

Free Speech and Government Sanctions in Mississippi: Timeline from 1956-Present

June 22, 2026

March 1956: House Speaker Walter Sillers, along with 58 other state representatives, introduces HB 880, providing for the creation of the Mississippi State Sovereignty Commission as part of the executive branch of the state government.¹ The commission's practical aims were "to maintain segregation in the State of Mississippi" and to wreck "the NAACP and any other organization which is attempting to advocate integration."²

June 1960: The Mississippi State Sovereignty Commission approves an immediate donation of public money in the amount of \$20,000 to support the Citizens Council Radio Forum. In this same meeting, the commission also adopted a resolution whereby the state agency would begin monthly donations of \$5,000 to the Council's programs for an indefinite period.³ Hodding Carter III estimates that as of the late 1950s, the monthly cost of producing the forum was roughly \$4,000.⁴

July 1960: The Mississippi State Sovereignty Commission establishes a speakers bureau aimed at "selling" segregation in Mississippi to northern audiences.⁵

October 3, 1962: Members of the University of Mississippi AAUP chapter adopt a resolution rejecting allegations made by Mississippi officials that blamed the violent and bloody riot following the university's forced integration by federal intervention on U.S. Marshals. The resolution also accused statewide media of publishing misleading and inflammatory statements and encouraged citizens to obey the law as interpreted by the Supreme Court. The resolution was signed by 61 individual faculty members.⁶ The Mississippi Sovereignty Commission compiled a list of the faculty members who signed this resolution, and the departments to which they belonged.⁷

¹ Mississippi State Sovereignty Commission, HB 880, Mississippi House of Representatives (1956), http://www.mdah.ms.gov/arrec/digital_archives/sovcom/imagelisting.php?foldercheckbox%5B%5D=1395%7C99%7C211%7C%7C0; Yasuhiro Katagiri, *Mississippi State Sovereignty Commission: Civil Rights and States' Rights* (University Press of Mississippi, 2001).

² Katagiri, *Mississippi State Sovereignty Commission*, 38.

³ Katagiri, *Mississippi State Sovereignty Commission*, 102.

⁴ Hodding Carter III, *The South Strikes Back*, with Stephanie R. Rolph, Civil Rights in Mississippi (Doubleday, 1959; repr., University of Mississippi Press, 2022), 188.

⁵ Katagiri, *Mississippi State Sovereignty Commission*, 108.

⁶ Richard P. Adams et al., "Academic Freedom in Mississippi: A Report of a Special Committee," *AAUP Bulletin* 51, no. 4 (1965): 342, <https://doi.org/10.2307/40223266>.

⁷ Katagiri, *Mississippi State Sovereignty Commission*, 161.

January 31, 1963: Chancellor John D. Williams of the University of Mississippi issues a directive prohibiting students, faculty, and staff from making any statements “likely to create disorder or impair the effectiveness of the educational programs of the university.”⁸

June 1963: Using Chancellor’s Williams’ directive as pretext, Mississippi Governor Ross Barnett personally dictated a resolution from the Sovereignty Commission recommending that the Mississippi Institutions of Higher Learning (IHL) investigate James Meredith for his remarks concerning the assassination of Medgar Evers.⁹

November 7, 1963: James Silver, professor of history at the University of Mississippi, delivered his presidential address entitled, “Mississippi: The Closed Society” at the Southern Historical Association’s annual meeting in Asheville, North Carolina. In it, he criticized the state’s reckless commitment to segregation, and identified that commitment as the true cause of the violent and deadly riot on campus the previous year. Tom Tubb, commissioner of the IHL, reported to the Sovereignty Commission that the board was “alert to Dr. Silver’s activities” and that it was Tubb’s personal feelings that Silver “should be fired.”¹⁰ The IHL hired private investigators to follow Silver to his speaking engagements and report back to the board on his statements.¹¹

