

When Protests Get out of Hand: Advice for University Administrators– Parts I & II

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One Spring evening a few years ago, my wife and I were watching TV when a crowd of about two hundred protesters gathered in front of our home, the longtime residence of Miami University presidents. Contract negotiations between the university and campus AFSCME employees had stalled, and the union's leaders hoped that staging a media event would cast the president as out of touch with working people and win public support for their wage and benefit proposals.

“PRESIDENT GARLAND, COME OUT OF YOUR MANSION AND FACE THE MASSES!,” the crowd chanted, led by bullhorn-wielding organizers. So what should I have done? Addressed the “masses,” invited the leaders in to sit down and share views with me, answered questions from the crowd? In the end, I simply ignored the ruckus and stayed away from the windows. After twenty minutes or so, the passers-by and protesters lost interest and drifted away. The next morning there was no mention of the incident in the local news. Absent a confrontation, there was nothing to report.

Cat-and-mouse skirmishes like this one are common experiences for university presidents, as campus activist groups try to attract media attention to advance their agendas. For many students, demonstrations are memorable college experiences and a constructive way for idealistic individuals to advocate for social change. It is important, therefore, that beleaguered university leaders keep a sense of perspective and remind themselves that protests, demonstrations, and activist movements are not only acceptable in an academic environment, but reflect a desirable principle of democratic engagement. Campus protests may make presidents uneasy, especially when activist vitriol is aimed at them personally, but it is essential that they respect the right of the community to engage in such activities.

However, carried to extreme, campus protests are disruptive and damaging. Occupying buildings, interfering with classes and administrative offices, destroying property, throwing rocks and bottles, and breaking laws are anarchistic behaviors that have no business in academia and must not be tolerated. Furthermore, when protest discourse degenerates into name-calling, harassment, deception, and distortion of facts, educational values are undermined. Students should not be encouraged to believe that taking to the streets and pointing fingers at scapegoats is an appropriate or effective way to contribute to the solution of complex problems.

Thus, when some student and faculty protesters, upset about tuition increases at the University of California, downplayed the complex economic reasons for the increases and chose instead to level unwarranted blame at the feet of the regents, the system president, and the campus chancellors; and when their naïve “solutions” were to cut salaries of administrators and medical school faculty, halt construction of new buildings, and tap into alleged hidden pots of money, they were substituting emotion for reason.

But the large majority of marches and demonstrations call for no other administrative response than tolerance and a continuing effort to focus on issues and raise the level of community discourse. However, when protest movements veer out of control, becoming disruptive or violent, and threaten the institution and the community, then a more proactive response is required.

In these situations, university presidents walk a thin line between under- and over-reaction. One doesn't want to toss a nineteen-year-old freshman into jail for "occupying" a building for a few hours, but presidents also have a responsibility to enforce laws intended to safeguard the community and public property.

There is also an ethical issue that can trouble university leaders who have seen, sometimes by personal experience, the historical importance of principled civil disobedience aimed at correcting social injustice. How bad would it really be if a president did not act against, say, the disruption of a class or the blocking of traffic in a campus thoroughfare by young protesters seeking to act on their beliefs?

Unfortunately, it would be pretty bad. University presidents are expected always to uphold and respect laws and university regulations, and that responsibility must transcend their personal views. Were it otherwise, presidents would quickly find themselves in the untenable position of picking and choosing among causes based on their particular beliefs. That is a very slippery slope indeed. Presidents who cannot subordinate their viewpoints to the larger responsibilities of their office have picked the wrong career.

From a university president's perspective, campus protests, whatever their motivation, fall into two broad categories: those that comply with university regulations and those that do not. The first call for no university action other than maintaining public safety (e.g., by stationing traffic patrolmen at intersections, providing emergency services for ill protesters, etc.).

Protests in the second category always call for an official university response. At the benign end of this category – sit-ins in university buildings, blocking traffic, disrupting classes – the institutional response can be minimal: warnings, probation, tickets, fines for trespassing, misdemeanor arrests, and so forth. At the other extreme, fortunately uncommon, protests can escalate into property destruction, assaults and intimidation, setting fire to buildings, or even blowing up research laboratories, all of which obviously call for very strong official action.

Once protesters cross a line into prohibited activity, the university's response changes from treating them as peaceful and lawful members of the community exercising their democratic rights, to considering them as lawbreakers and adversaries. Here there is no gray area. Once that line is crossed, the university has no choice but to stop the prohibited activity and hold responsible those who committed it. University presidents should be absolutely clear about this point. That members of the public may sympathize with the

protesters, rally to their defense, or even see them as champions of injustice make no difference; the institution must oppose and stop the prohibited activities.

