

Ashoka University Guidelines on Protecting Freedom of Expression

1. Introduction

1.1 The central purposes of a University are the pursuit of truth, the discovery of new knowledge through scholarship and research, the teaching and general development of students, and the transmission of knowledge and learning to society at large. Free inquiry and free expression within the University community are indispensable to the achievement of these goals. The freedom to teach and to learn depends upon the creation of appropriate conditions and opportunities not only in classrooms and lecture halls but also on the campus as a whole.

1.2 Since rigid codification and relentless administration of rules and regulations are not appropriate to a University community, the guidelines that follow serve mainly to clarify commonly accepted standards of conduct within the University. The University community referred to above consists of every person associated with the University, whether a student, faculty, administrative staff or other employees and contractual workers.

2. Scope of These Guidelines

2.1 These Guidelines govern the conduct of: University students, regardless of enrolment status; faculty; staff; and third parties to the extent of their interaction with the University (i.e., non-members of the University community, such as vendors, alumni/ae, visitors, or local residents).

2.2 Third parties are both protected by and subject to these Guidelines. A third party may make a complaint or report of a violation of these Guidelines committed by a member of the University community.

2.3 These Guidelines apply to conduct that occurs on University property (i.e., on campus) and also applies to conduct that occurs off University property (i.e., off campus) when the conduct is associated with a University-sponsored program or activity, such as travel, research, or internship programs or when such conduct may have a continuing adverse effect or could create a hostile environment on campus. Judgments about these matters will depend on facts of an individual case.

2.4 These Guidelines also apply to the use of university infrastructure.

3. Academic Integrity

3.1 The ability of the University to achieve its purposes depends upon the quality and integrity of the academic work that its faculty, staff, and students perform. Academic freedom can flourish only in a community of scholars that recognizes that intellectual integrity, with its accompanying rights and responsibilities, lies at the heart of its mission. Observing honesty in one's work, words, and actions is a principle to which all members of the community are required to subscribe.

4. Statement on Freedom of Expression

4.1 Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the university, as detailed in section 4.2, Ashoka University fully respects and supports the freedom of all members of the University community to discuss any problem that presents itself. The ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive except when it violates norms of mutual respect as detailed in section 5.1.

4.2 The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat of or incitement to violence or harassment, or that unjustifiably invades substantial privacy or confidentiality interests. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be applied in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas.

4.3 In a word, the University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive or immoral. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

4.4 As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

5. Respect for Others

5.1 As an intellectual community, Ashoka attaches great value to freedom of expression and vigorous debate, but it also attaches great importance to mutual respect, and it deplores expressions of hatred directed against any individual or group. Respect for the rights and sensibilities of each other is essential in preserving the spirit of community at Ashoka. Actions that make the atmosphere intimidating, threatening, or hostile to

individuals are therefore regarded as serious offenses. Abusive or harassing behaviour, verbal or physical, which demeans, intimidates, threatens, or injures another because of personal characteristics or beliefs or their expression, may be subject to University disciplinary procedure. Examples of personal characteristics or beliefs include but are not limited to sex, sexual orientation, gender identity, race, ethnicity, national origin, religion, and disability. The University calls on all its members to display the appropriate sensitivity and to challenge expressions of racial, gender or ethnic bias whenever they encounter them.

6. Peaceful Dissent, Protests, and Demonstrations

6.1 Free speech and peaceable assembly are basic requirements of the University as a centre for free inquiry and the search for knowledge and insight. These rights involve a concurrent obligation on the part of all members of the University, guests, and visitors to maintain on the campus an atmosphere conducive to scholarly pursuits and to respect the rights of all individuals.

6.2 In view of Ashoka's obligation to promote the free expression of all views, the campus is open to any speaker whom students or members of the faculty have invited and for whom official arrangements to speak have been made with the University. The right of free speech in a university also includes the right to acts of peaceful dissent, protests in peaceable assembly, orderly demonstrations, and the distribution of leaflets.

6.3 These are permitted on the Ashoka campus, subject to approval from the University administration as to schedule and location only. In asking groups and individuals to seek prior approval for schedule and location, the University's goal is not to restrict free speech or peaceable assembly. Rather, it is to give the University the opportunity to provide space that accommodates the reasonable needs of both the University community and those engaged in acts of speech or protest.