1963: The University of Mississippi removes the paintings of Art Professor George Kerciu from an exhibition on campus, accusing Professor Kerciu of “desecration of the Confederate flag.” Professor Kerciu’s paintings depicted some of the slogans of the rioters opposed to James Meredith’s admission over illustrations of the Confederate battle flag they carried during the riot.¹²

1964: At the request of a state representative, the Sovereignty Commission began investigating University of Mississippi political science professor Russell H. Barrett, who they suspected of having published articles in a “communist-front organization.”¹³

August 20, 1964: Following invitations from some faculty to members of the Council of Federated Organizations (COFO) and the NAACP to speak to students at their campuses, the IHL board adopts a resolution excluding all Black people from public buildings on the campus of any state institution unless they were enrolled as students.¹⁴

⁸ Katagiri, *Mississippi State Sovereignty Commission*, 158.

⁹ Katagiri, *Mississippi State Sovereignty Commission*, 159; “Statement by James H. Meredith on the Death of Medgar Evers - June 12, 1963”.

¹⁰ Katagiri, *Mississippi State Sovereignty Commission*, 161–62.

¹¹ David G. Sansing, *Making Haste Slowly: The Troubled History of Higher Education in Mississippi* (University of Mississippi Press, 2008), 201.

¹² “Academic Freedom and Tenure: The University of Mississippi,” *AAUP Bulletin* 56, no. 1 (1970): 80.

¹³ Katagiri, *Mississippi State Sovereignty Commission*, 164.

¹⁴ Adams et al., “Academic Freedom in Mississippi,” 347.

1965: A special report from the AAUP, entitled “Academic Freedom in Mississippi”, finds that all faculty members at public colleges and universities in Mississippi “are required [by IHL statute] to list annually the organizations to which they belong and those to which they contribute money, and that their statements are kept on file in the offices of the Board of Trustees, where they are accessible to state officials, including members of the Legislature.”¹⁵ This is despite the fact that a similar statute enacted in 1958 by the Arkansas legislature was found unconstitutional by the US Supreme Court in 1960.¹⁶ This same report found that “freedom of public utterance in Mississippi is severely hampered.”¹⁷ A permanent injunction was provided by federal court in 1966.¹⁸

October 1969: In *Trister v. University of Mississippi*, the Fifth Circuit Court of Appeals found that when the University of Mississippi and the Mississippi IHL adopted a rule prohibiting University of Mississippi law professors from holding outside employment with North Mississippi Rural Legal Services (an OEO Legal Services Program) because of the program’s role in helping to organize civil rights demonstrations, it had denied those professors equal protection of the laws.¹⁹

1969: In *Stacy v. Williams*, a three-judge federal court panel ruled the Mississippi IHL’s prohibitions against campus speakers who were deemed too controversial was unconstitutional. The IHL board adopted thirteen new regulations, and in December a three-judge court ruled all thirteen were also unconstitutional.²⁰

February 24, 1970: Forty students from the University of Mississippi’s Black Student Union (BSU) presented 27 demands to then-Chancellor Porter L. Fortune, including the demand to hire Black faculty, establish scholarships for Black students, and eliminate Confederate symbols at official university events.²¹ Students also set fire to a Confederate flag in the cafeteria.²²

February 25, 1970: Approximately half of all Black students at the University of Mississippi participated in a peaceful protest on campus during a concert at Fulton Chapel performed by the band, Up With The People. Student protestors were invited on stage by the band, where

¹⁵ Adams et al., “Academic Freedom in Mississippi,” 345.

¹⁶ *Shelton v. Tucker*, 364 U.S. 479 (1960)

¹⁷ Adams et al., “Academic Freedom in Mississippi,” 347.

¹⁸ “Academic Freedom and Tenure,” 1970, 81.

¹⁹ “Academic Freedom and Tenure: The University of Mississippi,” *AAUP Bulletin* 56, no. 1 (1970): 78.

²⁰ “Academic Freedom and Tenure,” 1970, 82.

