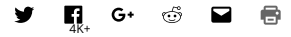


Chancellor's message on campus appearance by Milo Yiannopoulos

By **Public Affairs**, UC Berkeley | JANUARY 26, 2017



Chancellor Nicholas Dirks sent the following message this afternoon to the campus community.

To the campus community:

The concerns around the upcoming visit of a controversial speaker to campus make it necessary for us to reaffirm our collective commitment to two fundamental principles for our campus. The first of these principles is the *right* to free expression, enshrined in the First Amendment to the U.S. Constitution and reflected in some of the most important moments of Berkeley's history. The second of these principles has to do with our *values* of tolerance, inclusion and diversity – values which we believe are essential to making this university, and indeed any university, a site of open inquiry and learning.

While both these principles are fundamental to who we are and what we aspire to be as a community, we must at the same time acknowledge that at times these principles can be in tension with or even in opposition to each other. This sometime tension between rights and values is at the heart of the current controversy concerning the planned visit to Berkeley of Milo Yiannopoulos, who has been invited to speak on campus by one of our registered campus organizations, the Berkeley College Republicans (BCR). Like all student organizations, the BCR is a separate legal entity from the university, and it is technically the BCR, and not the university, that is the host of this upcoming event.

Mr. Yiannopoulos is not the first of his ilk to speak at Berkeley and he will not be the last. In our view, Mr. Yiannopoulos is a troll and provocateur who uses odious behavior in part to “entertain,” but also to deflect any serious engagement with ideas. He has been widely and rightly condemned for engaging in hate speech directed at a wide range of groups and individuals, as well as for disparaging and ridiculing individual audience members, particularly members of the LGBTQ community. Mr. Yiannopoulos's opinions and behavior can elicit strong reactions and his attacks can be extremely hurtful and disturbing. Although we urge anyone who is concerned about being targeted by Mr. Yiannopoulos to consider whether there is any value in attending this event, we stand ready to provide resources and support to our community members who may be adversely affected by his words and actions on the stage (we will provide more detail about these resources in a subsequent message).

Since the announcement of Mr. Yiannopoulos's visit, we have received many requests that we ban him from campus and cancel the event. Although we have responded to these requests directly, we would like to explain to the entire campus community why the event will be held as planned. First, from a legal perspective, the U.S. Constitution prohibits UC Berkeley, as a public institution, from banning expression based on its content or viewpoints, even when those viewpoints are hateful or discriminatory. Longstanding campus policy permits registered student organizations to invite speakers to campus and to make free use of meeting space in the Student Union for that purpose. As mentioned, the BCR is the host of this event, and therefore it is only they who have the authority to disinvite Mr. Yiannopoulos. Consistent with the dictates of the First Amendment as uniformly and decisively interpreted by the courts, the university cannot censor or prohibit events, or charge differential fees. Some have asked us whether attacks on individuals are also protected. In fact, critical statements and even the demeaning ridicule of individuals are largely protected by the Constitution; in this case, Yiannopoulos's past words and deeds do not justify prior restraint on his freedom of expression or the cancellation of the event.

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.” As a campus administration, we have honored this principle by defending the right of community members who abide by our campus rules to express a wide range of often-conflicting points of view. We have gone so far as to defend in court the constitutional rights of students of all political persuasions to engage in unpopular expression on campus. Moreover, we are defending the right to free expression at an historic moment for our nation, when this right is once again of paramount importance. In this context, we cannot afford to undermine those rights, and feel a need to make a spirited defense of the principle of tolerance, even when it means we tolerate that which may appear to us as intolerant.

As part of the defense of this crucial right, we have treated the BCR's efforts to hold the Yiannopoulos event exactly as we would that of any other student group. Since the event was announced, staff from our Student Affairs office, as well as officers from the University of California Police Department (UCPD), have worked, as per policy and standard practice, with the BCR to ensure the event goes as planned, and to provide for the safety and security of those who attend, as well as those who will choose to protest Yiannopoulos's appearance in a lawful manner.

Like all sponsors of similar events, BCR will be required to reimburse the university for the cost of basic event security. Law enforcement professionals in the UCPD have also explained to the BCR that, consistent with legal requirements, security charges were calculated based on neutral, objective criteria having nothing to do with the speaker's perspectives, prior conduct on other campuses and/or expected protests by those who stand in opposition to his beliefs, rhetoric and behavior.

In addition, however, we have also clearly communicated to the BCR that we regard Yiannopoulos's act as at odds with the values of this campus. We have emphasized to them that with their autonomy and independence comes a moral responsibility for the consequences of their words, actions, events and invitations – and those of their guest. We have made sure they are aware of how Yiannopoulos has conducted himself at prior events at other universities, and we have explained that his rhetoric is likely to be deeply upsetting and perceived as threatening by some of their fellow students and members of our campus community. Our student groups enjoy the *right* to invite whomever they wish to speak on campus, but we urge them to consider whether exercising that right in a manner that might unleash harmful attacks on fellow students and other members of the community is consistent with their own and with our community's *values*.

Finally, we have also made the BCR aware that some of those who are opposed to Yiannopoulos's perspectives and conduct have vowed to mount a substantial protest against his presence on our campus. UCPD has been directed to maintain public safety and to do what it can to prevent disruptions and preserve order. It should be noted that the anticipated cost of those additional preparations and measures will be borne entirely by the campus, and

will far exceed the basic security costs that are the responsibility of the hosting organization. We will not stand idly by while laws or university policies are violated, no matter who the perpetrators are.

Nothing we have done to plan for this event should be mistaken as an endorsement of Yiannopoulos's views or tactics. Indeed, we are saddened that anyone would use degrading stunts or verbal assaults on marginalized members of our society to promote a political platform. And yet, I would quote my colleague, UC Irvine Chancellor Howard Gillman, who recently wrote, "Universities support free speech and condemn censorship for two reasons — to ensure that positive, helpful, illuminating messages can circulate widely, and to expose hateful or dangerous ideas that, if never engaged or rebutted, would gain traction in the darker corners of our society. Hate speech is like mold: Its enemies are bright light and fresh air." This admonition may be more important in our current political moment than ever.

As always, we encourage those of you who wish to exercise your right to protest this event to review our standing suggestions regarding [**how to protest safely**](#). We also want to reaffirm our shared commitment to the campus [**Principles of Community**](#) and the extent to which they capture and support our most important values and aspirations.

Sincerely,

Nicholas Dirks
Chancellor



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