auburn University in the Spring of 2017, when the institution navigated the process of resolving conflict between its shared values of free speech, and inclusion and diversity. Auburn University employed the comprehensive values-responsibility based integrated management strategy described in this Article to address divisive discourse, conflict and tension between these two critical academic values. The values of the institution and the responsibility to maintain a safe and stable academic environment directly informed the leadership and management decisions, and actions of senior campus administrators. Ultimately, the university determined that a key component of addressing its values conflict was to create institutionally endorsed opportunities to examine its values, explore differing views and engage civil discourse.

II. A RURAL SOUTHERN CAMPUS

Opened in 1856 as the East Alabama Male College, a private liberal arts institution, the university was designated as a federal land grant institution following the Congressional passage of the Morrill Act in 1862.³ With the enrollment of Women in 1892, Auburn became the oldest four-year, coeducational school in the state and the second oldest in the Southeast.⁴ In 1899, the institution's name was changed again to become Alabama Polytechnic Institute. With the growth of its colleges and schools, in 1960, the school officially acquired the name it has long been called in keeping with its location, size, and mission—Auburn University. It integrated the student body four years later on January 4, 1964 with the enrollment of Harold Franklin, an African-American graduate student in History.⁵ Auburn's campus has grown in all aspects of its land-grant mission since the 1960s and did so by building nationally ranked academic, research, and outreach programs. In addition, continuing to increase diversity along a number of key indicators remains an important growth opportunity for the campus.

III. CAMPUS CLIMATE STUDY

During the Fall of 2015, the University of Missouri initiated a national dialogue following a student-led social movement that elucidated an undercurrent culture of racism and bigotry on its campus.⁶ Student protests and the ultimate resignation of the university's president and chancellor heightened similar issues on college campuses across the nation, including Auburn. The protests at Missouri served as a precursor to broader expressions and displays of unrest among students at higher education institutions across the U.S.

In an effort to gain an introspective view of its own culture and further examine reports of racial unrest, microaggressions, and biased statements made towards minority student groups, Auburn University's then-President and Provost launched the institution's first comprehensive Campus Climate Study. With the goal of identifying institutional barriers and determining strategies for change, the study provided

3. *The History*, AUBURN UNIV., <http://www.auburn.edu/main/welcome/aboutauburn.html>

4. *Id.*

5. *Id.*

6. Michael Pearson, *A Timeline of the University of Missouri Protests*, CNN (Nov. 10, 2015, 8:21 AM), <http://www.cnn.com/2015/11/09/us/missouri-protest-timeline/index.html>.

an exhaustive opportunity for the university's administration to engage with all stakeholder groups, beginning with affinity groups such as the Black Student Union, the Muslim Student Organization, SPECTRUM-Auburn's Gay-Straight Alliance, and Hillel (Auburn's Jewish student organization), as well as the Student Government Association.

Auburn's Climate Assessment yielded 17 recommendations for action around key diversity and inclusion-related issues and provided a blueprint for readily actionable opportunities that would ultimately lead to institutional growth. The institution's Board of Trustees reaffirmed its commitment to inclusion and diversity with the unanimous approval of a diversity statement as part of the university's mission statement. It also restructured the Office of Inclusion and Diversity to include an elevated portfolio of inclusion and diversity work requiring an increased level of experience and content expertise. Auburn hired its first Vice President and Associate Provost for Inclusion and Diversity and engaged the professional as a senior executive leader. By doing so, the university strengthened its commitment to success in the key areas outlined in the institution's strategic plan.

However, amid the backdrop of unified support for diversity and inclusion within the campus community, the university simultaneously witnessed increased activity from an unofficial, unaffiliated group known as the White Student Union ("WSU") in Fall 2016. The group's initial strategy included posting flyers that evoked Anti-Semitic and racist rhetoric on campus that quickly transitioned to an active social media presence.

IV. EXPERIENCE INFORMS STRATEGY

In Fall 2016, the university successfully navigated its first controversial speaker following an invitation from a student organization to then-*Breitbart* editor, Milo Yiannopoulos.⁷ Known for his provocative statements and conservative political views, Yiannopoulos had been notably recognized for his controversial statements against public figures. Citing the tenants of the First Amendment and the speaker's right to free speech, the sponsoring student organization immediately became a point of campus scrutiny, largely reinforced by an undercurrent of anger and frustration from peer organizations and faculty alike.