²¹ Wood, Peter, “Twenty-seven Demands: abbreviated stage reading version” (2020). *Black Power at Ole Miss Commemorative Events*. 3.

https://egrove.olemiss.edu/blkpower_event/3

²² Jones, Emmitt and Brown, Brittany, “Jones, Emmitt” (2020). *Oral Histories from Black Power at Ole Miss*. 7.

https://egrove.olemiss.edu/blkpower_ohistories/7; W. Ralph Eubanks, “The Unhealed Wounds of a Mass Arrest of Black Students at Ole Miss, Fifty Years Later,” News Desk, *The New Yorker* (New York), February 23, 2020, <https://www.newyorker.com/news/news-desk/the-unhealed-wounds-of-a-mass-arrest-of-black-students-at-ole-miss-fifty-years-later>.

they offered a Black power salute.²³ During and after the concert, 89 Black students were arrested for breaching the peace and trespassing, despite the fact they were all tuition-paying students.²⁴ 40 of those arrested were sent to Parchman Farm Penitentiary, where they spent two days in confinement.²⁵ 81 students were suspended and placed on academic probation without hearings. The remaining 8 students were marked as ringleaders and expelled.²⁶

1970: The University of Mississippi is placed on the AAUP's list of censured administrations for its record of curtailing academic freedom and free speech at the AAUP's 56th annual meeting.²⁷ The University of Mississippi is not removed from this censured list until the AAUP's 61st annual meeting in 1976.²⁸

May 1972: Chancellor Porter L. Fortune orders the withholding of the spring issue of the student publication, IMAGES, on the grounds that two short stories within it were "of questionable merit" because of their use of language "offensive to the standards of decent expression."²⁹

March 1, 1973: The student publication, IMAGES, was made available for distribution and sale following a ruling from the US 5th Circuit Court of Appeals, which upheld a lower court's temporary injunction against the University of Mississippi from halting its production and distribution.³⁰ While the university contended that the publication might 'draw an adverse reaction from the majority of people,' the court argued that speech cannot be stifled simply because it might illicit strong public reaction. Judges for the 5th Circuit wrote that allowing the university to censor the campus magazine would be akin "to virtually read the First Amendment out of the Constitution." The court further added, "We feel that we are past the point in this country today where the mere use of any single word in a public arena can be immediately branded as so tasteless or inappropriate that its use is subject to unbridled censorship or restriction by government authority."

May 18, 1973: The US 5th Circuit Court of Appeals agreed to rehear arguments, *en banc*, on its March ruling that forbade the University of Mississippi from stopping the publication of IMAGES.³¹

²³ Eubanks, "The Unhealed Wounds of a Mass Arrest of Black Students at Ole Miss, Fifty Years Later."

²⁴ Eubanks, "The Unhealed Wounds of a Mass Arrest of Black Students at Ole Miss, Fifty Years Later."

²⁵ Jones, Archie and Burns, Keon, "Jones, Archie" (2020). *Oral Histories from Black Power at Ole Miss*. 12. https://egrove.olemiss.edu/blkpower_ohistories/12

²⁶ Eubanks, "The Unhealed Wounds of a Mass Arrest of Black Students at Ole Miss, Fifty Years Later."

²⁷ "Academic Freedom and Tenure," 1970.

²⁸ Ralph S. Brown Jr., "Report of Committee A, 1974-75," *AAUP Bulletin* 61, no. 2 (1975): 104-13.

²⁹ "Spring issue of IMAGES withheld." *Clarion-Ledger*, May 17, 1972, p.7.

³⁰ "Editor says Ole Miss magazine to go on sale." *Hattiesburg American*, Mar 01, 1973, p.12.

³¹ "Court to rehear arguments on ruling for UM Magazine." 1973. May 18 *Hattiesburg American* 117, 19.

