



October 2, 2024

Ronald J. Daniels  
Office of the President  
Johns Hopkins University  
242 Garland Hall  
3400 North Charles Street  
Baltimore, Maryland 21218

*Sent via U.S. Mail and Electronic Mail (president@jhu.edu)*

Dear President Daniels:

FIRE<sup>1</sup> is concerned by Johns Hopkins's failure to address the substantial disruption to a recent Young America's Foundation event featuring author Mark Krikorian. JHU's failure to respond to the disruption allowed a "heckler's veto" in which the audience could not hear Krikorian. Contrary to disruptors' assertions, preventing an invited speaker from effectively communicating their message is **not** a form of protected protest. Accordingly, FIRE calls on JHU to educate students about the confines of protected expression and ensure campus speaking events can proceed without sustained disruptions.

JHU's YAF chapter invited Krikorian, who argues for greater restrictions on immigration, to speak at the campus's Mason Auditorium on September 11.<sup>2</sup> About 15 minutes into the lecture, students began sounding alarms on their cell phones and shouting at Krikorian in an apparent effort to prevent the audience from hearing his remarks.<sup>3</sup> Krikorian reminded students of the upcoming Q&A portion of the event and asked the disruptors to allow him to finish his presentation.

The disruptions continued, however. Unable to continue speaking over them, Krikorian ceded the microphone to Associate Vice Provost for Student Engagement and Dean of Students Brittini Brown, who attempted to inform students that their disruptions violated school

---

<sup>1</sup> For more than 20 years, the Foundation for Individual Rights and Expression has defended freedom of expression, conscience, and religion, and other individual rights on America's college campuses. You can learn more about our expanded mission and activities at [thefire.org](http://thefire.org).

<sup>2</sup> The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information and invite you to share it with us.

<sup>3</sup> Video of the speaking engagement on file with author.

policy.<sup>4</sup> But students continued yelling and sounding alarms to drown out Brown's remarks. One student yelled at Brown, "hate speech is not protected under freedom of speech," and "freedom of expression includes our interruption of the speaker."<sup>5</sup> After Brown finished reading her prepared remarks regarding permissible forms of protest, Krikorian attempted to continue his lecture as students continued to scream over him.<sup>6</sup> Other students in attendance pleaded with disruptors to let them listen to Krikorian, to no avail.

In an effort to continue with the event, YAF student leadership stepped in and told Krikorian they would begin the Q&A portion of his presentation early.<sup>7</sup> They asked students to line up single file to ask their questions. Instead, students continued their disruptions, and Brown told YAF they could either put up with the disruption or end the event early. YAF chose to end the event, and Krikorian answered questions for about 30 minutes outside of the auditorium. At no point did JHU attempt to remove the disruptors.<sup>8</sup>

Johns Hopkins University "strives to support and promote acts of free expression on campus."<sup>9</sup> Its policies acknowledge that "[m]aterial interference with the rights of others to engage in instruction, research, studying, or taking exams will be viewed as inhibiting the academic freedom of others and disruptive to the core educational mission of the university."<sup>10</sup> Institutions of higher education like JHU that commit to upholding students' free expression<sup>11</sup> must ensure that student groups can exercise their free speech rights by hosting expressive events with guest speakers.<sup>12</sup> When others disrupt events, universities must make "bona fide efforts" to protect expressive rights, such as by removing the sources of the disruption, rather than cutting short the expressive activity.<sup>13</sup> The "proper response" is to address the disruption

---

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Guidelines for students in support of free expression through protests and demonstrations*, General Guidance, JOHNS HOPKINS UNIV., <https://studentaffairs.jhu.edu/policies-guidelines/free-expression-guidelines> [<https://perma.cc/9U3R-XTSN>].

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* Additionally, Johns Hopkins is accredited by the Middle States Commission on Higher Education, which requires its institutions to maintain a "commitment to academic freedom, intellectual freedom [and] freedom of expression." *Standards for Accreditation and Requirements of Affiliation: Fourteenth Edition*, Standard 11, Ethics and Integrity, Criteria, Middle States Comm. On Higher Ed., <https://www.msche.org/standards/fourteenth-edition/#requirements> [<https://perma.cc/Y2P4-MZXM>]. Based on these commitments, faculty and students would reasonably believe JHU extends them expressive rights commensurate with those the First Amendment affords.

<sup>12</sup> *Gay Students Org. of the Univ. of N.H. v. Bonner*, 367 F.Supp. 1088, 1096 (D.N.H. 1974) (the "right" of students "to hear speakers of their own choice" is one of the "activities traditionally protected by the First Amendment."); *Brooks v. Auburn Univ.*, 296 F.Supp. 188, 190-91 (M.D. Ala. 1969) (the First Amendment protects "the rights of students and faculty to hear a speaker invited to the campus."); *see also Stanley v. Georgia*, 394 U.S. 557, 564 (1969) (it is "well established" that the First Amendment confers and protects the right to speak as well as "the right to receive information and ideas.").

<sup>13</sup> *Bible Believers v. Wayne Cnty.*, 805 F.3d 228, 255 (6th Cir. 2018).

“rather than to suppress legitimate First Amendment conduct as a prophylactic measure.”<sup>14</sup> As one court aptly observed, “[i]n a balance between two important interests—free speech on one hand, and the ... power to maintain peace on the other—the scale is heavily weighted in favor of the First Amendment.”<sup>15</sup> JHU recognized this principle in Brown’s comments. However, mouthed platitudes that fail to meaningfully deter disruptors are not sufficient means to protect expressive rights.

When hecklers disrupt planned speeches on a university campus, they not only infringe a speaker’s right to deliver their message, but also the rights of those seeking to hear that message.<sup>16</sup> As explained by Supreme Court Justice Thurgood Marshall, a famous resident of Baltimore: “The freedom to speak and the freedom to hear are inseparable; they are two sides of the same coin.”<sup>17</sup> Of course, students have the right to engage in protected, non-disruptive protest such as holding signs in the back of an auditorium or offering fleeting commentary. However, to preserve the expressive rights of the invited speaker, JHU must swiftly and meaningfully address sustained disruptions as they occur, ensuring that event cancellation does not become the most viable option for maintaining order.

Given the troubling misunderstanding of JHU students as to what constitutes protected speech and protest,<sup>18</sup> JHU would be wise to remind its student body that engaging in heckler’s vetoes does not, in fact, constitute free speech. Further, FIRE requests a substantive response to this letter by October 16, explaining the steps JHU will take to better protect expressive rights on its campus going forward.

Sincerely,



Aaron Corpora  
Program Officer, Campus Rights Advocacy

Cc: Brittni Brown, Associate Vice Provost for Student Engagement and Dean of Students

---

<sup>14</sup> *Collins v. Jordan*, 110 F.3d 1363, 1371-72 (9th Cir. 1996).

<sup>15</sup> *Bible Believers*, 805 F.3d at 228.

<sup>16</sup> Zach Greenberg, *Rejecting the heckler’s veto*, FIRE, (June 14, 2017), <https://www.thefire.org/news/rejecting-hecklers-veto>.

<sup>17</sup> *Kleindienst v. Mandel*, 408 U.S. 753, 775 (1972) (Marshall, J., dissenting).

<sup>18</sup> Video of the event includes quotes from disrupting students such as “You can’t tell us how to protest”, “hate speech is not protected under free speech”, and “freedom of expression includes our interrupting of this speaker.” Contrary to common misconception, “hate speech” is not an unprotected category of expression, as the First Amendment generally protects hateful and offensive speech (see *Snyder v. Phelps*, 562 U.S. 443, 448, 461 (2011)).