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Responding to Hate: How Public Universities React  
to Alt-Right Speakers

by

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## DEDICATION

This thesis is dedicated to my mom and dad, who supported me and cheered me on when I needed it most. I love you both and I can't thank you enough. I made it through the *Paper Chase* (1973).

\**Rocky* (1976) music swells in the background\*

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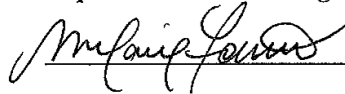
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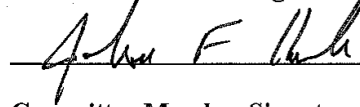
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## **Abstract**

This study examined how public universities who have hosted alt-right speakers on campus protected their reputations while also fostering a free speech environment and keeping students safe. Due to the First Amendment policies of public universities, they have a greater obligation to provide alt-right speakers a platform. However, alt-right speaking events pose risks among the university community such as violence and vandalism. These risks could potentially damage the reputation of the university. Through utilizing Situational Crisis Communication Theory (SCCT) and gathering primary documents from the universities, this study showcases the effectiveness of university strategies in regards to balancing a first amendment while maintaining student safety.

The results showed university strategies that were in-line with SCCT were more effective at maintaining their reputations and keeping students safe. Hosting events dedicated to university values and engaging in the community protected their reputations leading up to and during the alt-right speaking events. The findings demonstrate an emphasis on community engagement and maintaining a competent security presence in order to keep the community safe while maintaining a free speech environment.

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## INTRODUCTION

The alt-right movement has been steadily growing since 2015, both online and in the general public. While the group does not formally define its mission, their conservative and white-supremacist views have remained consistent since its inception. Its presence has been felt at numerous political functions and events. As a result, concerns have arisen, wherein merely giving alt-right writers a platform could potentially legitimize the alt-right.<sup>1</sup> Arguably, when an alt-right figurehead is given a platform to speak as an expert, that platform validates that writer's work just by the coverage of the event, as well as the prestige associated with a university.<sup>2</sup> Additionally, a university that provides a platform for the alt-right could damage its own reputation, because allowing the alt-right to speak could align that university with their views and force the public to question the institution's judgment and values. Subsequent protests and demonstrations from students and alt-right supporters could also be a safety risk for students and faculty. These concerns could negatively impact the reputation of that university, causing their stakeholders, such as students, parents, alumni, faculty, and staff, to lose faith in the administration's judgment, damaging its image.<sup>3 4 5</sup> With the advent of social media and the proliferation of online news and blogs, it is imperative that a university's reputation is protected.<sup>6</sup> Therefore, a public university providing a platform for the alt-right could validate their ideas, while decreasing the reputation of the public university. As such, this

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<sup>1</sup> Mozur & Scott, 2016

<sup>2</sup> Carroll & McCombs, 2003

<sup>3</sup> Coombs, 2007

<sup>4</sup> Barton, 2001

<sup>5</sup> Dowling, 2002

<sup>6</sup> Carroll, 2003

study analyzed the different approaches used by public universities to respond to alt-right figureheads who attempt to speak on their campuses.

This study looked at the responses from public universities that have hosted alt-right figures as campus speakers. As examples, Richard Spencer and Milo Yiannopoulos are the individuals that were addressed in this study due to their popularity and the influence they have within the alt-right community as writers and speakers. Both Spencer and Yiannopoulos achieved their fame and status through their work as writers and bloggers, promoting alt-right agendas and being heralded by their peers as alt-right figureheads. This case study examined specific instances when Spencer and Yiannopoulos attempted to speak at public universities, specifically at the University of Florida (UF), University of Virginia (UVA), and the University of California, Berkley. Overall, this study examined:

- 1) messaging techniques of the universities,
- 2) target audiences and crisis histories that universities have to take into consideration when constructing messages, and
- 3) statements universities made in response to the speaker.

The main goal of this study was to examine how public universities react to alt-right speakers on campus. By focusing on primary sources, including: public statements by the universities and letters sent to students, parents, and faculty from the administration, the researcher developed an understanding regarding the impact alt-right speakers can have on a university and its community. This understanding determined if letting alt-right figureheads speak could be labeled as a crisis. The study analyzed the reactions from the public universities that the speakers went to, and their responses after the speakers spoke on campus. This study then examined Situational Crisis



Communication Theory (SCCT) methods used by universities to address crisis issues when hosting alt-right speakers. By focusing on the impact of alt-right speakers and university responses, the results of this study can be used practically for universities concerned with similar issues of extremist and controversial speakers coming to their campuses.

### **Literature Review**

The literature review first outlined how hate speech has been defined and regulated over time, going through the history of hate speech legal development. Starting the literature review by examining hate speech contextualizes how public universities responded to controversial speakers throughout their history. The literature review then examined examples of student political demonstration, using those examples to contextualize how political demonstration is a part of university life, along with legal implications regarding regulating hate speech on public university campuses. This further extended to a legal history of hate speech regulations on campuses, as well as a legal history of political speech. The literature review then developed a brief history of the alt-right and how its description evolved from a primarily youth oriented alternative to traditional conservative values into a more deeply rooted movement in White nationalism. The literature review also included a summarization of the various speeches Richard Spencer and Milo Yiannopoulos gave at universities, and how each of those universities responded. The primary theory discussed in the literature review is Situational Crisis Communication Theory (SCCT). Using Coombs (2007) as a foundation, the literature review expanded on the initial theory to address instances when it's applied and the dangers of when the theory isn't properly used.

## Hate Speech

The legal protection of hate speech is factored into a university's decision-making when crafting hate speech policy in the United States. While the definition of hate speech varies by country, in the United States a common definition, based on the *Encyclopedia of the American Constitution*, is, "...communications of animosity or disparagement of an individual or a group on account of a group characteristic such as race, color, national origin, sex, disability, religion, or sexual orientation."<sup>7</sup> While the United States doesn't have explicit hate speech laws, since criminalizing hate speech violates the First Amendment, Supreme Court cases have frequently deliberated regulating hate speech without impeding on First Amendment rights.<sup>8</sup>

One of the earliest cases to contribute to hate speech regulations was *Abrams v. United States* (1919); however, the subject matter was more focused on speech related to political subversion. When the case was brought to the Supreme Court, they ruled in favor of the prosecution, establishing that the speech was designed with intent to commit illegal activity, namely violating the Espionage Act of 1917, rather than just expressing political opinion. As such, the speech was not protected under the First Amendment. Justice John Clarke (1919), who delivered the majority opinion, highlighted the intent of the defendants, stating:

"This is not an attempt to bring about a change of administration by candid discussion, for no matter what may have incited the outbreak on the part of the defendant anarchists, the manifest purpose of such a publication was to create an attempt to defeat the war plans of the government of the United States, by bringing upon the country the paralysis of a general strike, thereby arresting the production of all munitions and other things essential to the conduct of the war."<sup>9</sup>

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<sup>7</sup> Nockleby, 2000, P.1277-1278

<sup>8</sup> Volokh, 2015

<sup>9</sup> *Abrams v. United States*, 1919 250 U.S. 622

This decision established a trend regarding hate speech legislation, namely that speech could only be banned based on intent or leading to criminal activity, not because the speech was offensive.

*Beauharnais v. Illinois* (1952) became one of the cases that provided a legal basis for hate speech. In this case, the defendant published a leaflet calling on the Mayor of Chicago, “to halt the further encroachment, harassment and invasion of white people, their property, neighborhoods and persons, by the Negro”<sup>10</sup>. The defendant was tried and convicted for violating Illinois’ libel laws and was eventually brought before the Supreme Court. The Court ruled in favor of the state, finding that the speech violated the state’s libel laws, which made it illegal to convey speech that showcased, “depravity, criminality, unchastely, or lack of virtue of a class of citizens of any race, color, creed or religion.”<sup>10</sup> In this case, hate speech that takes the form of libel, which is already a non-protected form of speech, was not protected under the First Amendment. This decision established the idea that the levels of protection for hate speech was not based on the actual content but rather the manner it was delivered, in this case through libel, which is illegal. Therefore, hate speech could be regulated if the speech is tied to already existing laws regarding non-protected speech.

The *Beauharnais v. Illinois* (1952) decision however has been critiqued overtime through various cases, as the libel exception for unprotected hate speech was viewed as too broad. In *New York Times Co. v. Sullivan* (1964) the Supreme Court rejected the view that libel is categorically unprotected speech, stating that the libel exception for unprotected hate speech requires showing that the speech needs to be directed “of and

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<sup>10</sup> *Beauharnais v. Illinois*, 343 U.S. 252 (1952)

concerning” a particular person. The *Garrison v. Louisiana* (1964) also rejected the decision that protected speech can be restricted to speech with good motives<sup>8</sup>. As such, while the *Beauharnais v. Illinois* (1952) decision reinforced the notion that hate speech is not protected when applicable to already existing non-protected speech, limiting the impact of unprotected speech can also impact how it applies to hate speech.

The definition and regulation of hate speech further developed in *Brandenburg v. Ohio* (1969), in which Clarence Brandenburg, a Ku Klux Klan (KKK) leader, held a rally that was covered on Cincinnati television. The rally included Klansmen in full garb carrying firearms and participating in a cross burning. Brandenburg was arrested, charged, and convicted for advocating violence. When the case was brought to the Supreme Court, they reversed the conviction, concluding that speech would be restricted if the language; “directed to inciting or producing imminent lawless action and is likely to incite or produce such action.”<sup>11</sup>

The implications of the decision focused the regulation of hate speech as being tied to lawless action. Hate speech can only be regulated if it’s designed to produce lawless action, such as advocating violence. The focus goes beyond the content of the speech, such as level of offensiveness, and delves more into the intent behind the speech, namely explicitly advocating violence against a group of people<sup>12</sup>. As such, the definition of hate speech expanded to include speech that was specifically designed to instigate lawless action, similar to the ruling of *Abrams v. U.S.* (1917). The implications of the case also showcase the line of protection for the assembly of hate groups, like the KKK, being at the level of becoming an imminent threat. Groups that use hate speech have the

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<sup>8</sup> Volokh, 2015

<sup>11</sup> *Brandenburg v. Ohio*, 395 U. S. 444 (1969)

<sup>12</sup> Morrison, 2013

right to organize but they are no longer protected when the group is determined to be sufficiently threatening, such as advocating violence or lawless action<sup>12</sup>. At the same time, concerns were also raised regarding the decision giving the State more power to regulate speech, particularly that speech can be suppressed solely on how well a prosecutor could argue that the speech incites imminent lawless action. This power shift toward the state could potentially be used against minority communities who march and advocate for protection from groups who use hate speech.<sup>13</sup> These concerns are further heightened when the oppressive group is in a greater position of power and control over a vocal minority group's speech<sup>14</sup>.

Outside of language, the issue regarding hate speech in the form of symbolic speech was addressed in *National Socialist Party of America v. Village of Skokie* (1977), in which the National Socialist Party of America (NSPA), attempted to hold a rally in a Jewish community, which included Holocaust survivors and their relatives. After an injunction was issued on the NSPA, barring the marchers from wearing Nazi uniforms and swastikas, the case was brought to the Supreme Court, which ruled that brandishing swastikas was protected as a form of symbolic speech under the First Amendment.

The implications from the decision showcased that displaying symbols related to hate speech, such as swastikas, did not constitute as unprotected speech. This is particularly in the case of individuals exercising their right to assembly while not inciting illegal activity. It also established that the political majority of the audience where the demonstration is happening cannot determine what speech was acceptable, as it infringes

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<sup>12</sup> Morrison, 2013

<sup>13</sup> D'Amato, 2017

<sup>14</sup> Spillenger, 2015

on the rights of the demonstrators to voice their views in an orderly manner.<sup>15</sup> At the same time, the decision may fail to take into consideration the psychological harm regarding hate speech, beyond simply physical harm, even during demonstrations that may seem outwardly peaceful.<sup>16</sup> The decision also furthers the trend from *Abrams v. United States* (1919) and *Brandenburg v. Ohio* (1969) regarding hate speech, namely that it could only be banned if it was instigating illegal activity, not based on whether the content itself was offensive. It also established that hate speech tied to already protected forms of speech, such as symbolic speech or freedom of assembly, could not be regulated.

Protection of symbolic speech that was considered offensive or unruly under the First Amendment was established during the case of *Texas v. Johnson* (1989); regarding a federal law banning flag burning during political demonstrations. When the case was brought to the Supreme Court, a split decision ended up deciding that the act of flag burning was a form of protected symbolic speech and struck down the federal law that initially banned flag burning. Justice William Brennan wrote, “If there is a bedrock principle underlying the First Amendment, it is that the Government may not prohibit expression of an idea simply because society finds the idea itself offensive or disagreeable.”<sup>17</sup> The “Bedrock Principle,” as it became known, further declared that the First Amendment bars the state from criminalizing individual speech based on “the content of the message he conveyed.”<sup>17</sup> However, the same principle has been applied to other examples of symbolic speech, including hate speech. The Bedrock Principle has

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<sup>15</sup> “When the Nazis Came to Skokie”, 2017

<sup>16</sup> Cohen-Almagor, 1993

<sup>17</sup> *Texas v. Johnson*, 1989 U. S. 414 (1989)

become applicable to various forms of hate speech regulation, namely that the content of the speech cannot be the bases for which speech is regulated.

Overall, these cases reinforce the idea that hate speech, on its own, is protected under the First Amendment. The cases *Abrams V United States* (1919), *National Socialist Party of America v. Village of Skokie* (1977), and *Texas v. Johnson* (1989) all showcase a common trend that hate speech is protected under the First Amendment, and cannot be banned due to the speech being controversial or offensive. Hate speech however can be banned if, like in cases such as *Beauharnais v. Illinois* (1952), the speech is used to incite illegal activity. However, even the criticisms against *Beauharnais v. Illinois* (1952) showcased how hate speech can be regulated in conjunction with changes to classifications of protected speech. These trends and the Bedrock Principle eventually tie into the crafting of university policy regarding controversial speakers, namely that the offensiveness of the content should not be the basis for rejecting a speaker. The types of speech that can be classified as unprotected speech are designated “fighting words”, which is based on how the speech is used.

### **Fighting Words**

The term “fighting words” became defined as speeches that “inflict injury or tend to incite an immediate breach of the peace”<sup>18</sup>. This specification provided a legal distinction between speech that showcased unpopular political views and threatening speech. The term has been used in various cases to address speech and expressive acts that are not protected under the First Amendment. Fighting words was first introduced into legal lexicon in the case of *R.A.V. v. City of St. Paul* (1990), where a white teenager

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<sup>18</sup> Gold, 2014, p. 32

was charged with a hate crime and disorderly conduct after burning a cross on a black family's lawn. The decision from *Texas v. Johnson* (1989) was used to conclude that the hate crime legislation infringed on the teenager's First Amendment rights, making the city's hate crime legislation unconstitutional. When the case was brought to the U.S. Supreme Court, St. Paul's hate crimes ordinance was found to be too broad. The judge stated that the law should be interpreted to apply only to "fighting words," speech that is not protected by the First Amendment.<sup>19</sup>

The implications of the final decision noted how hate speech tied to fighting words was unprotected, stating, "The burning of a cross is itself an unmistakable symbol of violence and hatred based on virulent notions of racial supremacy."<sup>20</sup> The initial decision narrowed the focus of hate crime legislation so that only fighting words would not be covered under the First Amendment, thus balancing the rights of freedom of speech while targeting instances of threatening speech like cross burnings. The definition of fighting words was taken from older cases regarding the classification of protected speech.

One of the earliest cases that contributed to the development of fighting words was *Chaplinsky v. New Hampshire* (1942); in which a man publicly insulted a city marshal. The man was charged with a New Hampshire state crime that banned speech that showcased offensive, derisive, or annoying language, including name-calling to individuals in public. The final decision of the New Hampshire Supreme Court ruled that fighting words include language that only causes injury or incites an immediate breach of

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<sup>19</sup> Gold, 2014 p. 31

<sup>20</sup> *R.A.V. v. City of St. Paul*, 505 U.S. 3977 (1990)



the peace, and did not further the “exposition of ideas”<sup>21</sup>. Specifically, Justice Frank Murphy explained how the language that constituted fighting words did not possess any social value, and therefore was not protected under the First Amendment. Justice Murphy (1942) stated

There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or "fighting" words those which by their very utterance inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.<sup>22</sup>

The Supreme Court updated the standard definition of fighting words in *Terminiello v.*

*Chicago* (1949) when an anti-Semitic speech given by former priest Arthur W.

Terminiello, directed at Jews and city officials, led to a disturbance amongst a Chicago crowd. While the Court upheld Terminiello’s right to give a public speech, they noted that speech could be restricted when it was, “likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest.”<sup>23</sup> The decision went on to reinforce hate speech cases such as *Beauharnais v. Illinois* (1952) and *Texas v. Johnson* (1989), which prioritized whether the speech led to lawless action over the offensiveness of the speech itself.

The idea of fighting words inciting unrest or breach of the peace was later reinforced in *Feiner v. New York* (1951). In 1951, a college student named Irving Feiner was arrested after making an inflammatory speech on a sidewalk to a crowd of Black and White people, insulting President Harry Truman, the American Legion, and various New

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<sup>21</sup> Gold, 2014, p. 34

<sup>22</sup> *Chaplinsky v New Hampshire*, 315 U.S. 567 (1942)

<sup>23</sup> *Terminello v Chicago*, 337 U.S. 4 (1949)

York politicians. When the case was brought to the Supreme Court, Chief Justice Fred Vinson stated that *Feiner*, "gave the impression that he was endeavoring to arouse the Negro people against the whites, urging that they rise up in arms and fight for equal rights."<sup>24</sup> The final decision ruled in favor of the state, noting that *Feiner*'s arrest did not violate the First Amendment because the police were responding to the crowd potentially rioting, not the content of *Feiner*'s speech itself. The decision reaffirmed both fighting words and hate speech cases focusing more on the delivery of the speech than the content itself.

The decision was further emphasized in *Brandenburg v. Ohio* (1969), in regards to speech leading to lawless action. When the case was brought to the Supreme Court, they reversed the conviction, concluding that speech would be restricted if the language, "directed to inciting or producing imminent lawless action and is likely to incite or produce such action"<sup>11</sup>. As part of the *per curiam* majority opinion, the Supreme Court created a new test called the "imminent lawless action" language, also known as the *Brandenburg Test*, for measuring if speech can lead to lawless action or intends to lead to lawless action. The *Brandenburg Test* acts as an extension of the Judge Learned Hand decision from *Masses Publishing Co. v. Patten* (1917) regarding advocacy protections under the First Amendment, stating "[i]f one stops short of urging upon others that it is their duty or their interest to resist the law, it seems to me one should not be held to have attempted to cause its violation."<sup>25</sup> The *Brandenburg Test* built up from that decision by focusing on the intent, imminence, and likelihood of the speech leading to lawless action.