December 7, 1973: The US 5th Circuit Court of Appeals rules again that the University of Mississippi cannot censor its student magazine, IMAGES, though it can disclaim its contents.³²

May 14, 1974: The U.S. Supreme Court refuses to consider the University of Mississippi's challenge of the 5th Circuit Court of Appeals ruling concerning its attempted censorship of the student magazine, IMAGES.³³

April 18, 1983: Hundreds of White students at the University of Mississippi surrounded the fraternity house of Phi Beta Sigma, a historically Black Greek letter organization, and shouted racial epithets until they were dispersed by police. The incident took place at the beginning of Dixie Week, an annual spring tradition sponsored by the university's student government since 1950.³⁴ The University's PR director, Ed Meek, characterized it as "nothing but a spring pep rally." One of the Black students described huddling inside with his fraternity brothers listening to the mob outside scream, "N***r."³⁵

April 20, 1983: Chancellor Porter Fortune bans university representatives from waving the Confederate battle flag at university athletic events. The university also agrees to no longer purchase and distribute Confederate battle flags at its athletic events. In his statement, Fortune notes that he does not have the authority to ban the use of the flag by spectators.³⁶

February, 2000: Racist incidents at a University of Mississippi during Black History Month include racial epithets written in a dormitory bathroom, and the posting of a flyer of a monkey eating an apple with the backdrop of a Confederate battle flag on the dorm's bulletin board. Harassment of the residential assistant for the dorm included setting the bulletin board outside their room on fire, and tossing a piece of asphalt through their first-floor window with a note written on it that referred to the employee as a "N*** lover". UM's PR director tells the *Clarion-Ledger*, "The real issue is not racial at all. It is immature behavior", and that the residential director had been disciplined for misleading his supervisor and other UM officials about the events that transpired. UM's director of its African American Studies program tells the *Clarion-Ledger*, "One of the problems is that Ole Miss has never taken racially motivating issues head on."³⁷ The University named a special task force to explore the incidents and issue a

³² "U.S. Court says Ole Miss cannot censor 'Images'." 1973., Dec 07 *Hattiesburg American* 303, 23.

³³ "UM Loses Fight to Censor 'Images'." 1974., May 14 *Clarion-Ledger* 117, 6.

³⁴ "String Ties and Juleps Features of Dixie Week." 1956., Nov 29 *Clarion-Ledger* 221, 2. A brief list of the festivities sanctioned and supported by the university during annual Dixie Week celebrations over the years included: a 1952 staged signing of Mississippi's Declaration of Secession, a 1953 resolution declaring the University of Mississippi to be the "Confederate State of Ole Miss", and a 1954 reenactment of Lincoln's assassination, an appearance by the Ku Klux Klan, and a slave auction.

³⁵ Daniel, Leon. 1983. "Matter of a flag – or fear? Two decades after Ole Miss riot, The Stars and Bars still wave." *UPI* May 4, 1983. From <https://www.upi.com/Archives/1983/05/04/Matter-of-a-flag-or-fear-Two-decades-after-Ole-Miss-riot-The-Stars-and-Bars-still-wave/4454420868800/>

³⁶ "Fortune makes right decision, albeit a little late." 1983., Apr 21 *Clarion-Ledger* 74, 28.

³⁷ "Racial incidents decried at Ole Miss." 2000. Feb 11 *Clarion-Ledger* 359, 6.

report to the Chancellor by March 1.³⁸ The task force's chairman ultimately concluded that the events were racially motivated and that the school did not act quickly or decisively to address the incidents. The task force also presented the Chancellor with a list of sixteen recommendations. The task force was not able to determine who the perpetrators were, and so no punitive measures were taken.³⁹

April 8, 2003: The University's student newspaper, *The Daily Mississippian*, publishes a sex column entitled, "Morning or afternoon-any time's good for a 'nooner'". In it, student columnist Sumner Rose writes, "Sex instead of lunch makes it a little easier to return to work for the rest of the afternoon, not to mention you burn calories rather than consumer them ... So screw class, go home and screw instead."⁴⁰ The Tupelo-based organization, American Family Association, organized an email campaign that resulted in the university receiving approximately 2000 email complaints.⁴¹ While the director of the University's student media center and faculty advisor to the paper noted that the paper has editorial freedom to print the column, the email campaign demanded Chancellor Robert Khayat fire the student journalist and cancel the weekly sex column. Chancellor Khayat's issued a statement that, in part, read, "not everything that can be printed should be printed. We intend to impress this message on them."