As the campus debate over Yiannopoulos's visit transitioned to social media, the university issued a brief statement that first and foremost reiterated its commitment to free speech while also detached the institution from the event. At the center of the university's strategy was the need to uphold campus safety while balancing the university's commitment to free speech. Given the raucous 2016 presidential election season and the increasing potential for protests among student groups, the university's primary strategy became one of safety. Working with law enforcement professionals, the administration decided to substantially increase security in and around the venue. In a brief statement to the campus the day prior to the event, the university stated "Auburn supports the first amendment right of free speech. We

7. Jim Little, *Milo Yiannopoulos to Speak at Auburn University on Friday*, OPELIKA-AUBURN NEWS (Oct. 6, 2016), http://www.oanow.com/news/milo-yiannopoulos-to-speak-at-auburn-university-on-friday/article_8e598778-8bf9-11e6-be4c-c7cb63cbb8fc.html.

also encourage the campus community to be respectful of others' opinions while serving as a marketplace of ideas."⁸

Engaging in a proactive strategy that also involved dialogue with student leaders, university administrators were able to construct consistent and open discourse surrounding the dissonance felt over the mutual respect for free speech and the expression of controversial views. Yiannopoulos's visit to campus provided the university with a basic organizational frame for successfully navigating controversial speakers. This experience informed a strategy that would serve the institution less than six months later, when Auburn once again navigated the fundamental conflict between institutional values, personal beliefs, and the constitutional right of free speech.

V. CONFLICTING VIEWS: FREE SPEECH AND WHITE NATIONALISTS

Following the executive order by President Trump to enact a travel ban limiting entry to the U.S. from six predominantly Muslim countries, the university began to see increased measures from members of the alt-right movement, including intensified communication by the WSU. While perhaps unintentionally orchestrated, the emergence of WSU activity became more noticeable and somewhat synchronous with other related events on the Auburn campus, particularly as the administration learned of the identity and intention of a speaker who had secured a campus facility via a space reservation requested by a non-Auburn student, unbeknownst to the university.

In March 2017, the university convened a working group of administrators and public safety professionals to develop safety plans and security measures for Richard Spencer's intended visit, using the Yiannopoulos event as a framework. While the university maintains designated outdoor open spaces for individuals to utilize (a permit is required), the group determined that the best approach was to host the event in a campus venue that would allow law enforcement to monitor the size of the crowd and better secure the auditorium and surrounding areas, including access to the building's entrances.

Despite the increased security measures, the confluence of the unaffiliated group activity and the evolving details about the campus visit from the speaker created a climate of concern among Auburn students, faculty, administrators, and staff. This concern was further exacerbated by the surge in social media communication regarding Spencer's visit and subsequent reference to his campus visit in various media outlets. Following protest from alumni, parents, faculty, students and the public, the Offices of the President, Inclusion and Diversity, and Student Affairs responded to more than 300 emails, phone calls, and inquiries expressing concerns.

The forced tension between Auburn's enduring value of "free speech" and its integral values of diversity and inclusion led to a weeklong runway of monitoring and proactive programming from April 12 through April 19, 2017. The administration remained proactively engaged in campus dynamics, including attending campus organization meetings, monitoring social media outlets (including event and speaker-related comments), providing safety and security updates, responding to faculty and staff concerns and inquiries, and helping to facilitate alternative event

8. *Id.*

plans. At the center of the university's deliberation of a response was administrative staff who contributed their talents and areas of expertise. Communication, diversity and inclusion professionals worked together on institutional messaging, Student Affairs professionals finalized plans for the alternative event and implementation, and Campus Security coordinated a formidable allied security presence with surrounding municipalities for the event.

By implementing a values-responsibility based integrated management strategy, (a strategy defined as leading and acting in the interest of the institution's core values and its responsibility to maintain a safe and stable academic environment), the campus successfully responded to campus groups as well as media inquiries that allowed for real-time monitoring, critical points in decision-making, and ongoing planning:



VI. COMMUNICATIONS AND STRATEGIC MESSAGING

As the situation evolved, the university disseminated four distinct messages in real time that were informed by the institution's values and our knowledge of the facts at various points along the unfolding situation. In addition to the statements, consistent messaging was crafted as the university responded to inquiries and comments from members of the campus community and beyond.