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<sup>24</sup> *Feiner v. New York*, 340 U.S. 315 (1951)

<sup>11</sup> *Brandenburg v. Ohio*, 395 U.S. 444 (1969)

<sup>25</sup> *Masses Publishing Co. v. Patten*, 244 F. 535 (1917)

The distinction between speech that could potentially incite a riot was made apparent in *Gregory v. City of Chicago* (1969), a case in which comedian Dick Gregory and protestors were arrested and convicted after refusing to stop protesting by orders of the police. After they were convicted of disorderly conduct, the case was brought before the Supreme Court. The Supreme Court overturned the conviction, Chief Justice Warren stated that the protesters were not arrested because of the crowd's response but because they refused to obey police orders regarding their peaceful protest, stating:

“...petitioners were convicted not for the manner in which they conducted their march, but rather for their refusal to disperse when requested to do so by Chicago police. However reasonable the police request may have been, and however laudable the police motives, petitioners were charged and convicted for holding a demonstration, not for a refusal to obey a police officer.”<sup>26</sup>

The decision was reinforced during *Cohen v. California* (1971), in which Paul Cohen was convicted of disturbing the peace after wearing a jacket with the phrase “Fuck the Draft” while inside a Los Angeles Courthouse. The Supreme Court overturned the initial court ruling based on a number of factors that eventually contributed to the development of fighting words. First, Justice Marshall Harlan II noted that the initial ruling was focused on “speech” rather than the conduct of Cohen himself, citing *United States v. O'Brien* (1968), which ruled that laws against burning draft cards were not prohibited under the First Amendment. Second, Justice Harlan stated that the speech codes were too vague, noting that simply using the term “offensive content” cannot, “...be said sufficiently to inform the ordinary person that distinctions between certain locations are thereby created.”<sup>27</sup> Third, Harlan noted that using a historically problematic word does not automatically place the speech under the category of “fighting words” because it was not

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<sup>26</sup> *Gregory v. City of Chicago*, 394 U.S. 112 (1969)

<sup>27</sup> *Cohen v. California*, 403 U.S. 19, (1971)

directly targeting a specific individual, stating that no, "individual actually or likely to be present could reasonably have regarded the words on appellant's jacket as a direct personal insult."<sup>27</sup> Overall, the decision is consistent that the conduct and method of protest is separate when noting unprotected speech.

Issues regarding fighting words being too broad were addressed in *Gooding v. Wilson* (1972). In this case, Gooding was convicted of violating state law regarding usage of “opprobrious” words and “abusive” language after threatening to kill two police officers. When the case was brought to the Supreme Court, they overturned the conviction, noting that the definition of “opprobrious” or “abusive” is broad and can be applied to language that wouldn’t constitute fighting words. Justice William Brennan Jr. stated, “Fighting words do not receive First Amendment protections, but the dictionary meanings of ‘opprobrious’ and ‘abusive’ cover a much broader category of language. They may not always result in a breach of the peace.”<sup>28</sup> The decision ties into later difficulties regarding regulating speech solely based on whether the content itself could be labeled as “abusive.” Future researchers would discourage this manner of regulating speech for similar reasons, because the definition of what is abusive is too broad.

The issue regarding whether fighting words can be applicable to a public protest were addressed in *Snyder v. Phelps* (2011). The case revolved around a protest conducted by the Phelps family and the Westboro Baptist Church at a funeral for Matthew Snyder, a U.S. Marine who was killed in Iraq. Albert Snyder, a gay man and Matthew Snyder’s father, sued the Westboro Baptist church, claiming that they were intentionally inflicting emotional distress through their protest. The court ruled in favor of the Phelps family,

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<sup>28</sup> *Gooding v. Wilson*, 405 U.S. 18 (1972)

with Chief Justice John Roberts stating, “What Westboro said, in the whole context of how and where it chose to say it, is entitled to 'special protection' under the First Amendment and that protection cannot be overcome by a jury finding that the picketing was outrageous”<sup>29</sup>. He also noted that the protesting itself was far enough away from the funeral service that it didn’t interfere with the funeral service itself. As such, due to the distance of the protest and the public grounds it was conducted on, the protest didn’t fall under the category of fighting words.

Overall the cases related to fighting words maintained the trends that intent to incite illegal activity or cause harm is of greater legal significance than offensive content regarding First Amendment protection. *Terminello v. Chicago* (1949), *Feiner v New York* (1951), *Brandenburg v. Ohio* (1969), and *Gregory v. City of Chicago* (1969) all found that inciting illegal activity or intending to incite illegal activity is not a form of protected speech. Further more, fighting words also include language designed to result in a breach of the peace or a riot, as indicated in *Gregory v. City of Chicago* (1969), *Cohen v. California* (1971), and *Gooding v Wilson* (1972). Conduct is a greater legal priority than the content of the speech itself, which would become a primary factor when developing speech regulations on university campuses. Overtime, questions regarding speech became more complicated when put into the context of a university setting.

### **Free Speech Movement**

An early example of student demonstration on university campuses is the founding of the Free Speech Movement at the University of California, Berkeley in 1964. Inspired by the emergence of the New Left, as well as the growing Civil Rights

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<sup>29</sup> *Snyder v. Phelps*, 562 U.S. (2011)

Movement and the growing Anti-Vietnam War Movement, students at Berkeley participated in the Freedom Summer project, registering African American voters and gathering donations for causes related to the civil rights movement.<sup>30 31</sup> This project was determined to protest existing school rules regarding fundraising for political parties as well as the “loyalty oath” faculty were required to take regarding participating in controversial political causes.<sup>32</sup> Dean of Students Katherine Towle wrote a letter to students and faculty reinforcing university regulations that prohibited advocacy of political causes or candidates, membership drives, fundraising, or outside political speakers by student organizations on sections of the university campus<sup>34</sup>. Students from groups such as CORE (Congress of Racial Equality) and student supporters of Barry Goldwater ignored the Dean’s orders and continued to use the space to support their political causes. Students signed a petition stating their intentions to keep using the space for political advocacy and formed the Free Speech Movement, a student-led movement whose focus was changing the university’s policy on free speech and political activities on campus.<sup>33</sup>

As part of the Free Speech Movement, students arranged tables, distributed political literature, and held demonstrations to rally support from other students and faculty for changes toward the university pressed charges on the student leaders and refused to change their stance regarding political demonstrations on campus. As the student demonstrations continued, they began orchestrating tactics like wearing matching shirts and organizing marches. When the president publically condemned the protestors, one of the student leaders, Mario Savio, made a speech in response on the steps of Sproul

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<sup>30</sup> Stern, 2014

<sup>31</sup> Lovio, 2013

<sup>32</sup> Gonzales, 2014

Hall<sup>33</sup>. The police conducted a mass arrest of almost 800 protesting students<sup>34</sup>. Faculty members quit due to the university's mishandling of the issue and the President, Edward Strong, was forced out of office in 1965. When the administrators and faculty met to discuss the campus free speech policies, the faculty sided with the students to lift the restrictions.<sup>35</sup> <sup>33</sup> When the new president, Martin Meyerson, came into office, he established new Free Speech rules for Berkeley Campus. In a press release, he established new rules for political advocacy on campus. The new rules include a reduced advanced notification time for on campus speakers, more areas on campus for students to set up tables, and usage of the Sproul Hall steps for protest<sup>35</sup>.

The Free Speech Movement was credited by many for being the first example of mass student mobilization in America during the 1960's. Aside from impacting changes in Berkeley's administration, it was also cited as setting the stage for increased student mobilization for political issues, such as the growing Anti-Vietnam War movement.<sup>34</sup> The civil disobedience tactics used by the students became inspirational for other student led protests at universities in the United States and Europe. It was credited as the protest that gave Berkeley a reputation for being active in student led political activism, as well as establishing American universities as a hub for political discord.<sup>33</sup>

### **Kent State Massacre**

While the Free Speech movement popularized student protest on universities, the Kent State massacre showcased dangerous risks regarding student protesting. On May 4

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<sup>33</sup> Boren, 2001

<sup>34</sup> Freeman, 2004

<sup>33</sup> Boren, 2001

<sup>35</sup> "Time, Place and Manner Statement", 1965

<sup>34</sup> Freeman, 2004

1970, the Ohio National Guard killed four unarmed college students during a student protest against the Cambodian Campaign. The shooting led to a massive student strike of over 4 million students, considered today to be the largest student strike in American history<sup>36</sup>.

After President Richard Nixon announced the launch of the Cambodian Incursion, around 500 students at Kent State University began hosting protests on the campus common grounds. The protests were made up of students from the Students for a Democratic Society (SDS), a Black Student Organization, and the Youth International Party.<sup>37</sup> While the protests began with picketing, sit-ins, and demonstrations, they eventually erupted into vandalism, leading to a state of emergency being called by Kent Mayor LeRoy Satrom.<sup>38</sup> Throughout the coming days, clashes between the National Guard and students included arson, vandalism, and use of tear gas. When the students protested the National Guard, Kent State did not close the campus. Eventually, National Guards started firing real guns, resulting in the death of four students and nine students being injured.<sup>39</sup>

The event-highlighted the damage universities could face during student protests, as well as reinforced the impact student mobilization can have across other campuses. After the shooting, the Kent State campus closed for six days and over 4 million students across the country went on strike.<sup>39</sup> Over 450 university campuses across the country participated in protests regarding the Kent State Massacre.<sup>40</sup> The public, primarily by individuals who were already opposed to the anti-Vietnam War, vilified students who

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<sup>36</sup> “National Register”, 2010

<sup>37</sup> Means, 2016

<sup>38</sup> Lewis, 1998

<sup>39</sup> Roberts, 2010

<sup>40</sup> Denniston, 2017



participated in these protests. Universities had to take into greater consideration the potential for violence among these demonstrations, particularly after a similar shooting took place at Jackson State University, in which two student protesters were killed by police officers. Both the Kent State Massacre and the Jackson State Shooting led to the formation of the President's Commission on Campus Unrest, which studied political dissent on university campuses.<sup>41</sup> While the risks regarding student mobilization were always apparent, as students were arrested during the Free Speech Movement, the Kent State Massacre highlighted more violent risks regarding student mobilization. The event arguably showcased the need for strategies and guidelines for universities to keep students safe during inevitable protests and political demonstrations.

### **Development of Shared Strategies**

Both the Free Speech Movement and the Kent State protests became influences for students at universities to participate in political action on campus. The university campus was slowly becoming a hotbed for political discourse and a trendsetter for addressing political issues. Overtime, students began sharing their strategies with other universities to coordinate efforts and increase visibility in important issues. In the early 80's, universities became known as the first institutions to participate in the Divestment from South Africa movement, a movement to divest from companies that were profiting from apartheid. While various universities started divesting from these types of companies, Berkeley was one of the earliest examples of student activism leading to divestment. Student activists at Berkeley formed the Campuses United Against Apartheid (CUAA) led by Ramon Sevilla, and started organizing rallies against the university

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<sup>41</sup> "Report of the President's Commission on Campus Unrest," 1970

working with corporations benefiting from apartheid<sup>42 43</sup>. While in contact with Nelson Mandela, Sevilla travelled throughout the country organizing student protests and encouraging universities to divest. By 1984, 53 universities completely divested from South Africa<sup>43</sup>. In 1986, the CUAA worked with other student activists at Berkeley to make a miniature shantytown in front of the chancellor's building, while at the same time orchestrating sit-ins. This eventually led to 61 anti-apartheid protesters being arrested.<sup>44</sup> However, by 1988, 155 universities already divested, inspired by the CUAA's work.<sup>45</sup> The idea of sharing tactics and teaching other students how to organize properly started a trend of increased coordination with universities in regarding to political demonstrations.

Creating networks where campus protests and political engagement strategies can be shared was further developed in the early 2000's, when anti-war activism saw a sharp increase due to the Iraq invasion. One of the largest student-based organizations to form was the Campus Antiwar Network (CAN), formed in 2003 with the express purpose of opposing the Iraq War.<sup>46</sup> It held its first national conference in February 2003 in Chicago, made up of around 350 delegates from round 100 student activist groups. From there, it established the organizational structure and mission statement dedicated to opposing the war in Iraq, ending UN Sanctions against Iraq, opposing racial and civil liberties violations in the U.S. and encouraging American policy to be focused on health care, jobs, and education.<sup>47</sup> Since the group's foundation, they expanded onto multiple universities and orchestrated tactics such as walkouts, strikes, and protests to address

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<sup>42</sup> "Campus Anti-Apartheid Movements Intensify after Soweto," 2017

<sup>43</sup> Krosinsky & Cort, 2018

<sup>44</sup> AP, 1986

<sup>45</sup> Simmons, 2013

<sup>46</sup> "Defend the 434!", 2010

<sup>47</sup> Jenks, 2003

issues regarding the Iraq War, the Israeli Palestinian conflict and Don't Ask Don't Tell.<sup>47</sup>

Both the divestment from South Africa movement and the Campus Action Network showcased trends regarding universities sharing strategies for political demonstrations.

### **Hate Speech Policies at Universities**

In 1990, while the cross burning case of *R.A.V v. St. Paul* (1990) was being determined, studies showed an increase in college students filing hate speech and harassment cases<sup>48</sup>. As such, codes were developed at various universities designed to ban speech “that intimidates people, offends them, or creates a hostile environment [and] targets behavior that intentionally creates emotional distress.”<sup>49</sup> The goals of these codes would also be to teach students to focus on factual data when structuring opinions and arguments, rather than emotional provocation. The codes were criticized by educators and civil rights groups like the American Civil Liberties Union (ACLU) for being too restrictive of speech and focusing more on censorship than education. Ira Glasser, executive director of the ACLU, stated during a speech at the City College of New York in 2016: “There is no clash between the constitutional right of free speech and equality. Both are crucial to society. Universities ought to stop restricting speech and start teaching.”<sup>50</sup> The ACLU has maintained the opinion that colleges need to target hate speech issues directly by punishing the conduct itself rather than regulating speech.<sup>51</sup> The issue regarding hate speech codes and public universities has been addressed from both positive and negative perspectives.

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<sup>48</sup> Gold, 2014

<sup>49</sup> Gold, 2014, p. 44

<sup>50</sup> Aspergen, 2016, p. 8

<sup>51</sup> Gold, 2014, p. 45

As universities began experiencing a rise in racist and anti-Semitic violence on campuses during the 1980's, college campuses and public universities began initiating codes when these instances occur. These codes were designed to target speech that intentionally created a hostile or intimidating atmosphere towards students who were classified as a being a part of minority groups. Researchers have noted however that statistics were not available to showcase the effectiveness of these policies, and the policies made students feel that critique, debate, and free speech were not welcome on campus. The common issue was that the codes put into place were too vague, making them unconstitutional.<sup>52</sup> However, a necessity for speech codes did exist, since researchers noted that a lack of regulation disenfranchises the victims of racism and anti-Semitism, and allows already existing hate groups present on campus to organize and grow. Researchers also found that racist speech does psychologically and emotionally harm victims, however simply banning hate speech only creates an environment that suppresses free and open dialog.<sup>52 53</sup>

### **Free Speech Policies at Public Universities**

Researchers considered other factors in regards to formulating speech codes, such as: the political climate of the school, intentionally limiting political discussion and engagement amongst the students, and establishing a desire to maintain a safe environment for the students when choosing controversial on-campus speakers. Researchers who focused on outside speakers who attempt to use public university campuses as a platform noted examples when universities turned down speakers. The reasons for the speakers being rejected were usually due to the fearing that the speakers

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<sup>52</sup> Rosenberg, 1991

<sup>53</sup> Kerska, 2017

would advocate for breaking the law, or student complaints. In most cases, court rulings required campus administrators to allow the speakers to speak on campus.<sup>54</sup> Situations in which controversial academics were invited to speaking on campus were found to lead to consequences such as multiple protests, lost donors, and the forced resignation of campus presidents. The reason for the concerns regarding letting controversial academics speak was due to the academic accreditation of the speaker, and that the controversial ideas could be validated.<sup>54 55</sup>

As the development of free speech legislation on public universities continued, the type of forum used by a public university was found to impact the rights of the speaker. The limitations based on venue hearkened back to a 1972 decision for *Grayned v. City of Rockford* (1972), which first introduced the idea of the Time, Place, and Manner restrictions. Time, Place, and Manner restrictions regarded speech regulation based on when and where the speech is most appropriate. The case had to do with whether a school's anti-picketing and anti-noise ordinance violated the First Amendment. In the final decision, Justice Burger noted, "The crucial question is whether the manner of expression is basically incompatible with the normal activity of a particular place at a particular time."<sup>60</sup> As such, drafting free speech regulations and restrictions can take into consideration the environment where the speech is being held. This was further expanded on in *Ward v. Rock Against Racism* (1989), in which the decision specified how Time, Place, and Manner restrictions could apply. The restrictions need to be content neutral, narrowly tailored, leave open alternate channels of communication, and serve a significant government interest.

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<sup>54</sup> Lasson, 1999

<sup>55</sup> Cohen-Almagor, 2008

<sup>60</sup> *Grayned v. City of Rockford*, 408 U.S. 104, (1972)

Overtime, research regarding free speech protection based on venue divided the types of venues being used into three categories: “(a) traditionally public, (b) public pursuant to government designation, or (c) nonpublic”<sup>56</sup>. Traditionally public forums on a public university included surrounding streets, sidewalks, and open quadrangle areas, which were all guaranteed locations for free speech. Forums labeled as public pursuant to government designation, sometimes called non-traditional public forums or limited public forums, are venues that government specifically designated as free speech protected based in their design, such as a municipal theater or a state university meeting room. These types of venues were not required to be open permanently. However, a non-public forum only provided limited free speech, such as a public university auditorium.<sup>54</sup>

After the Supreme Court ruling in *Arkansas Educational Television Commission v Forbes* (1997), a public university auditorium became classified as be considered a non-public forum under certain conditions. As such, students, faculty, and staff would need to get permission to use an auditorium for a speaker, and the ability to reserve space in the auditorium for the speaker should be made clearly available. However, the only time a university auditorium can be classified as a non-public forum is if the guest speaker’s speech “(a) fall into a category of unprotected speech (that is, they can be viewed as fighting words, obscene, or defamatory, or they create a clear and present danger); (b) are limited by reasonable time, place and manner restrictions; or (c) cause a substantial interference with the school’s educational mission.”<sup>58</sup> Students, however, have more freedom of speech rights, including for auditoriums, on campus. The rights of speech and assembly are protected within the First Amendment, but exceptions are made when the

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<sup>54</sup> Lasson, 1999

<sup>56</sup> Lasson, 1999 p. 61

<sup>58</sup> Lasson, 1999 p. 63

speech and organization are considered contrary to the universities “fundamental values,” even if the speech is nonviolent. At the same time, speech can be limited if it advocates for the violent overthrow of an institution<sup>54</sup>.

Researchers and legal scholars illustrated guidelines regarding factors public universities can take into consideration when handling controversial speakers. An important note is that these issues should be handled in a case-by-case basis but the general focus of a strategy is to maintain organization and civility for debate. When drafting regulation, it should clearly mention the educational reasoning and purpose behind the policy, and that limiting speech should only be done when it disrupts the educational process or prevents violence on campus. Offending student organizations should not be the basis of refusing a speaker, and individual phrases should not be automatically banned since that type of policy could potentially be too broad.<sup>52 53 54</sup> When suggesting best practices, advocates, legal scholars and professors have discouraged banning specific language and instead used the controversy as an educational opportunity through hosting symposiums or events regarding balancing the First Amendment on campus.<sup>53 57</sup>

When a university’s speech policy is being reviewed or challenged, a court is likely to determine a standard of “reasonableness” when reviewing a university’s speech policy. As such, researchers emphasized the importance of universities to develop criteria for “reasonableness” so that it can evaluate the content of a potential speaker or organization. A court is more likely to side with a public university on a case if their

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<sup>52</sup> Rosenberg, 1991

<sup>53</sup> Kerska, 2017

<sup>54</sup> Lasson, 1999

<sup>57</sup> Colglazier, 2017

regulations are specific. Any regulation regarding harassment or racially derogatory language needs to be detailed since it is content based. It is beneficial to review already existing case law and commentary when drafting these rules. A university expecting a controversial speaker should properly reiterate their policies to their students, explaining that violence, vandalism, and heckling is not permitted, but counter-demonstrations are permitted<sup>54</sup>.

