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## POLICY HURTS STUDENTS

# Auburn limits student free speech

By Allen Mendenhall

I love Auburn University. I bleed orange and blue. I was raised an Auburn football fan. I'm working towards a Ph.D. at Auburn. Both my parents attended Auburn, where they started dating and got engaged. My aunts and uncles and cousins and sister attended Auburn.

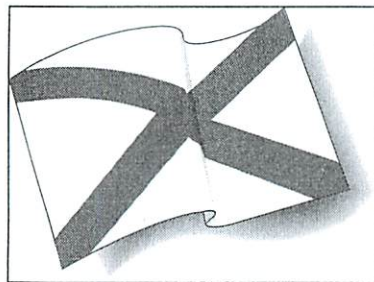
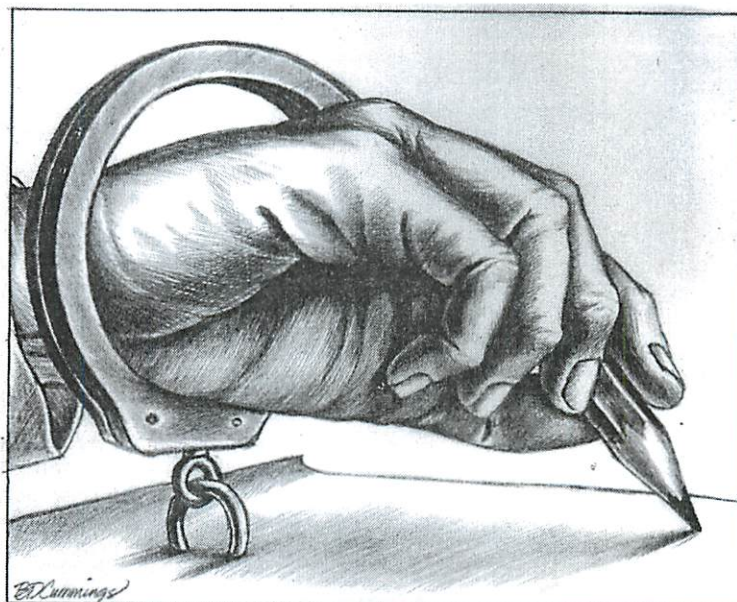
Three of my grandparents attended Auburn, and the only grandparent who didn't, my father's mother, lived in Auburn with her husband, my grandfather, after they were married. She used to sit on the steps of the business school to wait for my grandfather to finish tutoring students in math.

Glenn Avenue and Glenn Hall are named for my mother's mother's family, which was instrumental in founding East Alabama Men's College that later became the Agricultural and Mechanical College of Alabama and, later still, Alabama Polytechnic Institute, before finally becoming Auburn University.

All of this is to say that Auburn has always been dear to me.

I was therefore disappointed to learn that in November Auburn ordered the removal of a Ron Paul banner from the inside of one student's dorm room window. (Full disclosure: I'm a Ron Paul supporter.)

What made this incident so egregious is that the university permitted other students to display their bumper stickers, flags, and signs in dorm room windows. This double-standard suggests that Auburn, a public university, was more interested in suppressing ideas associated with a popular political candi-



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date than it was in the safety and welfare of the student body.

Auburn's policy is to ban the hanging or displaying of items that obstruct residence hall windows. This policy represents an alarming restraint on student speech. Total bans on expression are, among other things, too often subject to abuse of discretion and arbitrary prosecution. The

Auburn incident is a case in point.

The college campus is a public forum, and U.S. Supreme Court precedent has determined that in public forums the state may enact only content-neutral time, place, and manner restrictions that are narrowly tailored to serve a compelling government interest. A university's restrictions on on-campus speech are therefore permissible only if they are carefully designed to realize compelling state objectives. In the law, that is a high standard to meet.

On paper, Auburn's policy is viewpoint and content neutral. But if Auburn forces the removal of certain reasonable and inoffensive political campaign materials while allowing the display of other such political campaign materials, then Auburn's speech

policies in practice fly in the face of the Constitution.

In the wake of the November dorm incident, Auburn University President Jay Gogue has ordered that all displays, banners, flags, posters and the like be removed from dorm room windows. Although this move makes sense and is in keeping with Auburn's student speech policies, it does nothing to change the fact that Auburn's student speech policies are too harsh and susceptible to manipulation, mistaking and misapplication.

President Gogue and the Auburn administration ought to revise these strict policies. The prohibition of all window displays is unreasonable and, when it is selectively enforced, potentially unconstitutional. The selective enforcement of Auburn's policy may constitute discrimination against the viewpoints of those who agree with Congressman Paul. If that's the case, Auburn is flirting with a lawsuit.

It is one thing to regulate student behavior on campus. It is quite another to run afoul of the guarantees of the First Amendment.

College students are becoming an increasingly important factor in election results. This exciting campaign season is the time for universities to encourage civic participation, not to suppress students' reasonable and enthusiastic political expressions.

If I didn't love Auburn so much, I wouldn't take the time point out its error.

*Allen Mendenhall, who holds a law degree, is a doctoral candidate in English at Auburn University.*