

## Harassment and Discrimination: Displays of Hate

Washington College is committed to fostering a welcoming community for all students, faculty, staff, and visitors. Hate speech, defined by the [United Nations](#) as “*any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor. This is often rooted in, and generates intolerance and hatred and, in certain contexts, can be demeaning and divisive.*” Hate speech is antithetical to the learning environment we wish to establish here at Washington College. Further, tolerating hate speech and iconography neglects our [goal](#) to “*confront and challenge attempts to dehumanize others through prejudiced attitudes, behaviors, and practices that exclude, demean, or marginalize any individual or group.*”

After reevaluating our [Discrimination and Harassment Policy](#), we have determined that hate speech and hate symbols have no place at Washington College and those who engage in hate speech or who choose to display hate symbols on their person, car, dormitory, or personal effects can be brought to the Honor Board or to Human Resources. Faculty may use their discretion when determining if displaying a hate symbol in class or if allowing students to depict hate symbols in their research is academically necessary. If you wish to report a violation of the Hate Speech and Hate Iconography Policy, you can do so here:

[BERT reporting procedure](#)

[Student handbook entry on discrimination and harassment](#)

Active incident reporting (Public safety): 410-778-7810

### Discretionary use in academic contexts

Although hate symbols may be antagonistic and demeaning when encountering them in general contexts, there are academic applications of hate content that may require their exploration. For example, coursework and research addressing hate groups, identifying implications of harmful rhetoric, or reviewing historical events can all present contexts where encountering these materials is academically necessary. Washington College can create spaces where difficult issues can be thoughtfully discussed and confronted. As [existing Washington College policies](#) warn, it is important to recognize when academic freedom “*is used to disguise, or as the vehicle for prohibited conduct.*” Faculty should use their discretion when determining whether displaying hate symbols in classroom settings or allowing student depictions of hate are necessary for academic enrichment.

### Examples

A student presentation includes references to Nazi and neo-Nazi groups during a course discussion on extremist ideologies. The presentation includes Nazi symbols and directly quotes members of the neo-Nazi movement.

- Is the presentation of materials antagonistic to the identities of students in the classroom? Are materials presented to intimidate students based on their identity?
- Is the purpose of presenting neo-Nazi materials meant to enrich student understanding of course content?
- Is the purpose of presenting neo-Nazi materials antagonistic to the identities of students in the classroom?
- Are materials presented to intimidate students based on their identity?

While the above example could serve as a vehicle for prohibited conduct, the [standard of reasonableness established in discrimination and harassment policy enforcement](#) allows for discretion in permitting reference to materials if they promote enrichment without contributing to a broader hate agenda.

A confederate flag is displayed from a student’s dorm room window.

- Is the presentation of materials antagonistic to the identities of students at Washington College? Are materials presented to intimidate students based on their identity?
- Is the purpose of presenting Confederate materials meant to enrich student livelihoods or academic enrichment?

- Is the purpose of presenting Confederate materials antagonistic to the identities of students at Washington College?
- Are materials presented to intimidate students based on their identity?

There is no discernable contribution to the livelihoods of students of Washington College, nor academic enrichment. Applying a [standard of reasonableness established in discrimination and harassment policy enforcement](#) allows for discretion in permitting materials, but not displays of advocacy for an agenda of racial oppression.

A student wears a confederate flag hat to an off campus fraternity/sorority party.

- Is the presentation of materials antagonistic to the identities of students at Washington College? Are materials presented to intimidate students based on their identity?
- Is the purpose of presenting Confederate materials meant to enrich student livelihoods or academic enrichment?
- Is the purpose of presenting Confederate materials antagonistic to the identities of students at Washington College?
- Are materials presented to intimidate students based on their identity?

While the student wearing the confederate flag may be doing so in their own private residence, all students must abide by the Honor code, and the Harassment Policy. Washington College does not allow Washington College students to harass or bully other Washington College students on campus, off campus, or online. Applying a [standard of reasonableness established in discrimination and harassment policy enforcement](#) allows for discretion in permitting materials, but not displays of advocacy for an agenda of racial oppression.

### **Additional resources:**

*Databases to recognize hate symbols*

ADL. Hate Symbols Database. <https://www.adl.org/get-adls-hate-on-display-symbols-printable-summary>

Elias, Marilyn. *Hate in the Hallways: Recognizing the history of defamatory symbols can help schools see fewer of them*. Learning for Justice. Spring 2015, <https://www.learningforjustice.org/magazine/spring-2015/hate-in-the-hallways>

Willingham, AJ. *These Are the New Symbols of Hate*. CNN, 28 Sept. 2019, <https://www.cnn.com/2019/09/28/us/hate-symbols-changing-trnd/index.html>

*Selected readings on hate speech and free speech:*

Butler, Judith. (1997). *Excitable speech: a politics of the performative*. New York, Routledge.

Matsuda, M. J. (1993). *Words that wound: critical race theory, assaultive speech, and the First Amendment*. Boulder, Colo.: Westview Press.