That said, presidents or administration spokespersons should always distinguish the issue from the behavior. For instance, if protesters occupy a campus building and call for the president to resign, then the president should make it clear that her beef is with the building occupation only and that she respects the right of community members to challenge publicly her decisions and competence.

In Part II, I offer suggestions to campus administrators for coping with protest demonstrations that cross the line into confrontations and unacceptable activities.

Part II

In any protest movement, there is a continuum of participants, ranging from the marginally interested who support the cause but remain in the background, to the envelope stuffers, poster makers, and other minor participants, to a small number of leaders who organize and coordinate the protest activities, draw up lists of demands, negotiate with university officials and serve as media spokespersons. When a protest becomes confrontational and crosses the line into prohibited activities, it does so at the direction of this last group.

In my experience, the leaders of disruptive and confrontational protests pose a particular challenge to university administrators, because they usually are not open to reasoned discussion and they are unlikely to ameliorate their stance in light of new knowledge. Many university presidents have observed that, at the edges, protest movements can attract zealots and ideologues for whom the ends justify the means. Thus, in my own career, I have seen protest leaders fake hate crimes in order to stir up campus racial discord, block thoroughfares that were the only route for community ambulances and fire vehicles, and make inflammatory and untrue allegations about university administrators.

Such persons are difficult to reason with because they do not have a balanced picture of reality. They live in an anger-driven, black-and-white world of un-nuanced arguments, where it is acceptable to ignore facts and take them out of context, and to reject summarily options, tradeoffs, and compromises. Hence these words from a recent UC-Davis protest [website](#): *“The administration lies. The police lie. We are done negotiating with the administration, we’re doing things on our terms now: direct action, occupation, reclaiming public space.”*

Once rhetoric reaches this stage, further negotiation with protest leaders becomes unproductive. Acquiescing to protester demands in this situation is unwise because doing so merely raises the stakes and results in more demands. The last thing such groups want is to fade from public awareness and be negotiated out of existence. For the leaders, the sense of camaraderie, excitement, anarchistic freedom, and the sheer exhilaration of their “movement” can become ends in themselves, supplanting their original goals.

A few suggestions for campus administrators, faced with protests that have grown out of hand:

1. University officials should be very cautious about having off-the-record conversations with protest leaders. I have been burned more than once by having my words distorted and quoted out of context. One should not assume that protest leaders will honor confidences and present opposing viewpoints fairly.
2. Protest leaders often demand to meet directly with the campus president or chancellor. Such meetings should generally not be granted for two reasons: first, doing so symbolically enhances the stature and power of the protest leaders and gives credibility to their actions. And second, doing so marginalizes the dean of students, or campus judicial authorities, or whoever would be the established conduit for complaints. Circumventing the chain of command undermines morale in the administration and facilitates the protesters' desire to personalize their complaints by making it appear as if their grievance is with the president rather than the university. To the extent presidents allow themselves to be drawn into the protest negotiations, they create long-term problems for themselves by fostering resentment among other administrative officers, and by setting an undesirable precedent that facilitates future confrontations.
3. Presidents should always keep in mind that a key goal of protests is to attract media attention, which is why protests and demonstrations are held in public places. But drawing media attention to themselves does not mean that protest leaders necessarily seek broad public approval. Instead, their strategy is generally aimed at recruiting from a limited pool of like-minded individuals. In the 1960s, for example, campus anti-war activists deliberately angered much of the public by burning American flags, disrupting graduation ceremonies, and violating social norms of dress and personal appearance. Provoking division in a community can serve the interests of extreme protest movements, because it forces members of the public to choose sides, thus hardening attitudes and widening the protesters' potential base of support.

By contrast, university presidents must always try to reduce community polarization and division. Thus, they should remember that the public-at-large does not speak with one voice. On any issue there will be those who see the protests as completely appropriate and desirable, as well as those who believe the protesters should be vigorously prosecuted. When making public statements, therefore, university presidents must always be temperate and even-handed. They should never assume they are speaking only to their supporters. Former president Bush made this elementary error when he failed to realize how language that would resonate positively with his political base could be seen as offensive to those of a different persuasion.