Another factor that some studies have taken into consideration in regards to regulating free speech on public universities is factoring financial support for the event. In the decision made in *Smith v Regents of the University of California* (1993), a public university that asked students to financially support an on-campus speech did not violate the First Amendment, because the money supported public forum. However, researchers found that encouraging subsidizing the forum demonstrated preferences regarding the political leanings of the speakers at the university. These issues led to censorship or content-based discrimination, favoring a particular point when granting financial compensation.<sup>59 61 62</sup> Subsequent researchers found that mandatory student funding limits providing forums for open discussion and debate, and as a result, limits First Amendment rights.<sup>62</sup> However, researchers also found that some universities request students to cover subsequent funds for controversial speakers to compensate for extra security due to riots and vandalism<sup>59 63</sup>. After reviewing various cases in regards to subsidizing controversial speakers, researchers provided recommendations for policy regarding assessing potential security costs. “The policies’ provisions should include the following basic elements: (1)

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<sup>59</sup> Goldberg, 2011

<sup>61</sup> Wiggin, 1994

<sup>62</sup> Ryan, 2000

<sup>63</sup> Goldberg, 2018



risk-neutral and content-neutral standards for determining security fees; (2) explicit guidelines on how those fees are determined; and (3) a transparent process for student groups to appeal security fees that are larger than normal.”<sup>64</sup> Researchers also recommended creating a separate fund specifically for speakers who have a history for fostering extreme behavior from the public. The funds would come more from the school itself rather than from the students or speaker.

### **Political Speech and Demonstrations at Universities**

American universities have often been considered an environment for fostering political discourse<sup>33</sup>. During times of political tension, students were often encouraged by universities to form groups designed for political action. They advocated for issues using methods such as protests, boycotts, sit-ins, and voter drives, often influenced by political activist groups of the day.<sup>33</sup> These demonstrations resulted in varied responses from university administrators, often leading to changes in regulations and speech codes. Free speech cases for public school often impacted speech policies for the university campuses.

One early case that impacted school speech was *West Virginia State Board of Education v. Barnette* (1943). The case focused on students who were expelled after refusing to neither salute the American flag nor recite the Pledge of Allegiance at a public middle school. The Supreme Court ruled in favor of Barnette, with Justice Robert Jackson stating that the First Amendment allows students to be controversial in their political statements. He stated, “The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the

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<sup>64</sup> Goldberg, 2011 p. 400

<sup>33</sup> Boren, 2001

reach of majorities and officials and to establish them as legal principles to be applied by the courts.”<sup>65</sup> He also mentioned issues such as these should be handled by the school district rather than the Supreme Court. The findings of the case reinforce the rights of students to make controversial political statements while on public educational grounds. The decision is similar to previous cases regarding that the offensiveness of the content of speech cannot be grounds for how speech is regulated.

Regulations of how schools discipline speech were further addressed in *Tinker v. Des Moines Independent Community School District* (1969). The case focused on a Vietnam War protest in which protestors wore black armbands to their respective elementary, junior, and high schools. The principals of the schools formed a policy in which students who wore the armbands would be suspended. When the protestors were suspended, the family sued the school district. The Supreme Court ruled in favor of Tinker, which led to the development of the Tinker Test for substantial disruption. The Tinker test is a set of criteria used to evaluate school policies in regards to regulating speech and determine if it violates a student’s First Amendment rights. The test asks the question: Did the speech or demonstration of the student interfere with the disciplinary requirements of the school?”<sup>66</sup> The Tinker test has been used in future court cases regarding student speech on public school and university campuses, particularly in regard to regulating speech based on the speech’s interference with standard classroom procedure.

The right of students to establish political groups on public college campuses was addressed in *Healy v. James* (1972). At a public college, students wanted to form a local

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<sup>65</sup> *West Virginia State Board of Education v. Barnette*, 319 US 624 (1943)

<sup>66</sup> *Tinker v. Des Moines Independent Community School District*, 393 US 503 (1969)

chapter of the Students for a Democratic Society (SDS), which would have entitled the students to use campus facilities for meetings, as well as use campus bulletin boards and newspapers to advertise the meetings. The college president denied the request, noting that the student's group was independent of the national SDS, which he considered to be disruptive and violent, thus going against the values of the college. When the case was brought to the Supreme Court, they ruled in favor of the students, finding that the initial denial to form the group violated the First Amendment. Justice Powell stated that the school and District Court was mistaken, due to:

“(1) discounting the cognizable First Amendment associational interest that petitioners had in furthering their personal beliefs and (2) assuming that the burden was on petitioners to show entitlement to recognition by the college, rather than on the college to justify its nonrecognition of the group, once petitioners had made application conformably to college requirements.”<sup>67</sup>

Essentially, it is the role of the school to justify the legitimacy of the group, rather than the students'. Justice Powell also stated that because there was no evidence of the group's involvement with the National SDS, nor was there a record of disruption or causing fear of disruption, the denial violated the students' rights<sup>67</sup>.

Overall, the trends from the different cases yield similar findings to the hate speech and fighting words cases, regarding how speech can be regulated on public schools and universities. *West Virginia State Board of Education v. Barnette* (1943) reinforced that the content of the speech cannot be the basis for regulation, while *Tinker v. Des Moines Independent Community School District* (1969) and *Healy v. James* (1972) further developed the ruling by stating that speech can be regulated based on how it interferes with class procedure.

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<sup>67</sup> *Healy v. James*, 408 U.S. 169 (1972)

## Alt-Right

The alt-right is a relatively new movement, so a clear definition for the group has yet to be developed. However, the various descriptions of the alt-right's values have evolved over time. Conservative writer, Paul Gottfried, coined the name alt-right, short for alternative right, in 2008 during a speech he gave to the H. L. Mencken Club, a right-wing political group. While Gottfried didn't use the term, "alt-right" in the speech itself, the content of the speech referred to the changing tide of right-wing mentality. When describing the newer, younger members, Gottfried stated:

We have youth and exuberance on our side, and a membership that is largely in its twenties and thirties. We have attracted beside old-timers like me, as I noted in my introductory paragraph, well-educated young professionals, who consider themselves to be on the right, but not of the current conservative movement. These 'post-paleos,' to whom I have alluded in Internet commentaries, are out in force here tonight. And they are radical in the sense in which William F. Buckley once defined a true Right, an oppositional force that tries to uncover the root causes of our political and cultural crises and then to address them.<sup>68</sup>

The speech was eventually published in December 2008 in the libertarian magazine *Taki Magazine*, titled, "The Decline and Rise of the Alternative Right." This marked the earliest known published usage of the term "alternative-right", referring to younger conservatives who rejected the older movement in favor of more radical and assertive conservative political action. It also tied these individuals to Internet communities and Internet activity. The description further expanded when White-supremacist advocate and former editor at *Taki Magazine*, Richard Spencer, used the term alt-right to describe himself and his supporters.<sup>69</sup>

In 2010, Spencer created the website *alternativeright.com*, which describes the views of the website as advocating for European identity and rejecting multiculturalism

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<sup>68</sup> Gottfried, 2008 p.3

<sup>69</sup> Spencer, 2015, 02:15

in America due to a fear of losing rooted European heritage<sup>70</sup>. In 2015, Spencer posted on his blog, *Radix Journal*, what he considered to be the definition of the alt-right movement. He said it is a “...reaction against the mainstream conservative movement or ‘conservatism’ in America, particularly as it had manifested itself in the George W. Bush presidency.”<sup>71</sup> In a video published on his blog in 2015, Spencer delves into what he considers the history and meaning behind the alt-right movement. Specifically, he discusses rejecting the idea of being a true conservative due to the failures of conservative foreign policy during the Bush administration. Instead, Spencer invested alternative conservative ideas that stem more from the WWI Conservative Revolution in Germany, Anarcho-Capitalism, Catholic Traditionalism, and French New Right rather than traditional conservative inspirations like Barry Goldwater, stating:

If I was to describe people who use the moniker #altright on Twitter, it’s definitely people who have liberated themselves from the left-right dialectic. More than that, it’s people who grasp the utter uselessness of mainstream conservatism...these are people who had just come from a college campus dominated by social justice warriors, who see the Black Lives Matter movement, who see the refugee crisis in Europe, who see the immigration crisis in the United States, and they recognize just how useless tax cutting Republicans are. Those people just don’t get it...whose time has come and gone.<sup>72</sup>

The rejection of initial conservative economic and foreign policy values, as well as its origins in the Internet community, reinforces Gottfried’s definition, and puts a greater emphasis on social issues, American nationalism, and isolationism.<sup>73</sup>

Spencer’s definition further expanded and became more concrete during an interview with NPR in 2016. In the interview, he said that the term alternative right: “...is a movement of consciousness and identity for European people in the 21st century. That’s

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<sup>70</sup> Spencer, 2015, 01:53

<sup>71</sup> Spencer, 2015 1:37-1:51

<sup>72</sup> Spencer, 2015, 13:04-13:39

<sup>73</sup> Spencer, 2015

what it is. If you don't like it, you can, you know, talk about linguistics.”<sup>74</sup> The focus on European identity ties in the White nationalist ideology of the alt-right movement, which can be found between Spencer and other supporters who reject immigration, refugee assistance, and multiculturalism. Richard Spencer addressed this in another NPR interview, stating: “Immigration is the most obvious one [policies he’s pushing for]. And I think we need to get beyond thinking about immigration just in terms of illegal immigration. Illegal immigration is not nearly as damaging as legal immigration. Legal immigration - they're here to stay.”<sup>75</sup>

Another figure who has developed the identity of the alt right, and who Richard Spencer considers a figurehead of the alt-right, is Milo Yiannopoulos. Yiannopoulos describes the alt-right as inherently transgressive. In his 2016 *Breitbart* article, “An Establishment Conservative’s Guide to The Alt-Right”, he ascribes numerous characteristics to alt-right supporters that were similar to both Spencer and Gottfried’s definition, namely a rejection of traditional conservatism in favor of something more assertive and socially focused, as well as extensive Internet presence. Yiannopoulos’ definition, however, focuses on the alt-right’s desire for provocation, namely due to their Internet community origins. He states: “Part of this is down to the alt-right’s addiction to provocation. The alt-right is a movement born out of the youthful, subversive, underground edges of the Internet. 4chan and 8chan are hubs of alt-right activity.”<sup>76</sup> This adds a layer of intent to alt-right activism, namely to shock and provoke other individuals for their own amusement. His justification is that a provocative attitude reinforces the innate desire to challenge social norms and act transgressive, comparing the alt-right to

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<sup>74</sup> Florido, 2016, p. 1

<sup>75</sup> McEvers, 2016, p. 4

<sup>76</sup> Bokhari & Yiannopoulos, 2016, p.1

the baby boomers of the 1960's. This contradicts Richard Spencer's focus on the movement promoting White identity politics and isolationism. However, even in the article, Yiannopoulos acknowledges that the alt-right is deeply associated with racist individuals, to the point where sincere racists themselves associate with the alt-right movement<sup>77</sup>. While Spencer credited himself with being the founder of the alt-right movement, the definition of the alt-right movement further developed its associated with white-supremacist organizations and agendas as focus shifted to Internet communities.

The ties to Internet communities and favoring assertive conservative political action were further expanded when the term was used again on the White nationalist website, *The Daily Stormer*. In a blog post explaining the ideology of the alt-right movement, editor Andrew Anglin stated: "The core concept of the movement, upon which all else is based, is that Whites are undergoing an extermination, via mass immigration into White countries which was enabled by a corrosive liberal ideology of White self-hatred, and that the Jews are at the center of this agenda."<sup>78</sup> This definition builds on Spencer's focus on European Identity, White nationalism, and American isolationism. Due to Spencer and alt-right news sites like *The Daily Stormer* growing in popularity, groups like the Southern Poverty Law Center have listed the alt-right as a hate group, with the Southern Poverty Law Center defining the alt-right as "...a set of far-right ideologies, groups and individuals whose core belief is that 'white identity' is under attack by multicultural forces using 'political correctness' and 'social justice' to undermine white people and 'their' civilization."<sup>79</sup> This definition is reinforced by Spencer's focus on European white identity, Yiannopoulos' focus on provocation, and

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<sup>77</sup> Bokhari & Yiannopoulos, 2016

<sup>78</sup> Anglin, 2016 p. 1

<sup>79</sup> "Southern Poverty Law Center", 2018 p.1

Anglin's anti-Semitic and racist description, all of which stem from Gottfried's early definition of a youthful right-wing movement going against traditional conservatism.

### **Richard Spencer and Milo Yiannopoulos Public Universities Speeches**

Richard Spencer gave speeches at five universities, been rejected by five universities, and cancelled a speech at one university between 2010 and 2018. Of the five universities at which he spoke, the only uneventful speech was his 2010 speech at Vanderbilt University<sup>80</sup>. His speeches at Providence College in 2011 and Texas A&M University in 2016 were both met with protests. At Providence College, students aligning themselves with the left-wing Antifa movement verbally confronted Spencer during his speech and walked out of the auditorium.<sup>80</sup> Students and faculty at Texas A&M University protested Spencer's speech in the form of nonviolent demonstrations, marches, and online petitions.<sup>81</sup> On August 2017, Spencer, along with other members of the alt-right, led a march on the University of Virginia's campus, called the Unite the Right rally. As the march took place, the rally resulted in violence between the people marching and the protesters, leading the governor of Virginia to call for a state of emergency.<sup>82</sup> Five of the universities, including the University of Florida, Louisiana State University, Ohio State University, Kent State University, and the University of Chicago publicly rejected Spencer from speaking on their campuses. Florida, Louisiana State, and Ohio State cited the violence as the United the Right rally in 2017 as their primary reason for refusal, citing concern for the health and safety of the students.<sup>83 84 85 86</sup> Kent State and

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<sup>80</sup> Western Youth, 2011

<sup>81</sup> Blau et al., 2016

<sup>82</sup> Spencer & Stolberg, 2017

<sup>83</sup> Strange, 2017

<sup>84</sup> Ballard, 2017

<sup>85</sup> Chaitn, 2017



Chicago denied Spencer from speaking due Spencer's views not being in line with the university's values.<sup>87 88</sup> Michigan State had initially refused to let Richard Spencer speak on August 2017, but he eventually did get to speak on campus on March 2018 after Michigan State settled a lawsuit Richard Spencer and his organization, the National Policy Institute, filed against the university for preventing him from speaking. Violent protests occurred amongst various student protesters and local political groups, leading to police intervention and two-dozen arrests.<sup>89</sup> Spencer cancelled a planned speech he was going to give at the University of Cincinnati in March 2018, a university that had initially denied him a chance to speak due to controversies regarding security costs.<sup>90</sup>

In regards to U.S. public universities, Milo Yiannopoulos spoke at sixteen universities between 2015 and 2018, with seven other speaking appearances being cancelled. Of the universities Yiannopoulos spoke at, only three of the speaking engagements showed neither public outcry, nor response from students or faculty.<sup>91 92 93</sup> Thirteen of the other universities he addressed resulted in protests from students and faculty members. These protests usually involved marches, canvassing, and petitions to cancel the speaking events.<sup>94 95 96 97 98 99 100 101 102</sup> Seven of the protests, including

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<sup>86</sup> Stankiewicz, 2017

<sup>87</sup> Cholke, 2017

<sup>88</sup> Byard, 2018

<sup>89</sup> Schuster & Svrluga, 2018

<sup>90</sup> Barrouquere, 2018

<sup>91</sup> Gay, 2016

<sup>92</sup> Capel & Shukman, 2016

<sup>93</sup> Moore, 2016

<sup>94</sup> Biryukov, 2016

<sup>95</sup> Learner, 2016

<sup>96</sup> Giovanazzi & Hannah, 2016

<sup>97</sup> Samsel, 2016

<sup>98</sup> Aliberti, 2016

<sup>99</sup> Chan, 2016

<sup>100</sup> Warth, 2016

<sup>101</sup> Landsbaum, 2016

<sup>102</sup> Steinmetz, 2016

University of Michigan, American University, University of Massachusetts Amherst, DePaul University, Long Beach City College, University of Colorado, and University of California Berkley, were categorized as aggressive and violent, with the events at Michigan, Colorado, Berkley, and California State Fullerton, resulting in vandalism and the arrest of students.<sup>103 104 105 106 107</sup> The vandalism at Berkeley cost the university over \$100,000 in damages.<sup>106</sup>

As such, the goal of this study is to provide suggestions for the best course of action when addressing controversial speakers. The various examples of Spencer and Yiannopoulos' speaking events have shown a clear safety risk to university communities, primarily risks of violence and vandalism. As such universities need strategies in order to prepare for the arrival of alt-right speakers, so that universities can keep their students and faculty safe while fulfilling their First Amendment obligations. A method to determine the effectiveness of these strategies is through using Situational Crisis Communication Theory (SCCT) to see how university strategies emerge in-line with the theory.

### **Situational Crisis Communication Theory**

Based on the controversial nature of the speakers, as well as their history of speeches resulting in protests, vandalism, and violence, their events could be considered a crisis for the universities. As such, SCCT could be used to frame an understanding of how the universities handled these events. Developed by W. Timothy Coombs, SCCT

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<sup>103</sup> Volokh, 2016

<sup>104</sup> Kuta, 2017

<sup>105</sup> Durr, 2017

<sup>106</sup> Park & Lah, 2017

<sup>107</sup> Tchekmedyian et al, 2017

focused on specific aspects of a crisis to protect the reputation of an organization and maintain a positive relationship between an organization and its stakeholders<sup>3</sup>. The theory provided specific guidelines on how an organization should respond to a crisis in a manner that protects the organization's reputation.

According to SCCT, the three factors that impacted the reputational threat of an organization are: attribution, crisis history, and prior reputation. Attribution, based on attribution theory, was the idea that stakeholders will inevitably look for the cause of an event, primarily when it's a negative or unexpected.<sup>3 108</sup> SCCT built on attribution theory by focusing on the idea that a crisis is the negative event that will cause stakeholders to attribute responsibility. Noting attribution determined the party that possessed initial responsibility for the crisis, which will weigh the amount of damage the crisis had to an organization's reputation and impact which strategy an organization should have use.