Using Twitter as his primary medium, Spencer announced his visit to the campus in a video posted on Tuesday, April 11, 2017.⁹ In response, the following simple statement was released to the news media and on the university's social media accounts:

9. Richard Spencer (@RichardBSpencer), TWITTER (Apr. 11, 2017, 10:32 PM), <https://twitter.com/richardbspencer/status/852031642675826690?lang=en>.

We strongly deplore his views, which run counter to those of this institution. While his event isn't affiliated with the university, Auburn supports the constitutional right to free speech. We encourage the campus community to respond to speech they find objectionable with their own views in civil discourse and to do so with respect and inclusion.¹⁰

The following day, Wednesday, April 12, 2017, the university was inundated with emails, phone calls and social media posts that called for the university to disinvite Spencer. Following increased media coverage over Spencer's visit and intensified rhetoric on social media, the university issued a second message later that day. The Provost and Vice President for Inclusion and Diversity/Chief Diversity Officer's message intentionally omitted any reference to Spencer and reiterated Auburn's core values, highlighting the university's emphasis on campus safety and available resources:

Auburn University is guided by a set of core values that serve as a foundation for excellence in instruction, discovery, and service to the state of Alabama and beyond. At the heart of Auburn's land-grant mission is our unwavering commitment to fostering a campus that upholds the principles of inclusion and diversity across all aspects of the institution.

It is our responsibility to provide opportunities for all members of our campus to engage in an academic community that celebrates and respects a broad range of ideas and perspectives. This commitment to inclusion and diversity means that we must remain committed to the tenets of academic freedom, including balancing the right of free speech with the vital practice of civil discourse and constructive engagement regarding diverse perspectives.

When our interactions and perspectives conflict with one another, we all share the responsibility of safeguarding our campus and ensuring our values of respect, dignity, and safety are upheld. It is during these times that we should model the type of inclusive environment we desire to have, even when others may not, and collectively respond to offensive speech with dialogue and behavior that is inclusive, respectful, and espouses the Auburn Creed.

There are many campus resources available to support members of our community who want to engage in the dialogue surrounding inclusion and diversity. The Center for Cross Cultural Excellence provides a space where students can gather, discuss and decompress when managing the magnitude of information of this type. Students and employees can also engage with any of the professional staff in the Office of Inclusion and Diversity, as well as the University Ombuds. These units are here to support students, faculty and staff as they navigate this complex terrain and provide opportunities for continuing dialogue.

10. Auburn University Statement on Richard Spencer, AUBURN UNIV. (Apr. 12, 2017), http://ocm.auburn.edu/newsroom/news_articles/2017/04/auburn-university-statement-on-richard-spencer.htm.

Our efforts to reinforce the values of inclusion and diversity across all aspects of Auburn's campus remain at the forefront of our work, and we thank you for your continued support.

Respectfully,

Timothy R. Boosinger, Provost and Vice President for Academic Affairs

*Taffye Benson Clayton
Associate Provost and Vice President for Inclusion and Diversity.¹¹*

On Thursday, April 13, 2017 the Provost convened the executive committees of the university's governance groups to both provide updates and gauge the sentiments of the university's stakeholders. In a unanimous decision by the administration, the university made the unprecedented decision to cancel Spencer's visit to campus on Friday, April 14, 2017, with the understanding that a lawsuit against the university would be expected. A critical decision-point for the institution, the administration cited credible threats and ongoing concerns for campus safety and released a brief statement indicating: "In consultation with law enforcement, Auburn canceled the Richard Spencer event scheduled for Tuesday evening, April 18, 2017 based on legitimate concerns and credible evidence that it will jeopardize the safety of students, faculty, staff and visitors."¹²

Supporting the university's decision, the Auburn Police Department releasing a subsequent statement: "Based on an assessment of possible civil unrest and criminal activity during a requested event, it is the opinion of the Auburn Police Division that allowing Mr. Richard Spencer to proceed with his appearance [...] would pose a real threat to public safety. We believe Auburn University's decision to keep students and others safe is appropriate at this juncture."¹³

As predicted, the decision was immediately met with support from the institution's stakeholders and staunch opposition from Spencer, as he filed suit against the university. By the following Tuesday, April 18, 2017, the university was preparing for the possibility of Spencer being allowed to speak on campus. The institution issued its third statement that morning that, in essence, served as notification:

In an effort to update the campus community regarding the recent cancellation of the Richard Spencer event, it is the university's understanding that—despite our requests for him not to attend—Spencer may still appear on Auburn's campus at some point today.

