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# Carothers: Senate can't 'impose sanctions' on College Republicans

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04/18/07 - In an unprecedented move, University of Rhode Island President Robert L. Carothers directed the Student Senate to end its demand for a public apology from the College Republicans.

Five weeks ago, the senate made its decision on the White Heterosexual American Male scholarship controversy, voting unanimously for a written apology from the student group to be published in the Cigar.

The punishment also required the College Republicans to have its events and activities approved by the Student Organization Advisory and Review Committee for one year. The club responded, saying it would continue to battle what they called "forced speech."

On April 6, however, Carothers sent a memo to senate President Neil Leston, bringing the issue back to the forefront. In it, Carothers wrote, "You are hereby directed, therefore, that you may not impose any sanctions on the College Republicans, or any other student group, that requires them to make public statements which are not their own."

Leston, along with LaRocca, former senator Jesse Whitsitt-Lynch and Chief Operating Officer Matt Yates met with Carothers on Monday.

"The senate is focusing on a very narrow issue ... they need to see the larger picture," Carothers said.

The issue of forced speech is the center of conflict between URI administrators and senate. The administration, along with the College Republicans and its legal counsel, the Foundation for Individual Rights in Education, believes that by asking the student group to apologize, the senate is disregarding the Constitution and the First Amendment.

"As I have expressed to the current chair of SOARC ... my concerns are that forced speech is a violation of the First Amendment ... I would strongly recommend they take it out," Vice President of Student Affairs Tom Dougan said.

FIRE's senior program officer Tara Sweeney agreed, saying the mandatory apology is "highly unconstitutional because it is forced speech."

The senate, however, believes otherwise. According to SOARC Chairwoman Amanda LaRocca, senate bylaws prevent any group from being discriminatory and they grant a group options for its punishment.

"I cannot hold a gun to someone's head and force them to do it [apologize]," she said.

URI College Republicans Chairman Ryan Bilodeau disagreed with LaRocca. "One of the options is

unconstitutional, so to us it is not an option," he said.

SOARC met on Monday and unanimously decided to derecognize the College Republicans. The vote will go to the senate floor next Wednesday. The committee said it would allow back the group if it sends an e-mail apologizing to those who had applied for the scholarship.

Leston was not willing to comment about what the full senate would do about SOARC's recommendation. "It is premature to comment," Leston said.

If the senate does derecognize the group, there will be opposition.

"They know that I don't support it, they know the president doesn't support it," Dougan said. "I would hate to see that [derecognition] happen."

One question that stands to pose a problem is whether the senate is required to listen to Carothers.

According to senate's bylaws, the senate is an independent body from URI and remains a "separate and distinct entity" because of its 5017C Nonprofit Organization status.

"The senate as a whole has never recognized the authority of the president of the university ... to interfere with the proceedings," LaRocca said.

Sweeney disagreed, saying the senate was bound by the URI administration. "We think the senate should listen to President Carothers," she said. "The student senate is ultimately bound by the Constitution and the URI administration."

When asked whether Carothers had the authority to direct the senate, Dougan answered, "That's a very good question because we never have historically, so I don't know."

Carothers said it is not on his authority, but of the Constitution. "They don't have the authority to restrict free speech, I don't have the authority. No one has the authority to ignore the Constitution."

Bilodeau said he is not sure whether Carothers' letter is of genuine support. "He's supporting us, the true test of his supporting us will be found in his actions," he said. "Unless he enforces it, they are hollow promises."

If the senate does derecognize the group, Bilodeau is willing to exhaust all possibilities. He said FIRE and the College Republicans are "in the beginning processes of a lawsuit if necessary."

"We will fight this till we can't fight it any longer," Bilodeau said.

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