Once initial responsibility is determined, the theory states the crisis will be framed as a specific crisis type. Coombs broke down crisis types, which decided the strategy needed to protect the organization's reputation. Early research include internal or external crisis types, which indicated where the crisis took place, and intentional or unintentional crisis types, which determined whether the crisis was committed purposefully or not. The damage caused by the crisis, the status of the victims, and the performance history of the organization were also factored in when choosing a strategy.<sup>109</sup> The different crisis types are rated on a continuous range, with both low and high personal control, with higher endpoints resulting in a higher level of crisis responsibility than low end. He also found

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<sup>3</sup> Coombs, 2007

<sup>108</sup> Weiner, 1985

<sup>109</sup> Coombs, 1995

that performance history increased how stakeholders perceive both crisis responsibility and image damage, particularly for accident and transgression crisis types.<sup>110</sup>

As Coombs expanded the crisis types, he categorized them into clusters, indicating how the type of crisis determines the level of attribution of crisis responsibility and how that equates to reputational threat. Coombs used three forms of measurement to weigh the reputational threat: organizational reputation, personal control, and crisis responsibility<sup>111</sup>. The results reinforced the relationship between crisis responsibility and reputation relationship. The crisis clusters included: Victim clusters, which were crises involving the organization being the victim, such as natural disasters, rumors, workplace violence, and product tampering. Victim clusters produced minimal attributions of crisis responsibility. Accidental clusters, in which an unintentional action caused by the organization resulted in a crisis, such as challenges, technical breakdown– accidents, and technical breakdown–product harm. Accidental clusters required moderate attributions of crisis responsibility. Preventable clusters involved crises in which the organization knowingly put people at risk, either through breaking the law, violating internal policy, or taking inappropriate action. Preventable clusters include human breakdown accidents, human breakdown product harm, organizational misdeeds–management misconduct, organizational misdeed with no injuries, and organizational misdeeds with injuries required strong attributions of crisis responsibility.<sup>3 111</sup>

Once the attribution of crisis responsibility was determined, the crisis history considered past instances when the organization had a similar crisis. According to attribution theory, the organization's crisis history could indicate a larger ongoing

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<sup>110</sup> Coombs 1998

<sup>111</sup> Coombs & Holladay, 2002

<sup>3</sup> Coombs 2007

problem if the organization repeatedly has similar crises. This history impacted the prior relational reputation of the organization, which measured how well or poorly the organization handles the crisis and treats their stakeholders. Coombs looked specifically at crisis history and how that impacts both perception of crisis responsibility and organizational reputation when SCCT is applied. He developed the idea that a negative crisis history can increase the reputational threat of the organization. The study involved examining different crisis types, such as workplace violence, and separating responses based on crisis history. When conducting the analysis to measure the perception of the organization having a similar crisis history, the workplace violence scenario showcased perceptions of high external control and low personal control. As such, stakeholders found the workplace to be the victim of the crisis. The scenario and results supported the link between crisis responsibility and organizational reputation.<sup>112</sup>

Both the crisis history and prior relational reputation impacted the reputation of an organization during a crisis. Through that information, Coombs determined the crisis type and the victim cluster to evaluate the initial crisis responsibility of the organization. Stakeholders inevitably attribute greater responsibility to the organization, and that the organization needs to assess their crisis history and prior relationship reputation when formulating a strategy.<sup>3 112 113 114</sup> Researchers observed, through studying the stakeholder's emotional impact of a crisis history, that the crisis history of an organization will impact how stakeholders see that organization's competency when handling a crisis. A negative crisis history will result in increased hostility from

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<sup>112</sup> Coombs, 2004

<sup>3</sup> Coombs, 2007

<sup>113</sup> Sisco 2012

<sup>114</sup> Eddy & Yan, 2017

stakeholders towards that organization, mostly due to the perceived control that an organization has over the crisis.<sup>3</sup>

SCCT took into consideration an organization's prior-crisis reputation will impact how stakeholders, such as investors or customers, and the general public responds to a crisis. An organization's prior reputation could either protect or further damage an organization through a crisis, as expressed through the halo effect and the Velcro effect. The halo effect illustrated that a positive pre-crisis reputation can act as a cushion for the reputational damage, essentially describing that an organization with a highly positive pre-crisis reputation is more likely to be forgiven and have their reputation maintained after a crisis. The halo effect was found to be more present when the crisis involves an accident due to human-error and when no cause for the accident itself. The halo effect acted as a shield because while the stakeholders acknowledged the crisis, the favorable prior reputation prevented the organization from suffering major reputational damage.<sup>115</sup> Additionally, the opposite result could happen in which a negative reputation of a tactic can influence how other people view the tactic. This idea, called the Velcro effect, addresses the idea that a negative prior reputation will potentially increase the risk of decreasing an organization's current reputation during the events of a crisis.<sup>112</sup> Prior reputation can also be examined through studying the emotional climate of the organization leading up to the crisis. Coombs studied that emotions can run parallel with reputation and that the designated attribution of crisis responsibility can increase or decrease sympathy toward the organization.

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<sup>3</sup> Coombs (2007)

<sup>112</sup> Coombs (2004)

<sup>115</sup> Coombs & Holladay, 2006

Another factor taken into consideration when determining reputational threat to an organization during a crisis was reputation capital. During a crisis, an organization's reputation impacted that organization's income through word-of-mouth and consistent attention. An organization's reputation is already built upon the positive attention and actions of that organization<sup>3</sup>. The positive actions of an organization develops reputation capital, which is the, "stock of perceptual and social assets - the quality of the relationship and the regard in which the company and brand is held."<sup>116</sup> The reputation capital acted as a buffer when a crisis occurs and determined how much of an organization's reputation was impacted when there is a crisis. In the most severe cases, a crisis resulted in stakeholder's discontinued support of the organization as well as the spread of negative word-of-mouth regarding that organization.<sup>117</sup>

Once the reputational threat is established, SCCT recommended crisis strategies based on the initial responsibility for the crisis, the crisis history of the organization, and the prior reputation of the organization itself. SCCT crisis response strategies have consistently had three main goals: shaping the attributions of the crisis, controlling the stakeholder's perceptions of the organization during a crisis and reducing the negative affect of the crisis.<sup>3 109</sup> A common trend amongst SSCT research involved how the crisis strategy an organization chooses impacted how stakeholders view both the crisis and organization. Coombs divided the strategies into three clusters: deny, diminish, and rebuild.<sup>3</sup> Deny strategies worked better for crisis situations that require direct confrontation, such as rumors or unfair challenges. Early research focused on deny

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<sup>3</sup> Coombs, 2007

<sup>116</sup> Fombrun & van Riel, 2004 p. 32

<sup>117</sup> Fombrun & van Riel, 2004

<sup>109</sup> Coombs, 1995

strategies that would end a crisis immediately, having previously been labeled as nonexistence strategies<sup>109</sup>. Deny strategies included attacking the accuser, denying that there is a crisis, or scapegoating by blaming a third party. Scapegoating could particularly be used as a strategy during issues such as natural disasters, rumors, product tempering, or workplace violence.<sup>3</sup>

Diminish strategies worked best during an accidental crisis by decreasing the crisis responsibility and highlighting both the fact that the crisis was unintentional and damage was minimal. The common trend among diminish strategies, initially called distance strategies, have involved a focus on fostering relationships with the public through producing acceptance and limited emotions through making excuses or providing justification<sup>109</sup>. Diminish strategies included providing excuses for the crisis such as denying intent to do harm or saying the events were beyond the control of the organization, or justifying that the damage done during the crisis was minimal. During a victim crisis with a history of similar crises or negative reputation, a diminish strategy could be effective, as well as during accident crises with low attributions of crises responsibility, no history of similar crises, and a neutral or positive reputation.<sup>3</sup>

Rebuild strategies would involve accepting responsibility and trying to meet the concerns of the victim. Initially called Mortification strategies, rebuild strategies include providing compensation toward the victims or offering a public apology.<sup>109</sup> Rebuild strategies focus more on accepting accountability for a crisis, including providing a formal apology taking responsibility or providing compensation for the victims. Rebuild

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<sup>3</sup> Coombs 2007

<sup>109</sup> Coombs, 1995



strategies work best during preventable crises, as well as accident crises with a history of similar crises and negative reputations.<sup>3 118</sup>

Secondary crisis response strategies that could be used on top of the previous crisis strategies involving bolstering the organization's reputation in the wake of a crisis. These strategies including reminding stakeholders of the previous good work of the organization, ingratiating and praising the stakeholders' handling of the crisis, or victimage in which the organization reinforces that they are the victims of a crisis.<sup>3 109</sup> When there was no similar crisis history and an organization had a neutral or positive prior relationship reputation with its stakeholders, informing and structuring information can be an effective strategy during a victim crisis<sup>3</sup>.

While there were a variety of crisis strategies to work off of, maintaining a consistent crisis response strategy during a crisis was important. If strategies were used improperly or built on top of each other, it could lessen the effectiveness of the strategy. Using the wrong strategy or mixing-up strategies could sometimes occur when an organization didn't take into consideration their crisis history. Failure to properly recognize their crisis history could lead to another crisis on top of the organization's current crisis.<sup>3 119</sup> Researchers expanded on this concern by identifying the four response stages an organization should take when responding to a crisis: discovery, explanation, penance and rehabilitation. The idea was that an organization could not properly seek reform and address a problem until they take responsibility and target the root cause of an

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<sup>3</sup> Coombs 2007

<sup>118</sup> Coombs, 2006

<sup>109</sup> Coombs, 1995

<sup>119</sup> Gabe, 2013

issue.<sup>120</sup> Researchers further elaborated on this concern through looking at the Australian Wheat Board (AWB) oil-for-food scandal and how its failed attempt to cover-up the scandal undermined its initial apology, causing a double-crisis that increased the damage to the company's reputation.<sup>119</sup>

Other strategies lost their effectiveness primarily due to overuse. Researchers observed that the apology became a less effective strategy in repairing organizational reputations due to it becoming a commonly used strategy.<sup>121 122</sup> The apology strategy was also found to be not as effective when dealing with victim-based crises.<sup>123</sup> The type of crisis often required a specific response to maintain and develop the most positive reputation for the organization. Researchers observed this when studying a victim crisis, accidental crisis, and preventable crisis, as well as the three crisis responses: deny, diminish and rebuild. The study found that a preventable crisis is more likely to have a strong negative effect on an organization's reputation and that the rebuild strategy is more likely to have a positive effect with repairing the organization's reputation.<sup>124</sup> When Coombs conducted his meta-analysis he mentioned that while the apology strategy may be losing its effectiveness, not including an apology could cause further reputational damage to an organization. He also noted the types of variables that could impact SCCT strategies, such as stealing thunder in order to negate the effects of a strategy. Further research noted the possibility of error when studying a fictitious crisis versus a real one, as well as how measuring reputation can have challenges when measuring a fictitious

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<sup>120</sup> Pfarrer et al. 2008

<sup>119</sup> Gabe, 2013

<sup>121</sup> Hearit, 2006

<sup>122</sup> Coombs 2012

<sup>123</sup> Coombs & Holladay, 2008

<sup>124</sup> Claeys et al., 2010

crisis. He specified that the organization reputation scale should not replace credibility since correlations can be found in different ways.<sup>122</sup>

Further research into SCCT focused on how crises framing impacts organizational behavior and methods to maintain their reputation. Focusing primarily on crisis news framing, researchers looked at how various news stories cover organizational crises and examines how the story frames impact audience response. The findings reinforced the SCCT, namely that accidental crisis types require lower attribution of crisis responsibility than preventable crises, which leads to strong attribution of crisis responsibility.<sup>125</sup> However, the findings showcased a needed emphasis on public and stakeholder care, rather than focusing primarily on image restoration. This was done through information sharing, which would result in more positive public perception if the information were shared from outside groups than the organization directly. The results indicated that crisis managers should identify trends in the activist groups' communicative characteristics and strategically communicate with them in order to maintain a positive relationship.<sup>125</sup>

### **Research Questions**

The history of the alt-right has showcased a clear evolution toward a white supremacist description. Paul Gottfried first description focused primarily on young conservative that put social issues on a higher priority to international issues. The description further developed through Richard Spencer and Milo Yiannopoulos into a group dedicated to provocation and espousing white supremacist values rooted in Euro-nationalism. Andrew Anglin's description, which showcased more overt white supremacist values expanded on the European nationalist description from Richard

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<sup>122</sup> Coombs, 2012

<sup>125</sup> Kim, 2016

Spencer. The description provided by Anglin demonstrates the alt-right speech can take the form of hate speech.

Hate speech has both been the subject of court cases in regard to how they can be regulated, particularly on college campuses. Primarily based on the decision of *R.A.V v St. Paul* (1992), the concept arose regarding fighting words, language that is not protected by the First Amendment due to promoting illegal activity or resulting in injury. However, the same *R.A.V. v. St. Paul* (1992) decision also protected hate speech from regulation due to the dangers of that regulation being too broad. As a result, public universities had to develop various methods regulating hate speech and fake news on campus in order to protect stakeholders, such as students. The issue regarding hate speech regulation being too vague was a common concern, and researchers noted the dangers of simply banning offensive speech, namely due to creating a toxic environment where students can't debate.<sup>52</sup> Most researchers explained that universities should use hate speech as opportunities to educate the students on the severity of these issues, as well as prepare themselves for potential crises by taking into consideration the history of the speaker and the political environment of the student body.<sup>53 54 57 59</sup>

Reviewing the development of hate speech regulation for universities as well as issues universities have had with either violence on campus or controversial speakers coming to campus indicate the potential for crises. Researchers have noted concerns regarding validating controversial ideals or endangering the lives of students and faculty. There are also concerns with creating rules so strict that the student body feels

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<sup>52</sup> Rosenberg, 1991

<sup>53</sup> Kerska, 2017

<sup>54</sup> Lasson, 1999

<sup>57</sup> Colglazier, 2017

<sup>59</sup> Goldberg, 2011

disenfranchised from political debate, thus negatively impacting the reputation of the university. The multitudes of crisis possibilities are addressed in SCCT, as varied strategies are put into place based on the many factors put into play at a university. A university's crisis history as well as the relationship between the administration and their stakeholders can all be taken into consideration when evaluating the reputational threat of a crisis on the university campus. Therefore, given the goals of this study, the research questions were:

**RQ1:** How did the administrators at public universities respond to alt-right speakers?

**RQ2:** What factors did university administrators take into consideration in approving or denying speaker requests?

**RQ3:** How did university administrators prepare for alt-right speakers arriving on campus?

**RQ4:** How do the principles of SCCT emerge with these cases?

In regards to the research questions, RQ1 and RQ2 address the earliest interactions with either the alt-right's invitations to speak or student groups who invited alt-right speakers to campus. This will help establish initial responsibility during the eventual crisis. Research in SCCT showcased how determining initial responsibility is integral in evaluating the reputational impact a crisis can have on an organization. Initial responsibility is also important when determining crisis response strategies.<sup>3</sup> As such, RQ1 is integral for understanding the strategies taken by the university administrators, as well as how SCCT is drawn out of the strategies based on initial responsibility. RQ2 further expands on RQ1 by developing an understanding of the stakeholders the

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<sup>3</sup> Coombs 2007

universities took into consideration when crafting their messages. On top of the legal restrictions previously discussed in the literature review, researchers have noted the various parties that need to be taken into consideration when the administrations craft messages. This includes students, faculty, staff, parents, alumni, and other potential speakers. Students and faculty need to feel safe while also feeling free to debate and express political ideals.<sup>52 54</sup> The history regarding student mobilization and the development of student political networks also indicate how the political actions of student body and faculty can impact other universities as well, plus impact the reputation of the university going through a political crisis. Knowing the importance of these factors indicates why knowing the factors for a university's decision to accept or deny and alt-right speaker is important.

RQ3 is important for understanding the steps taken by the university administration to prepare for the alt-right speaker's arrival. Research regarding university messaging on controversial speakers stressed the importance of discouraging violence by reminding students of university policy and providing options for peaceful protest<sup>54</sup>. Further research also covered hosting events during crises that challenge university values, as way to both educate students and faculty, as well as reaffirm the values of the university.<sup>53</sup> Research on SCCT also stressed the importance of the prior-reputation of an organization when evaluating the reputational threat of a crisis.<sup>3</sup> As such, understanding the previous actions the university administrators took leading up to a crisis can provide greater context regarding the reputation the university was garnering with their

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<sup>3</sup> Coombs 2007

<sup>52</sup> Rosenberg, 1991

<sup>53</sup> Kerska, 2017

<sup>54</sup> Lasson, 1999

stakeholders leading up to the crisis. At the same time, it will also reinforce how well the universities maintained their relationships with their stakeholders and reinforced their values leading up to the crisis.

RQ4 explores how Situational Crisis Communication Theory can be used to explain the strategies used by the different universities, and why they either were or weren't effective. As explained in SCCT, the reputational threat to an organization during a crisis is evaluated by reviewing the attribution of initial responsibility, the crisis history of the organization, and an organization's prior reputation.<sup>3</sup> While attribution of initial responsibility can be determined through RQ1, crisis history provided further context regarding the university's history of issues related to controversial speakers, protests, and free speech. Prior reputational relationship, relating to RQ3, provides further context on the state of the administration's relationship with their stakeholders. As such, these three factors were reviewed for each of the universities to determine the reputation threat the alt-right speaker's posed to the university's reputation. Once the information reputational threat is established, the crisis was designated a crisis type and crisis cluster, which reinforces the level of attribution that the stakeholders would have likely assigned to the university. Afterward, the SCCT strategies can be showcased through the administration's decisions, and be used to determine the effectiveness of the administration's actions.

### **Method**

The case study research method was used to detect trends in documents and statements made by administrators related to each case. Case studies were used to

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<sup>3</sup> Coombs 2007

compile multiple sources of evidence in order to provide context for why certain events occur, and put those events in proper context<sup>126</sup>. The framework was based on a single case study design, which allows for comparative analysis to be done between the three examples in the case. The analysis of the examples in the case will include the variables that lead to each university using certain crisis strategies, which can be related to SCCT.

When this study referred to the alt-right, it was defined as individuals who subscribe and promote a far-right white supremacist agenda through provocation, based on the Paul Gottfried, Richard Spencer, Milo Yiannopoulos, and Andrew Anglin's various descriptions of the alt-right movement's ideology. This case study focused on the public speaking events of Richard Spencer and Milo Yiannopoulos between 2016 and 2018. This time frame took into consideration Donald Trump's presidential campaign announcement as well as his first year in office. That way, Donald Trump's campaign and presidency can be recognized as a factor when describing the political climate of the student body.

The reason for choosing Richard Spencer as an example of an alt-right speaker for this study was because he already was an active speaker within the alt-right movement, and his popularity increased when Donald Trump won the presidency (Goldstein, 2016). The two speaking engagements from Spencer that were addressed for this study includes the October 19 2017 speech at The University of Florida, and the University of Virginia speech on August 11 2017 as a part of the Unite the Right rally. Milo Yiannopoulos was chosen due to his own rise in popularity within the alt-right movement since Donald Trump won the presidency, as well as accreditation from Spencer as an alt-right figurehead (Mindock, 2017). Yiannopoulos' speaking engagement that was addressed for

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<sup>126</sup> Yin, 2018



this study is his initially cancelled speech at the University of California at Berkley on February 2 2017, which eventually was scheduled on September 24 2017. This speaking engagement was chosen due to the varied internal and external factors that these public universities took into consideration when making their decisions and responses.

### **Data Collection**

The data collection process first involved gathering press releases and emails to show how the universities anticipated and prepared for the arrival of alt-right speakers to their respective campuses. The press releases were chosen based on how they related to either Richard Spencer or Milo Yiannopoulos coming to their campuses. This included official announcements of their impending arrival, resource information regarding wellness or security prior to their arrival, official statements from administrators or faculty regarding alt-right values, or event information designed to respond to alt-right values that preempted Spencer and Yiannopoulos' visit. The focus of this information was to study how the universities prepared their stakeholders for the oncoming events, and determine how the strategies the universities used reaffirm SCCT.

The researcher then gathered articles from university student newspapers from January 2016 leading to the respective events. The dates correspond to the announcement of Donald Trump's presidential campaign, which also corresponds to the alt-right's rise in popularity, as indicated in the literature review. The student newspapers chosen were: *The Cavalier Daily* from UVA, *The Independent Florida Alligator* from UF, and *The Daily Californian* from Berkeley. The articles were chosen based on their coverage of political based protests, as well as op-eds regarding the political climate of the campus itself. Since student newspapers are written by students, there is a greater possibility of

the articles accurately showcase the emotional climate of the campus itself. This is further reinforced by op-eds and editorials, which are written by university students.