11. Timothy R. Boosinger & Taffye Benson Clayton, *Message to the Auburn Family on the Importance of Inclusion and Diversity*, AUBURN UNIV. (Apr. 13, 2017), http://www.auburn.edu/main/20170412_message.html.

12. *Updated Information on Spencer Event at Auburn*, AUBURN UNIV. (Apr. 14, 2017), http://ocm.auburn.edu/newsroom/news_articles/2017/04/updated-information-on-spencer-event-at-auburn.htm.

13. Chip Brownlee, *Citing Safety Concerns, University Cancels Richard Spencer Event*, THE AUBURN PLAINSMAN (Apr. 14, 2017, 1:31 PM), <http://www.theplainsman.com/article/2017/04/citing-safety-concerns-university-cancels-richard-spencer-event>

While the university does not know the specifics of if and when this event might unfold, the safety and security of the campus remains our highest priority.

Students, faculty, and staff should remain aware of their surroundings and report any unusual or threatening activity to the Auburn Police Division (334-501-3100). The university is working closely with law enforcement to monitor the situation and any new developments.¹⁴

In a decision by U.S. District Judge W. Keith Watkins, the federal injunction prevented Auburn from barring Spencer from speaking. Understanding this was a likely outcome, the university prepared for Spencer's visit by immediately increasing the number of law enforcement officers recruited from the Auburn, Opelika, and Montgomery areas as well as Alabama State Troopers and members of the SWOT team.

In its fourth public message to the campus, the Provost and the Associate Provost and Vice President for Inclusion and Diversity articulated an appropriate and desired tone that (1) informed the campus of the court's decision and Spencer's imminent visit, (2) reinforced that the primary concern of the university remained the safety of its constituents, (3) denounced Spencer and any other outside groups attempting to disrupt the campus, and (4) encouraged all members of the campus to attend the counter events. Citing the ethos of the Auburn Creed and the university's willingness to put security needs before constitutional rights, the message was met with an overwhelmingly positive response:

Dear Auburn Family,

Over the past week, Auburn University has faced attempts by uninvited, unaffiliated, off-campus groups and individuals to provoke conflict that is divisive and disruptive to our campus environment. Whether it's offensive rhetoric, offensive flyers around campus, or inappropriate remarks on social media, we will not allow the efforts of individuals or groups to undermine Auburn's core values of inclusion and diversity and challenge the ideals personified by the Auburn Creed.

Auburn University supports the rights and privileges afforded by the First Amendment. However, when the tenets of free speech are overshadowed by threats to the safety of our students, faculty, and staff, we have a responsibility to protect our campus and the men and women who unite our academic community. The decision to cancel the Richard Spencer event last week was informed by leadership from all of the university's shared governance groups and the Auburn Police Division, all of whom articulated legitimate concerns for the safety and security of our campus.

14. *Update for the Campus Community Regarding Spencer Event*, AUBURN UNIV. (Apr. 18, 2017), http://ocm.auburn.edu/newsroom/news_articles/2017/04/update-for-the-campus-community-regarding-spencer-event.htm.

This afternoon, a federal judge ruled that Auburn must allow Spencer to speak in the Foy Auditorium tonight. It is now more important than ever that we respond in a way that is peaceful, respectful, and maintain civil discourse. We are aware that various campus groups have planned events for this evening. Please know that additional security measures are being taken by the Auburn Police Division to uphold the safety of our community.

The Provost's Office will support requests from faculty and students to miss classes this evening.

Respectfully,

*Timothy R. Boosinger,
Provost and Vice President for Academic Affairs*

*Taffye Benson Clayton
Associate Provost and Vice President for Inclusion and Diversity¹⁵*

VII. CRITICAL DECISION-MAKING POINTS

Throughout the experience, several key decision points guided Auburn's executive leadership team:

1. **Acknowledging Stakeholder Values and Concerns:** As the event date drew closer, campus constituencies including parents and alumni concerns and fears became heightened by the prospect of Spencer's visit. Social media discourse became more uncivil and, as unconfirmed reports on social media of speaker related visitors to our campus by "the busloads" emerged, Auburn consistently and comprehensively monitored the situation.