6.4 The University reserves the right to determine the time, place, and manner of all such activities. Whenever appropriate, the Office the VC or Pro-VC, with assistance from and in consultation with appropriate departmental heads, will designate clearly marked areas for protests and demonstrations. The University reserves the right to refuse permission to use a particular area for protests or demonstrations.

6.5 It is a violation of these Guidelines whenever any individual prevents, or wilfully attempts to prevent, the orderly conduct of a University function or activity, such as lectures, meetings, interviews, ceremonies, and public events; or blocks, or wilfully attempts to block, the legitimate activities of any person on the campus or in any University building or facility.

6.6 Whenever a member of the University community violates these Guidelines, that individual will be subject to University discipline. Decisions to invoke University disciplinary action in the course of a protest or demonstration will be made after due warning and such decisions will be made by officers of the University. A third party may also be permanently barred from the University or subject to other restrictions for failing to comply with these Guidelines.

7. Political Campaigning

7.1 Members of the University community, as individuals and groups, have the right to exercise their freedom of expression and association. Under law, however, the University may not "participate in, or intervene in any political campaign on behalf of (or in opposition to) any candidate for [any] public office" and "no substantial part of the activities" of the University may be directed to influencing legislation. The University may not endorse, or provide or solicit financial or other support for, candidates or political organizations.

8. Ashoka University Name, Marks, and Seal

8.1 No individual or organization may use the University's name, logos, restricted images, or other identifiers ("marks"), or any marks that suggest Ashoka University or any department, school or centre of Ashoka University except to the extent such individual or organization has been authorized by the proper University officials or as permitted under trademark law. The Pro-Vice Chancellor of the University is responsible for the general oversight and administration of the University's trademark policies.

8.2 The above stipulation shall not apply to an academic work submitted for publication by any person to whom these Guidelines apply, such as an article in a peer-reviewed academic journal, an independent monograph, or as part of a collection of works.

8.3 Encouragement of an interest in public affairs and the furtherance of a sense of social responsibility have long been considered important elements of a liberal arts education. The University continues to consider self-chosen participation in political and social action by individuals and groups to be a valuable part of the educational experience it seeks to encourage. Such activities on the part of individuals or groups do not, and should not be taken to, imply commitment of the University to any partisan political position or point of view. As such, for articles, opinion pieces, quotations, and/or appearances in the popular media or in other public events such as political, social or religious gatherings or organised functions, it is understood that the views held by the author or participant are personal and not those of the university.

8.4 All written materials that take the form of petitions, letters of protest, or declarations should have prominent disclaimers as headers and footers, examples of which follow below:

"We the undersigned, speaking in our individual capacity...."

"The views expressed above are those of the signatories alone and do not reflect those of Ashoka University."

8.5 The use of the seal of the University on publications, manufactured articles, and the like is prohibited, except when specifically authorized by the University. Applications for such authorization must be made to the Registrar of the University.

9. Computer and Network Use

9.1 Ashoka University makes available to its community members electronic and digital data and network resources, including shared information technology resources that use text, voice, images, and video to deliver information. These resources are to be used in a manner consistent with University policy and the law.

9.2 All uses of the University's information technology and network resources are subject to the regulations and policies set forth by the University administration. The IT policy document also provides information regarding copyright and other laws that are potentially applicable to certain uses of the University's IT and digital resources and network access. Members of the University community are expected to be familiar with and adhere to the regulations thus defined. Members of the University community who engage in any illegal or fraudulent use of the University's information technology resources, including infringement of copyright-protected materials, may be subject to disciplinary action, including the termination or suspension of network privileges.

9.3 All actions by a member of the University community that involve the use of the University's computing and network resources from a remote location, including but not limited to accessing email accounts, will be deemed to have occurred on campus.

9.4 Regulations governing use of the University's name and property and political activities and community use of University resources also apply to use of the University's information technology resources.

9.5 Members of the University community may not use University IT and network resources for commercial (including consulting) purposes, unless they have received permission to do so from the University Administration; rather, they should use information technology resources, Internet service providers, and computer hosts outside the University.