University emails were acquired through filing a Freedom of Information Act (FOIA) Request (See Appendix A). Since public universities are public institutions they are subject to FOIA Request laws and can provide emails upon request.<sup>127</sup> The university administrators were contacted directly to get these emails by filing a FOIA Request. The language on the FOIA request was the same on each request, only changing the name of the speaker on the request and the date of the speeches the emails needed to be in reference to. Each FOIA email requested all email correspondence between school officials and the speaker between the speaker's initial request to speak at the university and the university's decision to accept or deny the speakers request as well as any follow up email that seek to explain the reason for the denial or to respond to objections or reactions from the speaker. It further requested emails written by university officials and the speakers or their representatives. This information would help establish initial responsibility toward the crisis by determining who created the event: the speaker, the administrators, or a third party group.

Also requested were any emails sent by the university and its representatives to students, faculty members, alumni, parents, and security regarding the speaking engagement, any and all internal email between university officials who participated in the decision to accept or deny the speakers request to visit the university, as well as emails between university officials regarding preparations for the visit itself. These emails would showcase strategies by the administration regarding how they preempted the crisis itself and attempted to maintain favorability with students, faculty, staff alumni,

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<sup>127</sup> Meloy, 2012

and parents. These emails also showcased praise or criticism directed at the administration for their actions.

Facebook posts that were created by university administrators that were made regarding the alt-right speaker events were also gathered. Unlike Twitter or Instagram, Facebook allows their posts to be longer and have a greater character limit. As such, they are more likely to communicate information relevant to the event itself. These posts reinforced the information showcased in the press releases and noted if the language in the Facebook posts was different from that of the press releases.

Crisis history was established through researching the controversies at the University of Virginia, University of Florida, and Berkeley. The controversies had to either be based around on campus political issues, controversial campus speakers, political protests, or administrative controversies. How the universities responded to the campus political controversies, controversial speakers, and political protests would showcase trends regarding political activity on campus. Controversies regarding administrative issue could showcase the prior reputation with the administration and their stakeholders, particularly if the controversy occurred recently before the alt-right speaking events.

### **Data Reduction**

After the data was collected, data reduction was necessary to filter out information that was not relevant to the study, or categorize the data into codes or themes so that it can be distinguished during data analysis.<sup>128</sup> The press releases, student newspaper articles, and Facebook posts did not require significant reduction based on

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<sup>128</sup> Lindlof & Taylor, 2013

relevance, since the researcher had more control over which data was going to be used for the study. The researcher set up the parameters, only gathering data that either related to the respective alt-right speaker event, or reflected the campus political and emotional atmosphere. The emails, however, did require reduction, since while the FOIA request highlighted the information needed, the researcher did not have control over which emails the universities ended up sending.

When each of the universities responded to the FOIA requests with emails, they were sent in the form of PDF files containing emails grouped together. Some emails were listed individually, while others were listed as threads, showing how an email was a response to other emails. In order to filter out unnecessary emails, the emails were reviewed by the researcher to remove any emails that were duplicates; emails that were heavily redacted so the content of the email was unreadable; emails where the sender, receiver, date, and time information was redacted so they couldn't be placed in the timeline accurately; and emails that were not relevant to the parameters of the FOIA request. Emails that were chosen were then moved to Excel charts for analysis, and email threads were broken-up into single emails to better review the chain-of-events accurately. The number of emails chosen out of the emails received from the universities can be found in Table 1.

As the data was being collected and reviewed, the data was reduced into categories and codes that were collected in a codebook (See Appendix B). This reduction was necessary in order to clearly construct claims and determine common themes and trends in the data.<sup>128</sup> An inductive approach was used to draw the themes out of the data as it was being reviewed. Themes were then designated a code category, and recorded in

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<sup>128</sup> Lindlof & Taylor, 2013

a codebook. The codes were based around crisis types and strategies from SCCT, as well as legal codes determined from cases in the literature review (See Appendix B).

**Table 1**

*Emails chosen out of emails received from FOIA request*

University	Emails Received from FOIA	Emails Chosen for Study
University of Virginia	2772	194
University of Florida	440	39
University of California, Berkeley	785	48

### **Data Management**

After the specific pieces of data for the case study were collected, the data needed to be properly organized and managed so that they can be properly categorized and then analyzed.<sup>128</sup> Each of these documents were analyzed individually, while making note of recurring trends and differences based on target audiences, and how they reflect SSCT strategies<sup>126</sup>. The administrative data, primarily the press releases, emails, and Facebook posts were recorded and analyzed in the form of a timeline, showcasing a clear chain of evidence beginning from the initial agreement of Spencer or Yiannopoulos speaking leading up to the final post crisis response. The timeline was handwritten in a notebook, noting the type of data, the release date, the release time, and notable themes and ideas that were shown in the article of data. This timeline provides a narrative and detail which stakeholders the administrators were prioritizing and how the messages addressed the

<sup>128</sup> Lindlof & Taylor, 2013

<sup>126</sup> Yin, 2018

concerns of the stakeholders, as well as how the stakeholders responded.<sup>126</sup> The student newspaper articles were recorded in a separate timeline on Excel, showcasing how emotions and political activity of the student body fluctuated over a period of time leading up to the alt-right speaker event. The analytic strategy regarding explaining the data and evidence was through a time-series analysis. This allowed for a clear structure in the study as the data is gathered, and a chronological presentation of the data uncovered will provide detailed explanation of how these universities use SCCT. This was used to compare how administrators used certain strategies during the time period of the crisis and post-crisis.<sup>126</sup>

### **Conceptual Development of Data Analysis**

Once the data was collected and reduced, conceptual development was necessary in order to draw the themes out of the data.<sup>128</sup> A qualitative analysis was used for the case study, which involved analyzing statements made by university administrators, including press releases, Facebook posts, public speeches, email correspondence with the speakers, and letters sent from administrators to students, faculty, security, or parents. The data collection involved gathering public statements made by the administrators that showcase what lead to their post crisis statements, as well as actions taken by the administration to prepare the university for the arrival of the speaker.

This study first looked at whether the speakers were asked to speak on campus or if they were invited to speak, in order to determine initial responsibility. Initial responsibility assisted in determining the victim cluster that applies to each case, since each case has different types of damage to take into consideration. For example,

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<sup>126</sup> Yin, 2018

<sup>128</sup> Lindlof & Taylor, 2013

Spencer's appearance at Virginia and Yiannopoulos' speech at Berkeley both resulted in arrests and vandalism, costing the universities thousands of dollars. This study then addressed objections or support from other individuals such as students, professors, or third party individuals such as politicians or alumni that may have factored in the university's final decision or post-crisis response. This included the state of emergency that was declared as a result of Spencer's appearances at The University of Virginia and The University of Florida, as well as public statements made by professors regarding how they feel their university handled the crisis. The researcher then analyzed the speeches, breaking down individual words and phrases to detect trends within the language that could factor into the decisions the university made regarding a post-crisis response. Concurrently, the study took note of protests or counter-protests happening at the same time in response to the speakers during the speech itself, as well as events scheduled to preempt or counter the alt-right speaker's events. The scheduling of the university events meant to respond to the alt-right speaker was noted.

The study then addressed how the university responded to the speaker's statements and the protesters, as well as post-crisis actions taken after the initial responses. This was done by looking at the press releases and public statements made by administrators to see how they reflect strategies illustrated in SCCT. Each statement noted the audience that the statement was trying to address, whether it was directed at parents, alumni, students, faculty, security or the general public. This showcased how the administration tries to maintain their reputation amongst their stakeholders, while preventing further emotional stress. Through SCCT, this study determined initial responsibility, examined the history of the public university and the emotional climate of the student body, identify the stakeholders, look at the crisis itself, and inspect the public

university response by looking at how these various factors and events led to the response.

After the data was collected and the case studies were being conducted, the cross-case conclusions were established regarding how SCCT was used through the administration's actions. The cross-case implications were determined through comparing and contrasting the common themes presented in the data<sup>126</sup>. Based on the conclusions gathered from the examples, this study provided modifications to SCCT so that it can be incorporated with the examples provided.

## RESULTS

### **RQ1: University Initial Response to Alt-Right Speakers**

Emails gathered from the University of Virginia did not show any correspondence between the university administrators and Richard Spencer nor his representatives. An email on August 9 sent from university President Teresa Sullivan to the University Board of Visitors implied that the logistics for the Unite the Right rally were most likely handled between the National Policy Institute and the Charlottesville City government. The email references the discussion, with President Sullivan stating, "The rally organizers and the city are now in a dispute about where the rally will be held, because the expected numbers have far outgrown the original projection."<sup>129</sup> This was most likely primarily due to the free speech policies at the time, in which the part of campus where the Unite the Right rally took place was designated as a public open space, reinforced by an August 12 press release after the rally, stating,

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<sup>126</sup> Yin, 2018

<sup>129</sup> Teresa Sullivan, personal communication, August 9 2017



"The University of Virginia is a public institution and as such must abide by state and federal laws regarding the public's right to access open spaces. While University policy speaks to the ability to reserve space inside University-owned facilities, permits or registration to access public and open outdoor spaces are not required." <sup>130</sup>

As such, it's arguable that there were no opportunities for the university administrators to approve or deny the Unite the Right rally from occurring. So Richard Spencer and his supporters could use the space for their march without coordinating with the administration.

The University of Florida administrators coordinated Richard Spencer's request to speak through the National Policy Institute's primary contact, Cameron Padgett. On August 11, Padgett initially confirmed to have Spencer speak on September 12 from 7-9pm in the Phillips Center for the Performing Arts. However, on August 16, the university administrators denied Richard Spencer's request to speak and released a formal announcement regarding the rejection in an email and press release to the faculty, staff, and students. However, on September 7, the National Policy Institute appeared to threaten legal action against the university and requested that Spencer be able to hold his event. The administrators announced the legal threat in a press release, stating "We were informed late this afternoon that representatives from the organization [The National Policy Institute] have retained legal counsel and plan to pursue efforts to hold this event as originally requested."<sup>131</sup> After negotiation with the National Policy Institute, the university administrators eventually agreed that the event be held on a later date, October 19.

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<sup>130</sup> University of Virginia (2017, August 12)

<sup>131</sup> University of Florida, (2017, August 30)

Unlike the University of Florida and Virginia, Milo Yiannopoulos was invited to campus by the student group, the Berkeley College Republicans (BCR). While there was no initial email correspondence between the Berkeley administrators and Milo Yiannopoulos, the January 3 email to faculty members indicated that the student group, the BCR was responsible for organizing and coordinating the event itself for February 1, with the administrators stating,

Mr. Yiannopoulos was invited to the university by the independent student group that is hosting him, the Berkeley College Republicans...So, it is the organization, not the University that is the "host" of this event, since the University did not issue the invitation and has no authority to disapprove the speaker. It is of course up to you whether you wish to take up the probity of this invitation directly with the Berkeley College Republicans.<sup>132</sup>

While there were no emails between the university administrators and the BCR, an email response on January 5 email to faculty members indicated that they approved the decision for allowing Yiannopoulos to speak, stating,

While we certainly share your concerns, we do not believe that Mr. Yiannopolous's prior conduct in the one instance you reference gives the University a basis on which to ban him from speaking on campus or to take disciplinary actions against students who have invited him here<sup>133</sup>

On February 1, however, the university administrators cancelled Milo Yiannopoulos' speaking event amid riots and violence on campus. On September 12, the university administrators announced Milo Yiannopolous was scheduled to speak on campus, invited by the student group, the Berkeley Patriots, as part of Free Speech Week from September 24- 27. On September 23, the Public Affairs office announced that Free Speech week was cancelled amid security concerns, but Yiannopoulos still briefly spoke on campus on September 24.

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<sup>132</sup> Niles Gilman, personal communication, January 3 2017

<sup>133</sup> Niles Gilman, personal communications, January 5 2017

Out of the three universities, Florida was the only university to openly reject the alt-right speaker from attending campus. However, upon saying no, they were threatened with a lawsuit forcing to allow Richard Spencer to speak. With Florida being threatened with a lawsuit and Virginia not being involved in the rally coordination process, it was more likely that their stakeholder's would attribute greater responsibility unto Spencer than the administrators. Berkeley's response to their faculty however, indicating approval for the Yiannopoulos event, would most likely indicate the faculty attributing responsibility toward the administrators.

## **RQ2: Factors Taken into Consideration When Approving or Denying Speaker Requests**

In regards to approving or denying speakers, the University of Virginia was not involved in any discussion with Richard Spencer in regards to using the grounds for the Unite the Right rally. However, due to the policies at the time, the University Grounds where the rally occurred were considered open for public use based on their policies. Therefore, discussion regarding factors taken into consideration for approving and denying speaker requests will focus on the University of Florida and Berkeley.

Both the University of Florida and Berkeley factored their speaker's history into their decision when approving or denying their speaker a platform. When the University of Florida made their initial decision to reject Richard Spencer's request to speak, a big factor it took into consideration was the violence in Charlottesville, as well as Spencer's social media activity. This was announced to the University of Florida community in a press release, stating,

"Amid serious concerns for safety, we have decided to deny the National Policy Institute's request to rent event space at the University of Florida. The decision

was made after assessing potential risks with campus, community, state, and federal law enforcement officials following violent clashes in Charlottesville, VA and continued calls online and in social media for similar violence in Gainesville such as those decreeing: 'The Next Battlefield is in Florida'.<sup>134</sup>

As such, their initial rejection to let him speak was based on his history as a security risk.

Speaker history was also factored into Berkeley's decision to initially allow

Yiannopoulos to speak, as indicated by the administration's emails with the faculty.

When the administrators approved Yiannopoulos speaking on campus, the faculty provided news articles regarding his history harassment. After they emailed a list of examples of Yiannopoulos' conduct on different university campuses to the administrators, they stated,

"Given this precedent, the campus needs to clearly state how it intends to uphold our legal obligations under Title IX to maintain an environment free of sex- and gender-based harassment...The law prohibits harassment that is discriminatory. Harassment is illegal when individuals are treated differently based on their protected characteristics (race, sex, religion, and so on). Of course, just because behavior isn't illegal doesn't mean it's appropriate...We consider it likely that both Code and Title IX violations will occur during the proposed talk at Berkeley (and prior talks have been broadcast before an international audience). 'Hate speech' is not the only way that speech can be regarded legally as conduct. Any threat or incitement to injure, or any verbal action that produces a hostile climate, is also arguably unprotected."<sup>135</sup>

After reviewing Yiannopoulos' history, the administration stated that they didn't feel it

warranted banning him from speaking on campus. On top of the speaker history,

Berkeley also had to factor into its decision the fact that Yiannopoulos was invited to

speak by student groups. Press releases discussing the event frequently included

references that the Berkeley College Republicans and the Berkeley Patriots. As such, they

did need to follow school policies regarding speakers invited by student groups, which

granted students the freedom to coordinate the speaking events of speakers they invited.

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<sup>134</sup> University of Florida, (2017, August 16)

<sup>135</sup> Elizabeth Abel et al, personal communication, January 4 2017

At the same time, the administration also needed to maintain its mission statement regarding supporting the First Amendment rights of their students regarding free speech.

Of the three universities, Berkeley most heavily factored the university's history into their justification for letting Yiannopoulos speak. Press releases leading up to the event frequently noted that Berkeley was home of the Free Speech Movement, frequently stating,

“Berkeley is the home of the Free Speech Movement, and the commitment to free expression is embedded in our Principles of Community as the commitment ‘to ensur(e) freedom of expression and dialogue that elicits the full spectrum of views held by our varied communities.’”<sup>136</sup>

As such, the administrators used the principles of the Free Speech Movement as justification for both Yiannopoulos speaking events.

Overall, the history of the alt-right speaker was a main factor for the administrator's decisions. Both Florida and Berkeley took into consideration the history of Richard Spencer and Milo Yiannopoulos' activity, both on and off university campuses. The difference is that while Florida recognized Spencer's history of violence as a reason to ban him off campus, Berkeley disregarding Yiannopoulos' harassment history when approving BCR's invitation. Berkeley disregarding Yiannopoulos' history will factor into the negative prior reputation between the faculty and administration during the crisis.

### **RQ3: Preparations Made for Alt-Right Speaker Arrival**

Upon learning that alt right speakers were coming to campus, the University of Virginia and University of Florida acted similarly in regards to their initial response. The initial emails on August 4 from UVA and August 12 from UF discouraged their

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<sup>136</sup> University of California Berkeley, 2017, January 26

community from attending the events, noted that the events were not sponsored nor affiliated with the university, and that the university does believe in supporting the First Amendment. These statements theoretically put the responsibility on Richard Spencer and put the university in the role of the victim. Therefore, noting that the universities are public and therefore obligated to have Richard Spencer speak reinforce that the university is the victim. UVA more explicitly in their press releases instructed students not to attend the event, citing safety concerns, stating “I urge students and all UVA community members to avoid the August 12 rally and avoid physical confrontation generally. There is a credible risk of violence at this event, and your safety is my foremost concern.”<sup>137</sup> UF press releases further specified that they were discouraging students from attending the event because Spencer wants to attract a crowd and build media attention. At the same time, UF also stated that students who were going to attend the event should promote diversity as a primary value of the campus, overall stating,

“I urge our community to do two things: First, do not provide Mr. Spencer and his followers the spotlight they are seeking. They are intending to attract crowds and provoke a reaction in order to draw the media. I urge everyone to stay away from Mr. Spencer and his followers and the Phillips Center where he will speak and the media will be assembled on October 19...Second, although I urge you to avoid the Spencer event, I ask that you not let Mr. Spencer’s message of hate and racism go unchallenged. Speak up for your values and the values of our university. Make it clear that messages of hate on our campus are contrary to those values.”<sup>138</sup>

Berkeley’s initial response, however, on January 26, focused primarily on assigning responsibility to the Berkeley College Republicans, noting in six press releases leading up to the event that Milo Yiannopolous was invited by them and thus they are responsible for hosting his event.

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<sup>137</sup> University of Virginia, 2017 August 4,

<sup>138</sup> University of Florida. 2017 October 10,

When preparing for the speaker's arrival, both the University of Virginia and the University of Florida focused primarily on alerting their stakeholders, sending emails and press releases directly to students encouraging them not to attend the events led by the speakers. Both the University of Florida and University of Virginia also focused on official programming that are more in-line with the University's mission statement. The University of Florida's administrators hosted events that were focused around free speech and diversity education leading to the Spencer event. The week leading up to the event included the Peaceful Unity Rally and Race and Tolerance Week University of Florida even planned to host events at the same time as Spencer's event, namely "#Together UF," which would be more in line with the university's values regarding diversity education. UF administrators also hosted discussions regarding First Amendment and free speech education, in order to reinforce their commitment to free speech. These events were coordinated by student leaders and faculty. UVA also initially planned these types of events called Community Conversations, which were open to students, faculty, alumni, parents and the general Charlottesville public. The event was scheduled to be on August 11, acting as a university sponsored alternative to the Unite the Right rally. Like #TogetherUF, the Community Conversations events was heavily coordinated by faculty and student leaders. However, on August 11, the events were cancelled after the State of Emergency was declared in Virginia.

Berkeley, upon Yiannopoulos' first planned event, did not host any events leading up to the event, However, it did host one event leading up to Yiannopoulos' second visit, which was coordinated primarily by the campus administration. However, unlike UVA and UF, the event focused specifically on free speech education, rather than including diversity education.