2. **Engaging a Strong Leadership Team:** Key to the success of Auburn's approach was an Executive Leadership Team that remained engaged throughout the process. The Provost, Vice President for Inclusion and Diversity, the Vice President for Student Affairs, General Counsel, Executive Director of Campus Safety, and the Director of Strategic Initiatives and Communications met daily. Bringing these colleagues to the table allowed the university to consistently monitor, assess, and map an institutional strategy regarding how the institution would approach the management of the campus visit, the campus climate, and the events leading up to Spencer's visit.

3. **Upholding Shared Governance:** Convening leadership from all campus governance groups—including the University Senate (which represents the faculty), the Administrative and Professionals Council, the Staff Council, and the Student Government Association—all reviewed the facts and information available at that time. Among these facts were those from students and the campus security professionals indicating credible threats of violence existed that could endanger Auburn's campus community.

15. Timothy R. Boosinger & Taffye Benson Clayton, *Letter from Provost and Chief Diversity Officer Regarding Spencer Event*, AUBURN UNIV. (Apr. 18, 2017), http://ocm.auburn.edu/newsroom/news_articles/2017/04/letter-from-provost-and-chief-diversity-officer-regarding-spencer-event.htm.

4. **Understanding Campus Safety vs. Legal Ramifications:** Among the hundreds of responses the university received from stakeholders, almost all advocated that the event be cancelled. Taking all of the information into consideration—Auburn’s institutional values and the paramount issue of safety and security; the governance groups and executive leadership determined that, given what the university knew, it would be in the best interest of the campus to cancel the event. Engaging the Office of Public Safety in all decision-making was crucial to the institution’s responses.

5. **Communication and Positioning:** Despite the challenging of Auburn’s decision by a federal judge who ruled Spencer be allowed to speak and, of course, the administration’s respectful compliance with the judge’s decision, Spencer came and went with minimal disruption. Strategic communication that articulated a firm institutional position on the importance of safety and security above all else and reaffirmation of institutional values enabled the university to remain in control of the messaging.

VIII. AN INSTITUTIONAL LEARNING OPPORTUNITY: “CRITICAL CONVERSATIONS”

In addition to Auburn’s contributions to the national dialogue surrounding free speech on campus, the university committed to create opportunities for all members of the campus community to learn from its experiences. In fall 2017, the institution launched a signature speaker series designed to engage intellectual diversity and the free and respectful exchange of diverse ideas and perspectives. In an effort to underscore the criticality of diverse discourse to the foundation of the academy and democracy in the U.S., the “Critical Conversations” series was established. The series invites thought-leaders to Auburn’s campus to explore issues of inclusion and diversity research, free speech and intellectual and viewpoint diversity. In its inaugural academic year, the series will have hosted scholars, thought leaders and personalities such as Dr. Cornel West, Dr. Robert George, Howard Ross, Dr. Derald Wing Sue, Donna Brazile, Anne Compton, Jenna Bush Hager, Barbara Pierce Bush, Robert Shibley, Reshma Saujani, Peter Wood and Frank Bruni. Collectively, these voices offer Auburn’s campus a diverse cadre and caliber of perspectives. The series advances the effort to establish Auburn as a national thought leadership and learning space for matters of inclusion and diversity research, intellectual and viewpoint diversity, free speech and civil discourse.

Other notable programming includes facilitated small and large group discussion sessions with students, faculty and staff by the professional staff in the Office of Inclusion and Diversity. These efforts have explored topics such as unconscious bias, gender differences in society, microaggressions, intellectual diversity and the characteristics of inclusive environments. In response, many of Auburn’s student organizations have initiated their own programs and town halls that foster grassroots dialogue around these issues.

IX. CONCLUSION

Managing these types of situations requires substantial institutional capacity, expertise, collaboration and resources and signals a new and rather recurring reality

for campuses nationally. It is important that leaders in higher education continue to examine the landscape, create opportunities to discuss diversity and free speech related conflicts affecting all campuses, refine strategies for managing such conflict and share promising practices for broader use and adaptation. As an end goal, universities should seek to normalize an organizational culture that embodies the nexus of respect for institutional values, free speech and differing viewpoints. This approach can inform a brand of civil discourse that advances both the concept and reality of an inclusive campus community. Such a community affords every member opportunities to make valuable contributions, experience a sense of belonging and reach their maximum potential through robust intellectual engagement.