

# FIRE

Foundation for Individual  
Rights and Expression

November 1, 2022

President Mark S. Wrighton  
Office of the President  
George Washington University  
1918 F Street, Northwest  
Washington, District of Columbia 20052

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

Dear President Wrighton:

The Foundation for Individual Rights and Expression (FIRE), a nonpartisan nonprofit dedicated to defending freedom of speech,<sup>1</sup> is concerned by reports of the widespread removal of posters critical of the Chinese Communist Party (CCP) across the George Washington University (GW) Foggy Bottom Campus. As a university committed to free speech, GW must investigate and address the vandalism and censorship of these flyers, and ensure students are free to criticize foreign governments and political parties.

On October 5, the Athenai Institute reported that posters critical of the CCP were torn down at Phillips Hall, District House, the Elliott School of International Affairs, the University Student Center, and the Science and Engineering Hall.<sup>2</sup> Chinese GW students created and distributed the posters as part of a campaign urging GW to divest from the CCP and to protect expressive rights on campus.<sup>3</sup>

GW promises students freedom of expression, as “[f]ree inquiry and free expression are indispensable to the attainment” of the university’s goals.<sup>4</sup> GW students are also afforded the right to “express opinions publicly and privately” and “the right to dissent and protest,” and

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<sup>1</sup> For more than 20 years, FIRE has defended freedom of expression, conscience, and religion, and other individual rights on America’s college campuses. You can learn more about our recently expanded mission and activities at [thefire.org](https://thefire.org).

<sup>2</sup> Athenai Institute (@athenaiinst), TWITTER (Oct. 5, 2022, 1:33 PM), <https://twitter.com/athenaiinst/status/1577864671415132160>. This is our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it.

<sup>3</sup> See Seth D. Kaplan and John Metz, *Concealed Crackdown: China’s Influence Across Campus*, HETERODOX: THE BLOG (Oct. 4, 2022), <https://heterodoxacademy.org/blog/concealed-crackdown-chinas-influence-across-campus>.

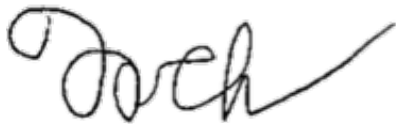
<sup>4</sup> GEORGE WASHINGTON UNIV., *Code of Student Conduct* (updated Aug. 1, 2022), <https://bit.ly/3VXT0VF> [<https://studentconduct.gwu.edu/sites/g/files/zaxdzs4831/files/2022-08/081122-code-of-sc.pdf>].

the university counts itself as “committed to the protection of free speech.”<sup>5</sup> While the university is not obligated by the First Amendment to recognize these rights, its promises to do so represent both a moral imperative and a binding contractual obligation.<sup>6</sup>

GW’s commitment to free speech requires that it have zero tolerance for vandalism of otherwise protected political expression on campus. Students cannot fully and meaningfully exercise their freedom of speech if those opposed to their expressive displays are able to deface or destroy them with impunity. That students or administrators may be offended by the posters is no excuse for permitting the vandalism to continue unchecked. As the Supreme Court has explained, our nation has “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.”<sup>7</sup>

GW policies regarding vandalism and free speech are designed to protect students’ expressive freedoms, and GW has a duty to enforce these policies to protect students’ right to criticize the CCP.<sup>8</sup> FIRE calls on GW to address the censorship of the posters by enforcing these policies, and by making clear to students that the answer to offensive speech is “more speech, not enforced silence.”<sup>9</sup> We request receipt of a response to this letter no later than the close of business on November 15, 2022.

Sincerely,



Zachary Greenberg  
Senior Program Officer, Campus Rights Advocacy

Cc: Betty Freyre, Director of Administration

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<sup>5</sup> *Id.* at 1, 5.

<sup>6</sup> *E.g., Bain v. Howard Univ.*, 968 F. Supp. 2d 294, 299 (D.D.C. 2013) (“It is beyond dispute that there is a contractual relationship between a university and its students.”). GW’s commitment to freedom of expression is also a condition of the university’s accreditation. GW is accredited by the Middle States Commission on Higher Education, which requires that each institution, as a precondition for accreditation, “possess[] and demonstrate[. . .] a commitment to academic freedom, intellectual freedom, [and] freedom of expression.” Standards, “Requirements of Affiliation,” *Standard II - Ethics and Integrity*, MIDDLE STATES COMM’N ON HIGHER EDUC., [https://www.msche.org/standards/#standard\\_2](https://www.msche.org/standards/#standard_2) [<https://perma.cc/6CD8-778G>].

<sup>7</sup> *N. Y. Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964); *see also Snyder v. Phelps*, 562 U.S. 443, 448, 461 (2011) (“As a Nation we have chosen . . . to protect even hurtful speech on public issues to ensure that we do not stifle public debate.”).

<sup>8</sup> GW recently updated its Student Code of Conduct to ban “Destroying, defacing, damaging, or tampering with the property of others,” which encompasses improperly removing posters. *Code of Student Conduct*, *supra* note 4.

<sup>9</sup> *Whitney v. California*, 274 U.S. 357, 377 (1927) ((Brandeis, J., concurring)).