October 2003: Richard Barrett, founder and general counsel for the Mississippi-based White nationalist organization, Nationalist Movement, speaks at the University of Mississippi's campus. Students, faculty, and staff organize a peaceful protest.⁴² One year later, Barrett organized a booth at the Neshoba County fair for fairgoers to shake hands with Edgar Ray Killen, the Klan organizer who planned and directed the 1964 murders of James Chaney, Andrew Goodman, and Michael Schwerner.⁴³

October 2006: The Foundation for Individual Rights in Education (FIRE) spotlights the University of Mississippi's General Telephone Policy for its "Speech Code of the Month." The policy mandates that on calls made to and from campus telephones, "offensive language is not to be used. All reported incidents of anyone using offensive language is referred to the Campus Police for further action." FIRE notes,

³⁸ "Ole Miss task force to address racial incidents." 2000. Feb 12 *Clarion-Ledger* 360, 4.

³⁹ "Ole miss task force recommends fast action on racial incident." 2000. March 16, *The Daily Journal* from https://www.djournal.com/news/hed-ole-miss-task-force-recommends-fast-action-on-racial-incid/article_f6bbf6cb-049d-5890-8b81-fa43c7d93fe8.html

⁴⁰ "Morning or afternoon-any time's good for a 'nooner'." 2003. April 8 *The Daily Mississippian*.

⁴¹ "UM sex column sparks controversy, debate." 2003. April 25 *The Reflector*, from <https://reflector-online.com/24865/uncategorized/um-sex-column-sparks-controversy-debate/>

⁴² "Ole Miss students and faculty protest against Jackson lawyer." 2003. 31 October, *Clarion-Ledger* 259, 16.

⁴³ "White supremacists and the Mississippi state fair." *The Tavis Smiley Show*, September 22, 2004. From <https://www.npr.org/2004/09/22/3930791/white-supremacists-and-the-mississippi-state-fair>.

But the Campus Police should be aware that it is this policy—and not the use of offensive language over the telephone—that is unlawful. As a state-run university, Ole Miss is legally obligated to uphold the free speech rights guaranteed by the Constitution to its students and faculty—and this policy directly violates those rights. There is no exception to the First Amendment for “offensive language”—in fact, that is pretty much exactly what the First Amendment exists to protect...When a vague policy leads people to refrain from engaging in protected speech in order to comply, the result is what courts call a “chilling effect” on freedom of speech, and it is legally impermissible. As the U.S. Supreme Court has stated, “[b]ecause First Amendment freedoms need breathing space to survive, government may regulate in the area only with narrow specificity.” *NAACP v. Button*, 371 U.S. 415, 433 (1963).⁴⁴

November 2009: A dozen members of the Mississippi White Knights of the Ku Klux Klan gathered on campus before the start of the university’s home football game against LSU to protest the school’s decision to cease playing “From Dixie with Love” during home games. School officials told reporters that they could not prevent the Klan from demonstrating so long as they remained nonviolent.⁴⁵

August 2010: The Foundation for Individual Rights in Education (FIRE) takes up the case of a Hinds Community College student who was reprimanded for swearing while walking out of a classroom. Speaking to the *Clarion-Ledger*, FIRE representative Adam Kissel notes that many Mississippi universities’ free-speech policies are vague and potentially unconstitutional. Kissel notes the University of Mississippi’s Internet usage policy’s ban on “hateful” communication as an example.⁴⁶ “The University has a long way to go on its Internet usage policy,” Kissel told the paper.