Leading up to the speaking events, the University of Florida and Berkeley administrators met with student groups that were concerned about the alt-right speaker visits. Berkeley held meetings with student groups that were previously targeted by Milo Yiannopoulos, such as LGBT groups. The Chancellor, Student Affairs Office, and Office of Equity and Inclusion announced a meeting with student groups to discuss concerns and ideas to maintain Berkeley's mission during Yiannopoulos' arrival.<sup>139</sup> Berkeley, however, frequently included in their press releases leading up to the Yiannopoulos event that it was coordinated by student groups, the Berkeley College Republicans and the Berkeley Patriots. The press releases always stated that the student groups were responsible for hosting the event. The University of Florida also met with students along with the Division of Student Affairs to prepare the Peaceful Unity Rally.

The needs of faculty were also taken into consideration when preparing for the alt-right speakers' arrival on campus. University of Virginia and University of Florida used their events to engage and reinforce their values with the faculty. University of Virginia's Community Conversations event was praised by faculty members, even after they were forced to cancel, faculty members expressed a willingness to participate in the rescheduled event, as indicated in an email stating "I am also pleased to hear that the teach-in program will be rescheduled. I may be able to get more nursing colleagues involved as they will be returning to Grounds after the summer break."<sup>140</sup> Based on the emails received, Berkeley was the only university to receive criticism from faculty for their decision to allow the speaker to speak on campus. While Berkeley's initial response in the January 3 email mostly focused on reaffirming their decision, they did attempt to

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<sup>139</sup> Joseph Greenwell, personal communication, January 27 2017

<sup>140</sup> Susan Kools, personal communication, August 13 2017.



engage their faculty in emails attempting to recruit them as volunteers. However, faculty did still criticize the university administration, stating,

“I’ll be brief (censured). It pains me to learn that both of you [Berkeley College Republicans and the university administration] think the appropriate response to this still-escalating situation ...is to escalate 'security' reciprocally, and that neither of you will accept the responsibility to de-escalate. Even if we escape bodily harm on Wednesday, the harm done to the community we share will be deep and lasting.”<sup>141</sup>

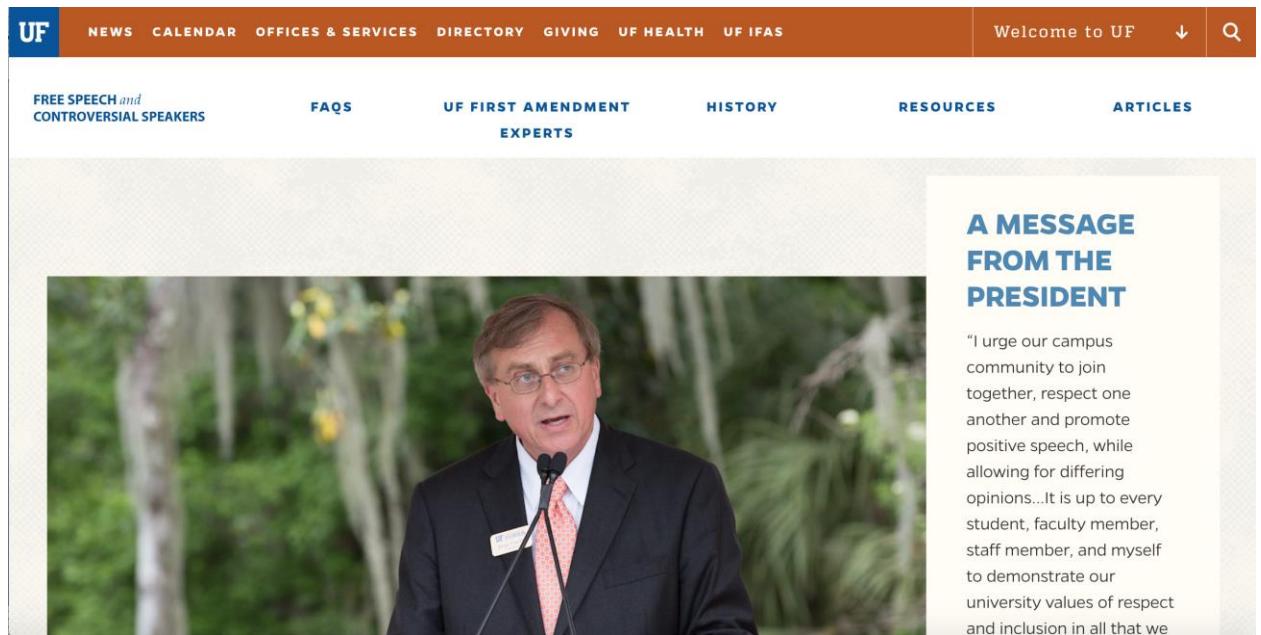
The University of Florida and Berkeley also both created websites specifically dedicated to free speech education. Both websites include information regarding free speech history, links to university event policy, FAQ sections regarding free speech, and various opinion pieces regarding free speech from university professors. The University of Florida free speech website also included security information and resources for reporting harassment. The University of Florida released their website on October 5, over a week prior to the Richard Spencer event, and Berkeley released their website on September 15, also over a week prior to Milo Yiannopoulos’ second appearance (See Figure 1 and Figure 3). A similar website was created by the UVA but only after the Unite the Right rally (See Figure 2). Berkeley would frequently reference the Free Speech Movement in their press releases and reinforce the university’s dedication to free speech in press releases and posted emails that criticized their decision to let Yiannopoulos speak.

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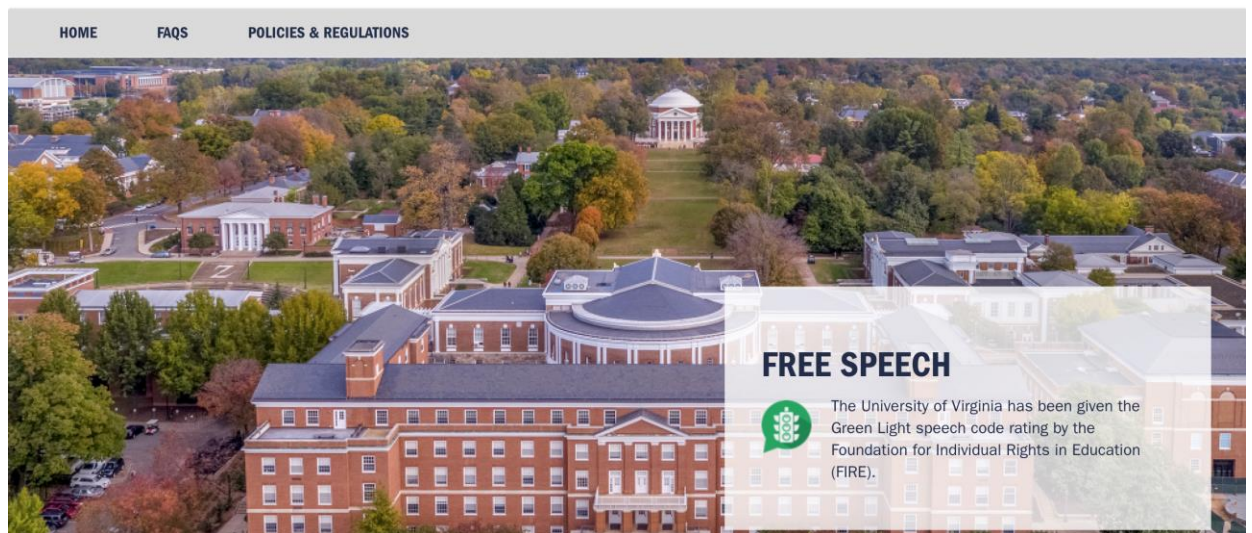
<sup>141</sup> David Landreth, personal communication, January 29 2017

**Figure 1**

University of Florida Free Speech Website (2018)

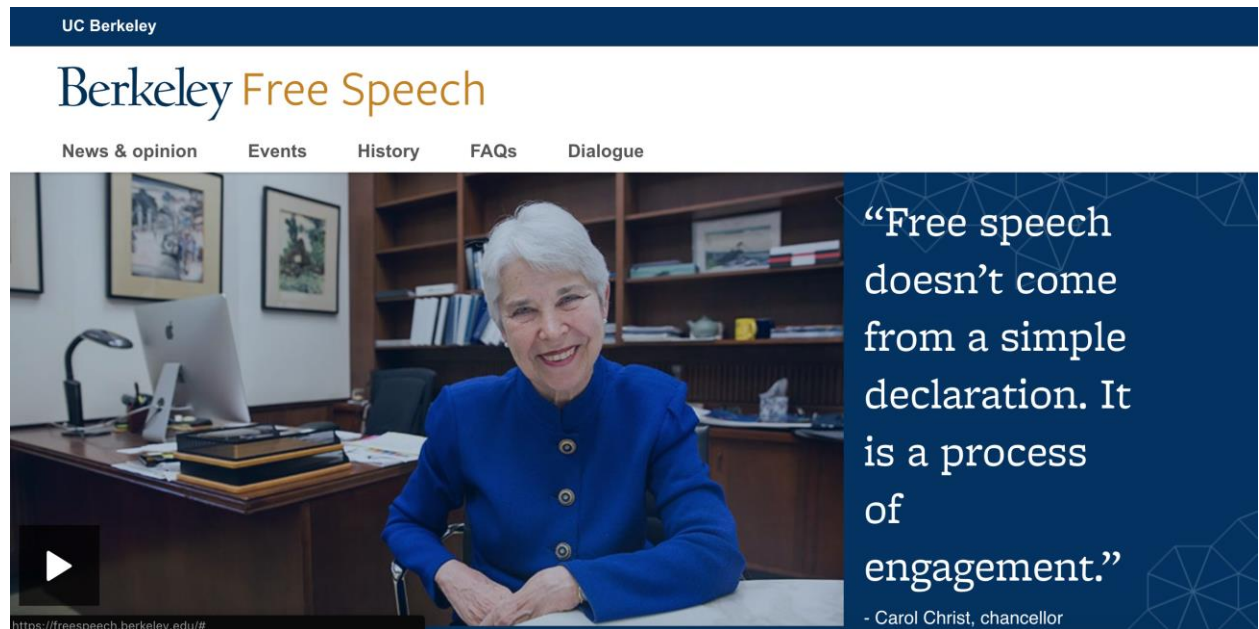
**Figure 2**

University of Virginia Free Speech Website (2018)

**FREE SPEECH**

**Figure 3**

Berkeley Free Speech Website (2018)



University of Florida notably focused on promoting their wellness resources and facilities in press releases leading up to the Richard Spencer event. These resources included contact information for psychological help for harassment and anxiety, as well as wellness centers for physical injuries. The University of Virginia also promoted their wellness centers by providing resources and information that the medical center and wellness facilities that were still open during the State of Emergency. Berkeley also prioritized sending wellness information to students in preparation for the first Yiannopoulos event, regarding the Office of Prevention of Harassment and Discrimination. According to their emails and press releases, Berkeley administrators provided the wellness information after receiving reports of harassment toward students and faculty. They also provided information regarding safe protest procedures for students premiting Free Speech Week.

Preparing security for the alt-right speakers' arrival was a high priority for both for University of Florida and University of Virginia. The University of Florida Public Safety provided information to students and faculty, including Frequently Asked Questions, security and road closure information, and a link to the Florida Free Speech website, which included information on UF Free Speech policies.<sup>142</sup> University of Florida was also the only to contact previous universities regarding their security procedures, most notably Auburn University and the University of Virginia. Auburn University responded to University of Florida's emails regarding security costs, stating, "We spent \$3500 on security at Auburn. I just wanted to let you know in case that is useful information. The Auburn event was also peaceful."<sup>143</sup> University of Virginia received criticism from parents and faculty for not organizing their security properly. Hence why their post crisis press releases focused heavily on their work with an outside security firm to review their security procedures. Berkeley was also criticized for having lax security procedures in the wake of Milo Yiannopoulos' first visit. Berkeley received similar criticism regarding their security team, who informed the press that they were not properly briefed for the event.<sup>144</sup>

#### **RQ4: Emerging Principles of SCCT**

##### **Attribution/Initial Crisis Responsibility**

The crisis cluster for both the University of Virginia and the University of Florida can both be described as victim clusters, where the universities themselves are the victims. This is primarily due to both universities had speakers come on top campus,

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<sup>142</sup> University of Florida, 2017, October 11

<sup>143</sup> Cameron Padgett, personal communication, 2017

<sup>144</sup> Anthony, 2017

uninvited, and causing damage on the grounds that could potentially impact their reputations. The crisis types however are different for the two universities. The University of Virginia's crisis falls under a workplace crisis type. The reason for the workplace violence crisis type is due to the indication multiple emails from parents, alumni, and faculty that Richard Spencer is an UVA alumnus, which was a factor when the administration was urged to act, as one email from an alumni stated,

“Richard Spencer headlined the horrific event. And both of these miscreants are graduates of the University of Virginia... They [Richard Spencer and Jason Kessler] have violated our university and all if its students past and present in a way that goes far beyond cheating on a test. They do not deserve to be a part of the UVA community. Please revoke the UVA diplomas of Jason Kessler and Richard Spencer.”<sup>145</sup>

The response email from the university alumni mimicked the language used in the university press releases to faculty and staff, framing the university as the victim, stating, “As a community, this weekend's violence and words of hatred in Charlottesville and on Grounds have profoundly saddened and disturbed us and do not represent the values of the University of Virginia alumni community.”<sup>146</sup> Describing the campus as “disturbed” was also used in initial press releases to the students and faculty right after the crisis, as well as several emails from the administration sent to students and parents. The damage that he, along with the Unite the Right rally, caused was on UVA grounds, as such, an equivalency could be made to a former employee causing damage onsite.

For the University of Florida being the victim, on the other hand, the crisis type most associated with the crisis was malevolence, with an external agent, in this case Spencer, causing damage to The University of Florida through his event. This was

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<sup>145</sup> Seila Francis. Personal Communication, August 17 2017

<sup>146</sup> UVA Alumni Association. Personal Communication, August 12 2017

showcased in the two initial press detailing Richard Spencer's arrival, noting that they were under a legal obligation to let Spencer speak. As such, the students and faculty were more likely to attribute responsibility more unto Spencer than the administration since the initial crisis responsibility lands on Spencer, the reputational threat to the University of Florida is mild. For both universities, since the organization itself was the victim, the organization has a weak attribution of crisis responsibility. As such, the organization runs a low reputational threat from this crisis, since the initial responsibility for the crisis is on Richard Spencer, not the university.

Berkeley is unique in that its crisis type best associated with this crisis is an organizational misdeed with injuries as part of a preventable cluster, meaning that the university knowingly put their stakeholders at risk, and took inappropriate action. While Milo Yiannopoulos was invited by the Berkeley College Republicans and The Berkeley Patriots respectively, thus restricting what they could do, the administration was held responsible when confronted with Yiannopoulos' crisis history by the faculty and by students who were harassed by Yiannopoulos during the event. As such, since the university administrators made a judgment-call based on Yiannopoulos' crisis history, resulting in the faculty attributing responsibility to the administrators.

### **Crisis History**

Between the three universities, only The University of Florida and Berkeley were coming off of instances in which controversial speakers arrived on campus and were met with protestors. In 2007, the University of Florida was accused of going against free speech after a student was tased upon using profane language in a question asked to a speaker, John Kerry. As the student was asking his question, the microphone was cut off

and the student was arrested for trying to incite a riot and resisting an officer. The student was tased by the UPD while they lead him out of the building. The incident was filmed and went viral on YouTube.<sup>147</sup>

Since the incident, issues were discussed regarding excessive force from the police officers. The following day, around 300 students marched around UPD headquarters, protesting the excessive force demonstrated in the video.<sup>148</sup> The ACLU released a statement condemning the UPD as, what they considered, an infringement of the student's free speech.<sup>149</sup> The President of the University of Florida announced that they would conduct an independent investigation of the UPD, leading to the two officers involved in the tasing being put on paid administrative leave. In October, after the investigation, the UPD officers were cleared and their actions were justified under Florida law regarding proper use of a taser.<sup>150</sup>

On April 2017, the University of Florida experienced a similar crisis as Berkeley, when Ben Shapiro, alt-right political commentator and editor-in-chief of *The Daily Wire*, was invited to speak by the Young Americans for Freedom student group. Protestors organized outside the event, criticizing Ben Shapiro's content and that out of the \$20,000 speaking fees, \$15,000 came from ACCENT rather than the group that invited him.<sup>151</sup> The protest was made up around 15-20 students and one faculty member. However, the protest itself was considered well organized and peaceful, with neither violence nor vandalism.<sup>152</sup>

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<sup>147</sup> Wilmath, 2007

<sup>148</sup> Tiegen & Morale, 2007

<sup>149</sup> Hensler, 2007

<sup>150</sup> Stripling, 2007

<sup>151</sup> Rosevelt, 2017

<sup>152</sup> Hodges, 2017

Unlike UF, Berkeley had a more extensive history with student protests and controversial speakers. Since 2000, Berkeley has had three instances in which controversial speakers arrived on campus, resulting in mass protests from students and faculty. These include a speech from Israeli Prime Minister Benjamin Netanyahu in 2000, former Israeli Prime Minister Ehud Barak in 2002, and Nation of Islam leader and activist Louis Farrakhan in 2012. Netanyahu's event was unique in that he visited Berkeley as part of a speaking tour, and his event was met with more violent and aggressive protestors. On the day of the event, with a crowd of over 2000 people, hundreds of rowdy protests were gathering around the Berkeley Community Theater, where the speech was going to take place.<sup>153</sup> The protestors were notable for pushing through security barricades into the ticketed area of the venue, and berated ticket holders. Netanyahu cancelled the event on the night of the engagement at the advisement of the Berkeley Police Department, who said that they didn't have the resources to properly protect Netanyahu from the protestors.<sup>154</sup> Berkeley police Lt. Russell Lopes criticized that his office was not properly informed of Netanyahu plans to speak on campus, only finding out about the event two days prior from a sergeant who was a ticket holder. City councilmember Dona Spring was also critical that public funds needed to be used for this event to take place.<sup>153</sup> Berkeley Mayor Shirley Dean issued a formal apology for Netanyahu, stating that the actions of the protestors go against the university's values and the ideals behind the Free Speech Movement. She further stated that further

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<sup>153</sup> Associated Press, 2000

<sup>154</sup> McLaughlin, 2000



communication between the protest organizers and the city before the event, as well as early coordination with the city, could have prevented the riot from happening.<sup>155</sup>

The subsequent speaking events differed from the Netanyahu event, as both speakers were invited by student groups and were recognized for having tighter and better-regulated security. The Israel Action Committee invited Ehud Barak, and the Black Student Union invited Louis Farrakhan.<sup>156 157</sup> Both events were heavily protested by hundreds of students, however both protests were also reported as being mostly peaceful, with the Ehud Barak protest only resulting in one student being arrested for vandalism.<sup>158</sup> It was reported that the security team learned from the Netanyahu protests and improved the coordination of their team, while also receiving greater funding from the Chancellor's office.<sup>155</sup>

While the University of Virginia did not have a history of similar crises, the university administration and security were coming off of three controversies leading up to the Unite the Right rally. One of the earliest crises during that decade was the resignation and reenstatement of President Teresa Sullivan in 2012. On June 10 2012, President Sullivan announced that she would be stepping down as President in August, having served only two years of her five-year contract. Some members of governing board stated that the reason was due to disagreements between the president and the board regarding cutting academic programs due to budget cuts.<sup>159</sup> Others cited differing views on teaching and educating philosophy between President Sullivan and the

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<sup>155</sup> Eskenazi, 2000

