Protest and Dissent Guidelines

The right to dissent is the complement of the right to speak, but these rights need not occupy the same forum at the same time. The speaker is entitled to communicate her or his message to the audience during her or his allotted time, and the audience is entitled to hear the message and see the speaker during that time. A dissenter must not substantially interfere with a speaker’s ability to communicate or an audience’s ability to see and hear the speaker. When a meeting is closed, dissent by non-attendees is limited to activity outside the meeting that does not impede access to the meeting or substantially interfere with the communication inside. When a meeting is open, the acceptable form of dissent will depend on whether the dissenter is inside or outside the meeting and on whether the dissenter is acting before, after or during the meeting.

Picketing and Distributing Literature

Picketing in an orderly way or distributing literature outside the meeting is acceptable unless it impedes access to the meeting. Distributing literature inside an open meeting is acceptable before the meeting is called to order and after the meeting is adjourned.

Silent or Symbolic Protest

Displaying a sign, wearing significant/symbolic clothing, gesturing, standing, or otherwise protesting noiselessly is acceptable unless the protest interferes with the audience’s view or prevents the audience from paying attention to the speaker. Any use of signs, prolonged standing or other activity likely to block the view of anyone in the audience should be confined to the back of the room.

Noise

Responding vocally to the speaker, spontaneously and temporarily, is generally acceptable, especially if reaction against the speaker is similar in kind and degree to reaction in his or her favor. Chanting or making other sustained or repeated noise in a manner which substantially interferes with the speaker’s communication is not permitted, whether inside or outside the meeting.

Force or Violence

Using or threatening force or violence, such as defacing a sign or assaulting a speaker or a member of the audience, is never permitted. Any interference with freedom of movement or with freedom from personal force or violence is a serious violation of personal rights.

Audience Responsibility

The audience, like the host and the speaker, must respect the right to dissent. A member of the audience or the host organization who substantially interferes with acceptable dissent is violating
these guidelines in the same way as a dissenter who violates the rights of the speaker or audience.

**Moderator/Facilitator**

Senior HLS officials may determine that the protection of free speech at an open meeting requires the use of a moderator or facilitator. If so, the meeting must be held with a moderator/facilitator in attendance who will be selected by the sponsoring organization(s) at the time the event is scheduled, and who is subject to approval by the Administrative Dean and/or Dean of Students Office. The person selected must be perceived as neutral and non-partisan. She/he will generally be a member of the HLS or University faculty or administration. At the meeting, the moderator/facilitator must stress that his/her presence reflects no position for or against the views of the speaker or sponsoring organization. Final decisions regarding balancing the rights of the speaker with the rights of those who disagree will be made by the moderator/facilitator. This person will have final authority over all decisions, including, but not limited to:

- whether to eject a disrupter from the room;
- whether to move an event because of disruption or for security reasons;
- whether to declare an event closed; and
- whether to cancel an event because of security concerns.