February 23, 2019: Neo-confederate activists marched onto the University of Mississippi’s campus to protest the removal of Confederate iconography.⁴⁷ Eight days prior the university updated its weapons policy to bring it into compliance with the state’s law on gun permits. The new policy would allow protestors and other campus visitors to bring firearms onto campus so long as they had an enhanced concealed carry permit.⁴⁸ The Wednesday prior to the march, the University announced a planned “Community Conversation” to address the protests and “how

⁴⁴ <https://www.fire.org/news/speech-code-month-university-mississippi>

⁴⁵ “12 Klansmen rally briefly before LSU-Ole Miss football game.” 2009. *Associated Press*, Nov 21.

⁴⁶ “Speech: Ole Miss Internet policy bans ‘hateful’ communication.” 2010. August 16, *The Clarion-Ledger*, 7A.

⁴⁷ “Neo-Confederate protestors march from Oxford Square to Ole Miss campus.” 2019. *The Daily Mississippian*, February 23. From <https://thedmonline.com/neo-confederate-protesters-march-from-oxford-square-to-ole-miss-campus/>.

⁴⁸ “University updates gun policy eight days before confederate groups march onto campus.” 2019. February 21 *The Daily Mississippian*

they fit in today's higher education landscape..."⁴⁹ The University's official statement concerning the planned conversation described it as "an important educational moment for our university community to address challenging issues in a manner that respects freedom of expression. Further, we know these events are causing anxiety and concern among members of our university community, and we want to provide a supportive community environment to address those concerns." The same day of the scheduled Neo-Nazi march included several other planned university events that would be disrupted by a large, Neo-Nazi presence on campus: the Vice Chancellor of Intercollegiate Athletics Ross was scheduled to speak at a town hall event at The Inn at Ole Miss, the Ole Miss men's basketball team played Georgia at home that afternoon, and Junior Preview Day was taking place, bringing hundreds of prospective students to campus.

May 15, 2019: Sociology professor James Thomas was granted tenure by the IHL Board of Trustees in a 7-5 vote following a two-hour closed session. Thomas's name was pulled from a consent agenda containing 77 tenure approvals for Mississippi's eight public universities and debated separately in the closed session. The IHL focused on Thomas's extramural speech in their closed session, with some trustees questioning the professor's "effectiveness in interpersonal relationships" because of his public comments directed at public officials in October of 2018.⁵⁰ According to a public records request submitted by *The Daily Mississippian*, the university received hundreds of concerned emails, including threats from parents to remove the university from their children's prospective college lists and from alumni threatening to halt donations if Thomas was not fired.⁵¹ Also included in the records request was an email addressed to senior leadership from the university's Associate Vice Chancellor for Strategic Communications and Marketing, imploring university leadership "to be careful and deliberate since free speech is one of the most fundamental rights of an individual and academic freedom one of the fundamental rights of a faculty member."

August 2019: Following months of questioning, the University of Mississippi's Chancellor acknowledged that the university had mishandled an investigation into the student fraternity members who posed with guns in front of a bullet-riddled memorial to Emmett Till in Tallahatchie County. The students were suspended from their fraternity, but not from the University.⁵²

⁴⁹ "University administration, student groups respond to Confederate rally with forum, protests." 2019. February 19 *The Daily Mississippian*, <https://thedmonline.com/university-administration-student-groups-respond-to-confederate-rally-with-forum-protests/>

⁵⁰ "Professor granted tenure after concern over past social media posts delays process." 2019. May 16 *The Daily Mississippian* <https://thedmonline.com/professor-granted-tenure-after-concern-over-past-social-media-posts-delays-process/>

⁵¹ "'Tweets are my own': How James Thomas's Twitter sparked a conversation about academic freedom." 2019. March 4 *The Daily Mississippian* <https://thedmonline.com/james-thomas-jt/>

⁵² "Here's Proof Ole Miss Knew Identities of Two Students Who Posed in Front of Shot-Up Emmett Till Sign, but Did Little." 2019. July 30 *ProPublica* <https://www.propublica.org/article/university-of-mississippi-emmett-till-fraternity-campus-investigation>