<sup>156</sup> Buress, 2002

<sup>157</sup> Cote, 2012

<sup>158</sup> Correspondent, 2000

<sup>159</sup> De Vise & Kumar 2012

board.<sup>160</sup> Overtime, it was reported that her resignation was organized by University of Virginia Rector Helen Dragas, acting as an “ouster.”<sup>159</sup>

Upon the public announcement of President Sullivan’s resignation, large-scale protests against the action were held by the students, faculty, and alumni. The decision also drew criticism from the Faculty Senate, as well as the student government, who demanded an explanation from the board regarding the decision for President Sullivan to step down.<sup>161</sup> <sup>162</sup> Faculty and alumni called for Helen Dragas to resign and the faculty senate released a statement supporting President Sullivan and citing a lack of confidence in Dragas.<sup>163</sup> <sup>164</sup> Following a meeting with the faculty senate on June 18<sup>th</sup>, Governor Bob McDonnell made a statement that if the Board of Visitors did not resolve the conflict by June 26, then the Governor will replace the entire board of visitors.<sup>165</sup> The board voted unanimously to reinstate President Sullivan, while Dragas was reappointed to another term by the Governor.<sup>166</sup>

The second crisis that was addressed was the “A Rape on Campus” Rolling Stones article in 2014. The article claims that a UVA student, going under the name “Jackie”, was taken to a party hosted by the Phi Kappa Psi fraternity and gang raped by members going through the initiation process. Phi Kappa Psi suspended activity for the UVA chapter and President Sullivan suspended all fraternity activity a few days later.<sup>167</sup> In the wake of these actions, the UVA student newspaper reported that the *Rolling Stone*

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<sup>160</sup> Surin, 2017

<sup>159</sup> De Vise & Kumar 2012

<sup>161</sup> Rice, 2012

<sup>162</sup> Kapsidelis, 2012

<sup>163</sup> Johnson, 2012

<sup>164</sup> Lorin 2012

<sup>165</sup> Kumar & Johnson, 2012

<sup>166</sup> Strong, 2012

<sup>167</sup> Debonis & Shapiro, 2014

article reinforced preexisting issues with the way UVA handled sexual assault cases, and that the administration's investigation has been too slow in the eyes of the student body.<sup>168</sup> Within a few days, protests and marches started occurring around campus, and vandals started spray-painting Phi Kappa Psi fraternity houses, leading to the arrest of four protestors.<sup>169 170</sup>

On December 5, the Interfraternity Council at UVA released a statement noting that the author of the *Rolling Stone* article didn't include any of the information from their interview with the author. After investigations from the state and UVA police, as well as investigations from various news sources and the Columbia University School of Journalism, they all found inconsistencies with how the author reported the story. This led to the *Rolling Stone* retracting the story from their website on April 5, 2015. After the police investigations concluded that the report from the *Rolling Stone* article did not happen, President Sullivan released a statement condemning the *Rolling Stone*'s story, saying that it did more harm towards the issue of combating sexual violence than good.<sup>171</sup>

The initial impetus of the Unite the Right rally in Charlottesville was due to a conflict regarding the planned removal of a statue of Robert E. Lee. In February 2017, the Charlottesville City Council voted to remove a statue of Robert E. Lee and to have Lee Park, where it was erected, to be renamed to Emancipation Park. Upon news of its removal, a court injunction stopping the removal was issued but the group, Sons of Confederate Veterans, leading to protests for and against the removal of the statue.<sup>172</sup> In July, the statue was vandalized by individuals who spray painted the words "Black Lives

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<sup>168</sup> Bernstein, 2014

<sup>169</sup> Dickerson, 2014

<sup>170</sup> Dickerson, 2014

<sup>171</sup> Sullivan, 2015

<sup>172</sup> Vozzella, 2017

Matter.<sup>173</sup> The threat of the statue's removal and the renaming of the park led to the formation of the Unite the Right rally.<sup>172</sup>

### **Emotions/Prior Relational Reputation**

Since the emails from the University of Florida did not address much prior reputational information regarding how their events were received, this section will focus more on the University of Virginia and Berkeley, which had drastically different responses. Emails leading up to the Unite the Right rally regarding campus events showcased positive responses from faculty, students, and guest speakers regarding the planned Community Conversations event. The administrators received emails from student volunteers and faculty showcasing enthusiasm for the event, as well as emails of praise after the later events were cancelled, as showcased from emails,

“So disappointed that UVA counter programming events, so ably curated, were cancelled. The topics were amazing, and my first session experience only increased by desire to attend more in the afternoon. Your efforts gave me a welcome focus yesterday morning. I may have wandered downtown otherwise, to the detriment of my safety.”<sup>174</sup>

Emails from faculty members and speakers also showcased a desire to reschedule the event after it was cancelled, with one email from a speaker who initial denied a request to speak stating, “... I retract my 7 August email sentiments describing myself as "disinclined to offer my services to our community."”<sup>175</sup> As such, the planning process for the Community Conversations event and inclusion of the Charlottesville community in the process, helped develop a positive prior reputation for the university.

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<sup>173</sup> Fortin, 2017

<sup>172</sup> Vozzella, 2017

<sup>174</sup> Elizabeth Meyer, personal communications, August 13 2017

<sup>175</sup> Ervin Jordan, personal communications, August 13 2017

Leading up to both the first Milo Yiannopoulos speaking event and Free Speech week at Berkeley, student newspaper articles from Berkeley praised Berkeley faculty for engaging in political protests leading up to the Yiannopoulos events. The faculty also hosted events about safe protesting both in order to maintain a peaceful environment and teach students about non-violent mobilization. Student responses to the faculty engagement were positive, appreciating the educational opportunity and the non-violent atmosphere.<sup>176</sup> These events, however, appeared to be orchestrated independently from the faculty, without involvement from the administration as there was no coordination for these events in the Berkeley administration emails. The Berkeley emails noted criticism of the university administrators from their faculty regarding Yiannopoulos coming to campus, as showcased in the faculty emails criticizing the administration's decision to allow Yiannopoulos to speak despite his history of harassment violating Codes of Conduct.

Articles from student newspapers across all three campuses showcased the campus atmosphere as politically charged, anxious, and divided.<sup>177 178 179</sup> A majority of the articles and op-eds detailed anxiety that students are feeling regarding the political climate of the campus. These concerns include a growing racist, misogynistic, or xenophobic atmosphere on the campuses, particularly on the University of Florida and Berkeley, where instances involving racist slogans and swastikas appearing on campus were becoming more frequent.<sup>176 180</sup> Op-eds from all three universities featured students criticizing democratic and republican students for the extreme rhetoric on campus,

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<sup>176</sup> Ramaiyer, 2017

<sup>177</sup> Schutte; 2016

<sup>178</sup> Foster, 2016

<sup>179</sup> Doyal & Cain, 2016

<sup>180</sup> Ellenbogen & Tavel

including op-eds directly targeting the UVA College Republican student groups for initially endorsing Donald Trump.<sup>181 182</sup>

Protests were also becoming more frequent on campuses particularly regarding the anti-DACA immigration, a common issue amongst all three campuses due to undocumented immigrant students on campus.<sup>183 184</sup> While the protests at UVA and UF were peaceful, a number of Berkeley protests were detailed as being violent and leading to students getting arrested.<sup>185</sup> The security team at Berkeley was criticized for not keeping the peace during these protests, similar to the criticism the security team received during the Netanyahu event.<sup>186</sup>

### **Crisis Strategies**

Since both the University of Virginia and the University of Florida had similar crisis types and crisis clusters, the universities run a low reputational threat from the crises, since the initial responsibility for the crises is not on the university, instead on the speakers. Both universities were also similar for not having a significant history of similar crises. While Florida's prior reputation is unknown, both universities also took steps to build a positive reputation through hosting events that were in line with their values. As such, both universities followed similar strategies in the wake of the crisis, primarily focusing on informing the public of resourcing and process that they can use to stay safe.

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<sup>181</sup> Hiestand 2016

<sup>182</sup> Felice, 2016

<sup>183</sup> Editorial Board, 2017

<sup>184</sup> Cannestra, 2017

<sup>185</sup> The Daily Californian News Staff, 2017

<sup>186</sup> Zhao, 2017

On the day of Richard Spencer's speeches, as well as leading up to the speech at UF, the universities provided regular updates regarding how Richard Spencer's event is progressing in regards to possibly safety risks. Both universities also provided health and wellness information on the day of the event itself. UVA and UF differed in regards to the specific post-crisis messaging techniques. UVA's strategy focused primarily on rebuild strategies, acknowledging their needs to update their security, providing regularly updated information regarding how they update their procedures.<sup>187 188</sup> At the same time, their secondary crisis response resembled victimage, using language that emphasized the idea that the community itself was a victim. Upon receiving criticism for their security procedure, the University Rector released a statement that focused on the idea that the community was hurt by the actions of the Unite the Right rally and condemned the beliefs of the rally stating,

“The actions of those who visited evil upon us are nothing short of white nationalist and white supremacist terrorism intended to intimidate our community. They will not succeed. We will not surrender. We are here to support all in our community, particularly those who feel the impact of their hatred most keenly. And we are here to ensure our highest priority - the safety of all.”<sup>189</sup>

The statement was praised in 73 emails by parents and faculty, having received noting that the Rector's statement was more explicit about the damage the Unite the Right rally caused, as some parents stated, “Thank you for this strong, clear, and genuine sounding message. I wish President Sullivan's messages had been so direct. Her messages have been very generic and transactional.”<sup>190</sup> However, the email also received criticism in six emails, stating that the Rector's email was one sided, stating “If the way forward is

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<sup>187</sup> University of Virginia, 2017 August 21,

<sup>188</sup> University of Virginia, 2017 August 24,

<sup>189</sup> Frank Rector, personal communication, August 13 2017

<sup>190</sup> Fatimah Williams, personal communication, August 13 2017

together please skip the pompous one-sided moral indignation, and stick to sympathy for the casualties.”<sup>191</sup> Despite the criticism, the overwhelming positive feedback from stakeholders showcased that painting the university more as a clear victim and target by the Unite the Right followed up with a call to unite the community appeared to be received more favorably by the stakeholders.

UF’s post crisis messages focused primarily on praising their security team, police force, and community. In a joint press release posted on Facebook, the administration praised the work of UFPD, local law enforcement, and public political offices that assisted in coordinating Richard Spencer’s event, stating:

“Public Safety Officials from the federal, state and local levels all came together today to ensure that all Floridians were kept safe. Free speech is an important right granted by our U.S. Constitution, and today reflected a tremendous effort to execute a proactive and comprehensive security plan that has been in the works for months... We put lessons learned from the incidents in Charlottesville and Berkeley into practice today... The university and law enforcement thank the campus community for its reasoned, rational response to the presence on campus of Spencer and members of his National Policy Institute... Special thanks goes to: [specific officers]”<sup>192</sup>

The post named specific individuals who assisted with managing security for the event, and noted that they learned from Charlottesville the importance of maintaining safety during alt-right speaker events. This strategy is in-line with ingratiation, praising the work of stakeholders that contributed to preventing a larger crisis.

The University of California, Berkeley’s crisis type is a preventable cluster though organizational misdeed, meaning that the university knowingly put their stakeholders at risk. While Milo Yiannopoulos was invited by the BCR, and the Berkeley Patriots for his second appearance, so the university did have to adhere to protocols

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<sup>191</sup> Dave Rolston, personal communication, August 14 2017

<sup>192</sup> University of Florida, 2017 October 19



regarding invited guests, the administration's response to concerns from the faculty showcase a judgment call. When the faculty emailed the University administrator on January 3<sup>rd</sup>, citing examples of Milo Yiannopoulos' prior conduct and how it violates Title IX and the University Code of Conduct, the university responded saying they didn't find Yiannopoulos' history to be substantial enough to ban him from campus. By making a judgment call, the administration is accepting responsibility for his actions, and as such, the crisis involves high level of crisis responsibility to the University, and risks a severe reputational threat to the university.

The crisis history for Berkeley is also notable. The university was coming off of a number of similar crises leading up to Milo Yiannopoulos. While Berkeley already had a reputation of being the originators of the Free Speech Movement, the university also had multiple crises regarding large scale protests of controversial speakers. This includes the Netanyahu event in 2000 that led to protests, the Ehud Barak 2012 events that led large scale protests and vandalism, and the Louis Farrakhan event the same year, which also led to protests. On top of their crisis history, the criticisms from the faculty and student body indicated from the emails and op-ed in *The Daily Californian* indicate that the prior relationship reputation is negative.

The primary strategies utilized by Berkeley is scapegoating and excuses, with a majority of the press releases leading up to the first speaking event noting that the Berkeley College Republicans invited Milo Yiannopoulos to campus, so under campus policy, the University administration cannot deny the initial invitation to speak. This would usually be followed with the secondary crisis response, reminder, with a majority of press releases saying they are founders of the Free Speech Movement. The mixing of denial and diminish strategies was argued against in Coombs (2007), noting that it could

erode the effectiveness of the university's response. This was demonstrated to be the case after the criticism the university received throughout the university's responses to faculty and students. This was probably why using the reminder secondary crisis strategy by mentioning the Free Speech Movement so frequently was also ineffective.

## DISCUSSION

The implications of the data show the importance of responding directly to the concerns of the community through community engagement. By involving the community in reinforcing the university's values regarding diversity through programs, it allowed them to distance themselves from the alt-right speaker while also maintaining a positive relationship with their students and faculty. Both UVA and UF's strategies regarding hosting events leading up to the crisis reaffirms the literature regarding using events to reaffirm the university's values, reinforcing the literature regarding how hosting events that engage the community and build on values that are important to the university can help protect a university's reputation.<sup>53</sup> By hosting these events, UVA was able to establish a positive prior reputation leading up to the crisis, which was showcased in the praise UVA received in organizing these events in student and faculty emails, and the willingness to participate even after they were forced to cancel the events.

UF's preparation for Spencer's event through distancing themselves from Spencer and hosting events leading up to the alt-right speaker was similarly praised by academics. They considered UF's practices an educational opportunity for other universities regarding how to prepare for an alt-right speaker coming to campus.<sup>193</sup> Insiders focused on how openly showcasing that they were forced to hold the event and promoting

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<sup>53</sup> Kerska, 2017

<sup>193</sup> Bauer-Wolf, 2017

diversity and free speech education events were effective for protecting the university's reputation and kept students safe, without making Spencer come-off as if his right to free speech being oppressed.<sup>185</sup> The praise UF received is inline with SCCT strategies for protecting one's reputation.

When Berkeley tried to host events leading up to the crisis, the focus of the events were primarily on free speech rather than harassment or diversity. However, as indicated in the criticism Berkeley's administrators received in their emails, the faculty were concerned with harassment, not free speech. As such, the focus of the events were not related to the concerns that faculty had with Yiannopoulos coming to campus, so they were arguably not as effective as UVA or UF, who's events actually related to the concerns with Richard Spencer coming to campus. Harassment became an issue not only for faculty members but for students as well. During the Free Speech Week event, Milo Yiannopoulos publically identified LGBTQ+ students and posted their Facebook information on his Instagram, leading to the students being harassed online. The students attributed responsibility to the university administrators, as covered in the Berkeley student newspaper, "She [Cordova-Goff] called on campus administration to take responsibility for the incidents. Cordova-Goff also said in her statement that the harassment "could have been, and should have been, prevented by the university itself."<sup>194</sup> By seemingly disregarding the concerns of both faculty and students, the stakeholders were more likely to attribute responsibility to the administration and damage the university's reputation.

In regards to SCCT, the results of the actions taken by the universities during their respective crises did appear to align with the theory. As researchers established, crises

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<sup>194</sup> Nouriani, 2017

with low levels of attributed initial responsibility have a lower risk of decreasing their reputation during a crisis.<sup>3</sup> As such, the goal of the three universities was to distance themselves from the alt-right events. UVA and UF emphasized heavily in outgoing messages that they were public universities and as such had a legal obligation to allow the events to take place. Since UVA and UF did not have an extensive history related to controversial speakers and have neutral/positive prior reputations with the students and faculty, their focus on informing stakeholders of the crisis events as they take place reinforces SCCT strategies regarding victim crises.<sup>3</sup> UVA's framing of the crisis as the university itself being a target also reinforces SCCT strategies regarding victimage. Since a number of emails toward UVA referenced Richard Spencer being an UVA alumnus, the crisis can be attributed to workplace violence. Also, while UVA does not have a similar crisis history regarding controversial speakers, they were recently experiencing the crisis regarding the confederate statue removal process. Therefore, SCCT strategies regarding using rebuild strategies for crises with a low attribution of crisis responsibility coupled with a history of similar crises could be applicable, since the previous crisis was so heavily tied in with the Unite the Right rally. As such, framing the university itself as the victim coupled with the Rector's email calling for positive change and the administration taking responsibility for the security team needing to be updated, reaffirmed SCCT strategies regarding how victimage and rebuild can unify the organization and protect its reputation.

The crisis response heavily showcased by UF was ingratiation, particularly in regards with their security team. After the Richard Spencer event, the press release put

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<sup>3</sup> Coombs, 2007

<sup>3</sup> Coombs, 2007

out by the university administrators heavily praises local and federal law enforcement as well as the UFPD. This strategy reinforces SCCT recommendations regarding how bolstering can be used to reinforce faith with their stakeholders, primarily when the UF also focused on informing and adjusting information related to the Richard Spencer, such as providing updated security details and alternate routs to classes to avoid the event. As such, UF's handling of the Richard Spencer event was praised by academic institutions, considering UF's strategies as a model for hosting alt-right speakers, thus reinforcing the effectiveness of strategies that are in-line with SCCT.<sup>193</sup>

Berkeley's primary strategy regarding distancing themselves from the event was through using the SCCT strategy of scapegoating, primarily in regards to the student groups. Throughout all of the press releases leading up to the event, the Berkeley Administrators would state that Milo Yiannopoulos was invited by the BCR, in an possible attempt to delegate responsibility of Yiannopoulos' actions to the group. Research regarding SCCT has stated that the goal of deny strategies, such as scapegoating, is to establish a new crisis frame, and that they only work if the stakeholders accept the new frame<sup>3</sup>. However, two emails to Berkeley administrators from faculty and one of the articles from students showing that they both completely rejected the new frame.<sup>194</sup> The attempt made the administrators look like they were trying to avoid responsibility from Yiannopoulos' actions, as showcased in emails from the faculting, stating

Our letters and yours do not seem to be speaking the same language. We cite evidence of harassment; you refer us to questions of protected speech. We ask questions about preventing violations of the Code of Conduct and potential

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<sup>193</sup> Bauer-Wolf, 2017

<sup>3</sup> Coombs 2007

<sup>194</sup> Nouriani, 2017

consequences for any violations that may occur; you characterize us as seeking to punish students merely for issuing an invitation. You suggest that we misinterpret the Code of Conduct and the University's legal obligations to prevent harassment, but do not explain how.<sup>135</sup>

This reaffirmed the literature that deny strategies be preferably used for challenge or rumor crises.<sup>3</sup>

Berkeley's failure to maintain a positive relationship with their stakeholder's leading up to the crisis could also be attributed to them mixing their deny strategies with rebuild strategies. On top of using scapegoating strategies, which already failed in reframing the crisis, the Berkeley administrators used reminder strategies in the same press releases. The press releases frequently referenced the Free Speech Movement and how the university adheres to the principles of the Free Speech Movement as a part of their history. Berkeley was the only university to explicitly tie their history to their crisis strategy. This, along with their responses to faculty criticism and the event held preempting Yiannopoulos' second visit, were further attempts to reframe the crisis from an harassment issue into a free speech issue. However, subsequent emails regarding concerns for harassment and putting the safety of the students at risk showed that the attempt was unsuccessful. The further criticism the administration received was tied into them not taking responsibility. This was probably due to using strategies that tried to put the responsibility on the BCR and remind the audience of the Free Speech at the same time. The lack of effectiveness of Berkeley's strategies reinforces Coombs statement that using denial and rebuild strategies, like scapegoating and reminder, at the same time could overwhelm the effectiveness of both.<sup>3</sup>

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<sup>135</sup> Elizabeth Abel et al, personal communication, 2017

<sup>3</sup> Coombs, 2007

A core issue regarding these crises was still the issue free speech on campus. The university newspapers did indicate politically active and divided campuses, with multiple student groups that align themselves with different political parties. At the same time, universities have a responsibility to acknowledge the white-supremacist origins of the alt-right, distinguishing it from Republican or conservative groups, or they run the risk of validating the white-supremacist views of the alt-right and associating themselves with those views.<sup>54 55</sup> This issue was especially present for Berkeley, which was the only university to have an alt-right speaker invited to their campus by a student group. As a result, they had the daunting task of reinforcing their student's rights to demonstrating free speech while also protecting the safety of their student body and not aligning themselves with white-supremacist groups. Since Milo Yiannopoulos was invited by the BCR and the Berkeley Patriots, publically denouncing Yiannopoulos could foster a campus environment that discourages demonstrating free speech. This would be particularly negative for Berkeley, due to its history and mission statement of preserving and fostering free speech as the founders of the Free Speech Movement.

