The resolution passed by the Senate at its regular February meeting was discussed by the systemwide Committee on Academic Freedom on March 15 for consideration by all UC campuses. UCR’s resolution was worded so that it might ultimately be incorporated into the Academic Personnel Manual in place of the current statement (APM-015, I.3), which allows faculty no more scope than “enjoyment of constitutionally protected freedom of expression.”

With respect to students, one may agree with the sentiment expressed by the proposed amendment, but there is an unavoidable tension between the need to protect the right to protest and the need to limit protest to lawful actions that do not threaten others. In addition, there is the practical problem of what type of resolution might actually be included in the APM (which requires assent by UC’s Office of the President). Here the question is whether we are trying to achieve a change or just express views of the faculty.

If one accepts the notion that students’ academic freedom flows from that of the faculty, February’s Senate resolution places a limit on everyone’s right of peaceful protest by stating that it cannot be extended to interfere with the rights of others; in that sense it is not an absolute. By replacing the second sentence, the alternative proposal essentially removes limits to the right of peaceful protest. Further, it appears without qualification and would therefore prove unacceptable as a change in university regulations. If protestors block access to or exit from meetings, intimidate others or prevent them from speaking, or if they interfere with lawful conduct and public safety in other ways, then some degree of force may be needed to assure the rights of others. Alternatively, conflicts may involve demonstrations on opposing sides of an issue, in which case somebody has to keep both sides from harm as well as to protect University property. Force should always be the last option, and the minimum required should be employed, but the rights of others must be protected as well as those of the demonstrators. The proposed revision sacrifices the rights of others.