March 1, 2020: A newly proposed university policy on faculty communications would change how faculty and staff use social media and speak with media outlets.⁵³ The proposed policy was drafted by University Marketing and Communications, and would restrict faculty members from speaking to the media without university approval only about their research, scholarship, professional expertise, or as private persons. The proposed policy would also restrict faculty from sending information to media outlets without university approval, unless it was for academic publication. The policy also proposed best practices that included following the UM Creed in online interactions. Faculty on campus described it as “a solution in search of a problem.” Faculty senators expressed concern that the policy restricted their right to free speech.

March 3, 2020: University faculty and staff held a meeting on campus to discuss the proposed communication policy with University officials. One faculty member who was present is quoted as saying the meeting made clear that “anyone running afoul of the policy could face disciplinary sanctions for doing so.”⁵⁴ This faculty member also stated that in this meeting, administrators told faculty that “any policy violation could become a personnel issue, and disciplinary action would depend on the circumstance and the discretion of the person’s boss.”

University officials attended a Faculty Senate meeting to listen to feedback on the proposed policy changes. No faculty member spoke in support of the policy, and many called for further review.⁵⁵ Faculty were particularly critical of Section 2.4 of the proposed policy, which stated, “When using social media as a part of their official duties and/or when presenting oneself in social media settings, all faculty and staff should conduct themselves in a way that is befitting of the institution.” Other faculty senators described the language as “threatening” and that it undermined the trust necessary for departments on campus to put the policy into action.

October 2020: UM History Professor Garrett Ferber publicly criticized his department chair for rejecting a grant to a community education program focused on racial justice and incarceration. Ferber took to Twitter, asserting that the University of Mississippi was motivated by a desire to protect “racist donor money.”⁵⁶ Following his tweets, Ferber’s department chair requested to have a phone conversation, then video conferences, with Ferber to discuss his speech. Ferber was on a year-long fellowship at Harvard and replied that he preferred they communicate in writing. In December, Ferber’s department chair recommended to the Dean’s office that

⁵³ “Proposed policy could limit faculty speech.” 2020. March 1 *The Daily Mississippian*, <https://thedmonline.com/proposed-policy-could-limit-faculty-speech/>

⁵⁴ “Faculty object to proposed communication policy’s ambiguity, control.” 2020. March 3 *The Daily Mississippian*, <https://thedmonline.com/faculty-object-to-proposed-communication-policys-ambiguity-control/>

⁵⁵ “Faculty Senate criticizes, requests further review of proposed media policy.” 2020. March 3 *The Daily Mississippian*, <https://thedmonline.com/faculty-senate-criticizes-requests-further-review-of-proposed-media-policy/>

⁵⁶ “UM Fires History Professor Who Criticizes ‘Powerful Racist Donors’ and ‘Carceral State.’” 2020. December 15 *The Mississippi Free Press* <https://www.mississippifreepress.org/um-fires-history-professor-who-criticizes-powerful-racist-donors-and-carceral-state/>

Felber's contract not be renewed. Felber subsequently retained an attorney and reached a settlement with the university.⁵⁷

February 2, 2021: The University of Mississippi adopts its social media policy.⁵⁸ The policy only regulates the use of official university social media accounts. "Any other social media site, such as a registered student organization site or an employee's personal social media site, is NOT subject to this policy."

November 2, 2021: Roughly two dozen protestors gathered in front of the Lyceum on campus to protest the University's vaccine mandate that requires all faculty, students, and staff to be vaccinated against the COVID-19 virus or provide an exemption.⁵⁹ The protestors consisted of community members, students, and university employees. A picture of the protest published in *The Daily Mississippian* includes signage carried by the protestors, one of which reads "Biden Bought Ole Miss Bodies \$91M". The protest took place on a Tuesday, during the work day. *The Daily Mississippian* reports "The academic day was disrupted Tuesday when community members, students, and university employees marched on campus in demonstration against the employee vaccination mandate."