Hosting free speech educational events and providing information on safe protesting methods, both of which were well received from students, was theoretically an effective method of maintaining their values regarding providing a free speech environment. Despite these events, the rioting on campus during the Yiannopoulos events damaged the university's reputation regarding handling free speech events. After the Yiannopoulos events, Berkeley was listed in *The Foundation for Individual Rights in Education* (FIRE) as one of the top 10 worst universities for free speech, citing the

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<sup>54</sup> Lasson, 1999

<sup>55</sup> Cohen-Almagor, 2008

mishandling of the Yiannopoulos events and the student riots as evidence.<sup>195</sup> By not addressing the concerns of the faculty and students regarding harassment and poorly preparing students for handling controversial speakers, the potentially positive impact from these events were not as successful as they could have been.

Based on how SCCT emerged in UVA and UF's strategies, which also resulted neutral/positive responses from stakeholders, it likely that their strategies protected their reputations with their stakeholders. However, whether UVA and UF's actions promoted free speech is muddled. Both UVA and UF directly discouraged students from attending Richard Spencer's events, and focused primarily on programing regarding diversity than free speech. UVA's response was understandable and did appease their stakeholders as safety was a larger issue. Richard Spencer was not invited and did not coordinate the Unite the Rally's march on campus with the university administrators nor security. However, the university emails do indicate from some student groups a desire to protest, and while support for Richard Spencer wasn't apparent in the student newspapers nor emails, there was a right-leaning presence among the student body and there was a controversy occurring regarding the removal of Confederate statues. There may have been students who wanted to rally in support of the statues not being removed and participate in the rally in a peaceful manner. The UVA administrators may have been able to foster an environment promoting free speech by providing information and events regarding safe protesting methods, similar to what Berkeley did.

Florida had the closest balance of maintaining a free speech while keeping students safe and not aligning themselves with the alt-right. UF was distinct in that they held events dedicated to both diversity and First Amendment education. This allowed

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<sup>195</sup> FIRE, 2018



them to distance themselves from Richard Spencer's viewpoints while also showcasing their dedication to First Amendment values. However, like, UVA, UF also discouraged students from attending Spencer's event, also focusing primarily on safety concerns. When initially banning Spencer from hosting his event, the administrators specified that it was due to statements Spencer made on social media that indicated potential violence at the event. Once Spencer threatened legal action and confirmed a date for the event, the administrators explicitly discouraged students from attending the event in their press release, citing that they don't want to fulfill Spencer's desire for provocation. While the alt-right's pension for provocation is supported historically, and the press releases also encourage protest, explicitly encouraging their students repeatedly not to attend the Spencer event could have made the administration come off as inconsistent regarding their stance on free speech.<sup>77</sup> Simply stating that the university doesn't support nor endorse Spencer's alt-right views, coupled with the diversity and free speech events, could have been enough to distance themselves from Spencer's views while promoting a free speech environment.

### **LIMITATIONS/FUTURE STUDIES**

Limitations of the study included the use of a single coder when analyzing data and detecting trends. Multiple coders, particularly for large sets of data, could potentially allow for more themes to be drawn from the data. This study also only focused on three examples of public universities for the sample, which limits the trends that can be detected. While the reason for the small sample size was due to the restrictive parameters of the study, future studies could expand their sample size to include more public

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<sup>77</sup> Bokhari & Yiannopoulos, 2016

universities to examine other strategies used for managing controversial speakers on campus. Even though the focus of the study was public universities, since they have restrictive free speech codes and legal risks to factor into their decisions, private universities could also be studied in the future, regarding strategies for protecting students during potentially violent protests, and maintaining their reputations after hosting a controversial speaker.

Since the researcher needed to file FOIA requests in order to acquire data, it led to delays in writing due to initial multiple rejects from the University of Virginia. This was due to the researcher not being a Virginia resident and due to Richard Spencer not being considered a “speaker” on campus, even though he was one of the leaders in the Unite the Right rally on their campus. As a result, analysis needed to be done based on the timetable of when the university gave the researcher the data. However, when the emails were finally acquired, they proved invaluable in showcasing the primary concerns of the stakeholders, as well as showing the administrations attempts to maintain a positive relationship with their stakeholders throughout the crisis.

There were also limitations based on the type of data the researcher could get from the FOIA requests. A number of the emails were redacted due to the message not being considered a public record, security procedure, identifying information about students, and information protected due to attorney client privilege. Those restrictions make it difficult to gather a clear picture regarding prior relationship reputation. These restrictions also made it difficult to gather information regarding student responses to crises, since it appears there were more restrictions on the type of data released from student emails than faculty emails. The FOIA emails did assist with providing the emotional state of the stakeholders, primarily the emails that came from faculty and

students regarding criticism or praise for the university's actions. However even these emails could still limit the trends that could be detected, since there are other communication avenues outside of email where praise or criticism could be detected. Future studies could rectify these limitations through interviewing the stakeholders directly. By talking to university administrators, students, staff, and faculty, one could gather more information regarding the mentality of the stakeholders throughout the crisis.

## CONCLUSION

The primary goal of this study was to see how public universities balanced maintaining their principles and legal obligations of supporting free speech, while also keeping their students and faculty safe. Recent history regarding altercations with alt-right groups and figureheads have shown the risk universities pose from having these speakers on campus, such as vandalism, harassment, and deaths. However, universities also have an obligation to maintain an atmosphere where students and faculty members can exchange and develop political ideas without be challenged by the administration.

Using SCCT as a way to showcase the strategies universities used in the wake of hosting alt-right figureheads on campus, The University of Florida demonstrated the best method of maintaining a free speech atmosphere while protecting their reputation after hosting an alt-right speaker. A tremendous factor was hosting events that addressed free speech, hate speech, and diversity leading up to Richard Spencer's event. These events gave the university an opportunity to showcase their values and mission statement, while educating their students regarding free speech and hate speech legislation. By giving student groups and faculty members the opportunity to host and volunteer for these events, it allowed their stakeholders to engage with the issues directly and have them feel

like they were a part of the community. The University of Virginia was similarly praised for attempting to host these types of events leading up to the Unite the Right rally.

Berkeley's reputation, however, was significantly damaged after the Milo Yiannopoulos events, facing criticism from faculty, students, and the press regarding poor management of the events, not meeting the concerns of the students and faculty, and poor handling of their security measures. These findings reinforce the literature regarding using oncoming controversial speakers as an educational opportunity for the community.

Best practices can be drawn out of the results from the data regarding how universities can be prepared for alt-right speakers. For starters, any cancellation or rejection of alt-right speakers should be based solely on how their past actions violate campus code of conduct. Research has shown that security concerns are a valid reason for banning speech on campus, as speech that could illicit illegal activity, like harassment or vandalism, is not protected. The safety reasoning and campus policies being violated should be clearly advertised in the announcement that they are rejecting an alt-right speaker's event. This way, even if the university is still forced to host the alt-right speaking event, they could still protect their reputations and be viewed by their stakeholders as a victim, being forced to host an event that goes against their university values. While the negotiations are taking place, the university should be planning counter-events at the same time.

The counter-events should be scheduled leading up to the event, having them on the day of the event is optional. Having counter-events on the day of the event is not recommended if the alt-right speaker was invited by a student group, since the administrator's should not be perceived as halting the free speech of the student group. The events should be tailored to counter the white-supremacist ideology of the alt-right

while also reaffirming the university's commitment to free speech. The university can state that they do not endorse the values of the alt-right, but they cannot discourage students from attending the alt-right event. Telling students not to attend sends a mixed-message regarding the university's commitment to free speech. Instead, the university uses the events by having them reflect the university's commitment to diversity and free speech education. By hosting these events, and involving the students and faculty in their development, it transforms the controversy into an educational opportunity while also reaffirming the university's values. Community involvement will also foster a positive reputation between the administration and the community leading up to the event.

The administration should expect that protests will be inevitable during the alt-right event, and should anticipate safety risks based on both the history of student protests, and the alt-right provocation strategies. As such, security procedures need to be up-to-date, particularly around areas on campus that are designated as "public areas". Administrators are recommended to coordinating with local law enforcement. Berkeley's hands-off approach to security has been frequently criticized, and the damage to the university's reputation can be attributed to the poor handling of the riots and vandalism on campus ("Berkeley Police Criticized For 'Hands-Off' Approach To Violent Demonstrators", 2017) Since students and faculty are likely to protest, university administrators should be proactive in providing information regarding safe protesting strategies and procedures for students. Students protesting safely and not committing vandalism nor getting into violent altercations will reinforce the free speech and diversity values of the university while not cattering to the alt-right figurehead's desire to provoke the community. Administrators should also provide information regarding road closures and safe walking routes for students who want to avoid the protests and alt-right events.

The information should be clearly labeled as being for students who want to avoid the rally, thus showcasing how the university is taking proactive responses for keeping students safe, without explicitly needing to tell students to not go to the rally.

The safety of the community should be the top priority for the administrators. This includes preempting psychological and emotional distress of the university community due to the alt-right event. The administration should also anticipate possible vandalism or harassment caused by alt-right supporters or critics within the university community. As such, leading up to the event the university administrators should advertise their wellness, therapy, and reporting resources. These resources should also be advertised on the day of the event and in the post-crisis response. Doing so will help showcase the university's dedication toward student safety and foster a positive relationship between the students and administration.

There will most likely be criticism aimed at the administration for hosting an alt-right speaker. While these criticisms are less likely after publishing the initial rejection toward the speaker, steps should still be taken to preempt criticism for hosting the event. It is recommended that a university design a website to act as a hub for free speech and controversial speaker information. This website should include an FAQ section, wellness resources, university free speech policies, and information on free speech history. This website should be made to preempt any controversial speaker coming to campus, and should be advertised alongside the initial announcement of the speaker. This information will help educate critics on the reasons for allowing the alt-right speaker to hold his event, as well as give justification for allowing the event to take place. Any response to critics should clearly cite campus and legal policy in the initial statement.

If after the alt-right event has taken place there was a crisis regarding vandalism or violence, it would be appropriate for the university to condemn the violence on campus. At the same time, the university should provide outgoing messages to students, faculty, staff, and parents regarding necessary updates or security procedures to prevent a similar crisis from happening. If the alt-right event led to non-violent protests or no protests at all, the administration should thank students, faculty, and security teams for keeping the campus safe.

Even with these findings and best practices, there is still clearly more work to be done in regards to finding a balance between free speech, community safety, and hate speech. Even if the University of Florida had the best balance, their attempts to distance themselves from Richard Spencer by explicitly discouraging students from attending the event could have potentially damaged the university's environment regarding free speech. While the literature regarding the history of the alt-right showcases white-supremacist ideals, the integration of the ideology into the mainstream indicates a greater possibility of student groups inviting alt-right figureheads onto campus. While validating alt-right views is a risk, a potentially greater risk is halting the developing political discord of students, or censoring the research done by professors. American universities have historically been a hotbed for political expression and mobilization, and as the alt-right increase their mainstream presence, greater research needs to be done on how to manage their presence on a university platform.

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## APPENDICIES

### Appendix A: FOIA Request Example:

Good Morning

Please consider this letter an FOIA request for any email correspondence

I am requesting all email correspondence between school officials and Milo Yiannopoulos between the speaker's initial request to speak at the university and the university's decision to accept or deny the speakers request as well as any follow up email that seek to explain the reason for the denial or to respond to objections or reactions from the speaker. I am seeking email written by university officials and Milo Yiannopoulos or their representatives.

Specifically, I am looking for any and all email in which (1) the university or the speaker/speaker representative initiated a discussion about the speaker visiting and speaking on campus; (2) university officials or the speaker/speaker representatives discuss details about the visit and speaking event; (3) the university approved and/or denied the speakers request to speak; (4) university officials explained why a speaker was allowed or denied to speak, including the reasons for that decision; (5) university officials or the speaker/speaker representative responded to the university's decision to deny the speaking request.

I am also requesting any email sent by the university and its representatives to students, faculty members, alumni, parents, and security regarding the speaking engagement cancellation on February 2 2017 and the engagement itself on September 24th 2017.

Finally, I am requesting any and all internal email between university officials who participated in the decision to accept or deny the speakers request to visit and speaker at your university as well as emails between university officials regarding preparations for the visit itself.

### Appendix B: Codebook

Coding category	Code	Definition	Exemplar Quote
SCCT Strategies	Scapegoat	Blames an outside person or group outside of the organization for the crisis.	"Mr. Yiannopoulos was invited to the university by the independent student group that is hosting him, the Berkeley College Republicans. The campus administration wishes to make clear that an invitation of this sort in no way suggests our endorsement of a particular point of view, and we will continue to affirm our commitment to the values of diversity, equality, and tolerance that underlie the greatness of Berkeley and, indeed, of our nation." (Gilman, 01/03/17)
	Excuse	Attempt to minimizes organizational responsibility by claiming inability to control the events that triggered the crisis.	"UF remained firm in its decision to deny space for an event on Sept. 12. However, the group has made a request for a new date. As a public instituion, UF is required by law to make a good faith effort to provide options for a reasonable date, time and campus vanue, no matter how much we detest the points of view expressed." (University of Florida Public Statement 09/07/17)

	Ingratiation	Praiseing the stakeholders and/or reminding them of past good works by the organization.	"Public Safety Officials from the federal, state and local levels all came together today to ensure that all Floridians were kept safe. Free speech is an important right granted by our U.S. Constitution, and today reflected a tremendous effort to execute a proactive and comprehensive security plan that has been in the works for months" (University of Florida Public Safety 10/19/17)
	Reminder	Telling stakeholders of the previous good workings of the organization	"Berkeley is the home of the Free Speech Movement, and the commitment to free expression is embedded in our Principles of Community as the commitment 'to ensur(e) freedom of expression and dialogue that elicits the full spectrum of views held by our varied communities.'" (Dirks, 01/26/17)
	Victamage	Framing the organization as the victim	"As a community, this weekend's violence and words of hatred in Charlottesville and on Grounds have profoundly saddened and disturbed us and do not represent the values of the University of Virginia alumni community." (UVA Alumni Association, 08/12/17 6:52pm)
Crisis Cluster	Victim Cluster	Organization is the victim of the crisis	"A number of my contacts in national media keep asking why UVA and why Charlottesville, many think it is related to racism within this city. I have been surprised that many of our colleagues do not know that the lead instigator and leader of the alt-right,

			Richard Spencer, is a UVA alumni . This does not seem like a coincidence." (Mahoney, 08/13/17 1:34pm)
	Preventable cluster	Organization knowingly placed people at risk, took inappropriate actions or violated a law/regulation	"While we certainly share your concerns, we do not believe that Mr. Yiannopolous's prior conduct in the one instance you reference gives the University a basis on which to ban him from speaking on campus or to take disciplinary actions against students who have invited him here." (Gilman, 01/05/17)
Engage with campus	Volunteer	Encouraging stakeholders to involve themselves in containing crisis	"The program is intended to be very public friendly and is designed to include voices not just of the faculty but also students, staff and community members. In the interest of generating a very real community conversation , I have been meeting with a number of community leaders asking them if they would like to offer a panel or discussion or if they or some of their membership might be interested in leading the discussion on a certain topic" (Nelson 08/3/17 5:17pm)
	Community Conversations	Events meant to be inline with University values	Earlier, we had encouraged all UVA community members to avoid the rally and to attend UVA-sponsored events instead. (Sullivan, 08/12/18)



Precautionary Measures	Security	Campus police or state police involved in preventing a crisis from escalating	"This September, Ben Shapiro and Milo Yiannopoulos have both been invited by student groups to speak at Berkeley. The university has the responsibility to provide safety and security for its community and guests, and we will invest the necessary resources to achieve that goal. If you choose to protest, do so peacefully." (Christ, 08/23/17)
	Wellness Resources	Counseling and therapy services offered by the university to students, faculty, and staff	<p>"If you need support, the campus has several resources:</p> <p>Counseling and Wellness Center – Counselors will hold walk-in hours on Oct. 19 in Peabody Hall. Please call (352) 392-1575 if you need immediate counseling assistance.</p> <p>U Matter We Care – If you are aware of members of the UF community in distress, please contact U Matter, We Care at <a href="mailto:umatter@ufl.edu">umatter@ufl.edu</a>.</p> <p>Reporting – For bias incidents or hate crimes, consider reporting them and seeking support. Reports can be made to UF RESPECT team and/or UPD." (University of Florida 10/13/17)</p>
	Reporting resources	Services offered by the university to report harassment and abusive behavior	""As always, if you see something, say something. If you see anything of concern, please call 392-1111 to report it. If you feel you are in immediate danger, please call 911. If you are concerned about walking on campus (to and from the parking lot, for example), please contact UFPD

			at 392-1111 for an escort or to confirm police presence in the area." (Gentry, Parrott, Stump-Kurnik, 10/17/17)
Speech Code	Time, Place, and Manner	Regulation that controls where, when, and how speech and expression can take place	<p>"The Supreme Court has said that public entities such as UF have discretion in regulating the "time, place, and manner" of speech. The right to speak on campus is not a right to speak any time, at any place and in any manner that a person wishes. UF can regulate where, when and how speech occurs to ensure the functioning of the campus and achieve important goals, such as protecting public safety.</p> <p>"When it comes to controversial speakers, UF invokes this necessary authority in order to hold events at a time and location that maximizes the chance that an event will proceed successfully and that the campus community will not be made unsafe. UF heeds its police department's assessment of how best to hold safe and successful events." (FAQ, 2017)</p>

## **Appendix C**

### **CURRICULUM VITAE**

NAME: Joshua Guttman

[REDACTED]

PROGRAM OF STUDY: Communications

DEGREE AND DATE TO BE CONFERRED: Master of Science, Communication Management, 2018

Secondary education Goucher College, Baltimore, MD, 21204

Collegiate institutions attended:

2014, Goucher College, Bachelor of Arts, Major in Political Science, Minor in Communications

2018, Towson University, Master of Science Communication Management,

Professional publications: NA

Professional positions held:

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