4. Once a campus protest becomes confrontational, its leaders require adversaries to push against. Typically, this entails demonizing the campus chancellor or president in order to make it appear as if the university opposition to their activities is the personal action of an autocratic, insensitive, or greedy leader. Often, protesters try to exacerbate socioeconomic and class divisions by portraying the campus leadership as rich, power-

hungry fat cats who are determined to hang onto their power and wealth by subjugating the proletariat. An anti-establishment revolutionary streak often runs through confrontational protest movements.

Again speaking from experience, the best way to defuse personal attacks is by not becoming rattled, avoiding responding in kind, and never failing to remain objective and even-handed. Presidents should also *never, ever* try to be funny. In the emotion-laden environment of a campus protest movement, an off-hand attempt at humor is guaranteed to backfire.

5. A common strategy during a building occupation is for protest leaders to disobey orders, say, to evacuate an office, in order to provoke the police into arresting them. This behavior is intended partly to garner sympathy from TV viewers who might be offended at the sight of young college students being dragged away in handcuffs. But mostly, it reflects an effort by the group's leaders to mobilize their rank and file by portraying authorities as an enemy prepared to use Gestapo-like tactics to squelch the movement. Thus a scuffle with officers is often portrayed on protester websites and press releases as "police brutality," or otherwise described by activists with breathless language implying that the group is under siege by ruthless oppressors: "*Berkeley police turned off the campus wireless and sent in the SWAT team: the last transmission was the microblogger recording SWAT smashing the hinges off the doors.*" (from [Marc Bousquet](#)).

To counter such statements, police should routinely videotape confrontations with protesters, so as to have a record of events. It is also helpful for university spokespersons or public officials to comment that accusations about police overreaction are standard protest rhetoric, and that campus police are professionals who have been specifically trained in crowd control methods, that they are well aware of the importance of showing restraint, and that their only goal is to enforce the law and protect individuals and public property. None of this is to say that police overreaction should be condoned, or that allegations of unnecessary police violence should go uninvestigated. Rather, it is to observe that allegations of police misconduct by protesters and their sympathizers are usually unwarranted and should not be accepted at face value

6. University leaders should make it clear at the outset of a confrontation that any negotiation over terms and issues will take place only after the inappropriate activity has ceased.

7. Universities should never agree to grant amnesty to protesters, because doing so establishes an unacceptable precedent and sends a message to protesters that staging illegal confrontations are a way to accomplish their aims and that there will be no consequences for their actions.

Thus administrators at the University of California at Davis recently made a error of judgment when, to end a building occupation, they [agreed](#) that "*in the spirit of continuing dialogue, the university will not pursue student disciplinary actions,*" and, further, that they would ask the local district attorney that he "*strongly consider his option not to file*

charges.” It is understandable that administrators would want to defuse a potentially explosive situation, and also would want to appear conciliatory and moderate to the rest of the campus community. However, there is a price to be paid by conceding to demands made under the implicit threat of protesters to elevate the disturbance. Dismissing charges, granting amnesty, or merely slapping the wrists of offenders may be appropriate in many circumstances, but that decision should be the outcome of due process and a disciplinary review. Universities should never agree to preempt the review itself.

The UC-Davis example illustrates the importance of setting policies during a time of calm. Such policies should state that the university will without exception hold accountable those who fail to comply with laws and university regulations. The university should explain clearly what types of activities (destroying property, occupying offices, etc.) are prohibited, and that it is standard practice to collect the names of lawbreakers. Students can get caught up in the passions of the moment and should be reminded that there is a line that they must not cross. The time to do this is before the need arises.

8. Responding appropriately to a confrontation with protesters calls for patience and firmness on the part of university officials. Presidents, especially, should focus on the group’s unacceptable behavior, but should avoid using loaded language and pejorative adjectives (e.g., “deplorable” actions, “preposterous” accusations). They should instead stress how the group’s actions impinge on the rights of others, and how they undermine the university’s commitment to thoughtful discourse and reasoned dialogue. Presidents should clearly and repeatedly explain how ends do not justify means, and that protesters cannot justify illegal actions by cloaking themselves in moral righteousness.

And, of course, presidents must always keep in mind that their statements are not primarily aimed at the protesters, who are most likely beyond reaching with words, but rather the larger community. Realistically, the university will not be destroyed if a building or two is occupied, or a few classes are disrupted. But the reputation of the university is on the line if such events undermine public confidence in the university’s fairness, integrity, objectivity and even-handedness. In this respect, the stakes are high, and the responsibility for protecting the institution rests squarely on the president’s shoulders.