April to May 2025: On April 28, 2025, the University of Mississippi's Provost informed all Deans, Chairs, and Directors that it was "directing the Sarah Isom Center and other university units to step back from institutional involvement with the 2025 Oxford Pride Parade this year to ensure we do not violate the new state law," referencing Mississippi HB 1193. This law, when passed, aimed to restrict the teaching and learning of academic concepts like race, gender, and sexuality, among others. The Sarah Isom Center, an academic unit on campus, has been the primary organizer of the Oxford Pride Parade since its founding. The organizers in the Isom Center were not even allowed to use university golf carts to help transport individuals who were unable to physically march or walk in the parade. The provost explained in this email that the university was acting out of caution, not any grounded sense of what the law did or did not say: "Until we have that clarity, the university is advising caution in how university entities support events and activities."⁶⁰

On April 29, I wrote to the Provost to express my frustration with the university's interpretation. I wrote,

I'm concerned with whether and how this directive may violate our university's policy and position on academic freedom. In addition to our scholarship, our academic

⁵⁷ "Emails show UM Officials' Concern Over Fired Historian Criticizing Private Prison Ties." 2021. July 30 *The Mississippi Free Press*, <https://www.mississippifreepress.org/emails-show-um-officials-concern-over-fired-historian-criticizing-private-prison-ties/>

⁵⁸ "Social Media Policy," COM.MK.200.201, University of Mississippi, effective February 2, 2021. <https://policies.olemiss.edu/ShowHistory.jsp?policyObjidPara=12712432&istatPara=1>

⁵⁹ "Protest emerges on UM campus in response to vaccine mandate." 2021. November 4 *The Daily Mississippian*, https://issuu.com/dailymississippian/docs/11_4_layoutbig

⁶⁰ "Re: DEI Statements and Practices Bill," April 28, 2025

freedom policy also shields our creative activities from institutional interference or retaliation. A filmmaker in an MFA program, for example, can use university resources to produce a documentary with their students that the university may not agree with, but would nevertheless not interfere with the production of that film because it would violate our shared values around academic freedom. The same is true of a Department, Center, or other unit that hosts a film screening, poetry reading, or other creative activity on or off campus with university resources.

The Pride Parade - and Pride Week more generally - entails a set of creative and community-engaged activities produced, in part, by our faculty and some units on campus. Yet in this specific instance, the university has divested already committed resources to this event, which does indeed interfere with the production of these activities.

If the university's interpretation of this new law is that it doesn't protect some creative activities, then all creative activities and the faculty who partake in them no longer enjoy the same academic freedom they did just one week prior. And that calls into our university's commitment to academic freedom, and its ability to stand up for academic freedom when it's under direct assault.⁶¹

My point then was that the Pride Parade, sponsored by an academic unit, should have been protected under existing norms surrounding academic freedom. In response, the Provost wrote back to me on May 2. His response included the following:

At the same time, when the university acts through the college, its schools, departments, and centers, those are actions of the university. In such instances, the university has the right to make decisions about what activities the university will sponsor and what speech the university wishes to engage in, and the university leadership has an obligation to make sure the university is not violating the law and putting the university in legal jeopardy.⁶²

I've underlined the passage perhaps most relevant. The provost, in my reading, is stating that even when it comes to academic freedom, it only protects an individual faculty member engaged in academic or creative activities. But somehow, not a group of faculty members engaged in academic or creative activities (which is what a center or department is). It's absurd on face value. The underlined passage is also a clear statement from university leadership that the university will engage in viewpoint discrimination if it does not agree with the speech involved. That would seemingly extend across everything - from academic events to student programming, and anything in between.

⁶¹ "Concern about Pride Parade and Academic Freedom," April 29, 2025

⁶² "Re: Concern about Pride Parade and Academic Freedom," May 2, 2025