

# Inquiring Minds topic – 19 May 2017

Bruce Angus McNaughton, Moderator

## Do We Really Believe in Free Speech?

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**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. - First Amendment to the U. S. Constitution**

*Do you believe in the first amendment?*

Would you like to modify it?

How would you respond to those who want to prevent speakers who do not agree with their thinking from appearing in venues on our campuses?

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The Moderator's rules for the meeting:

Please be on time as a courtesy to your fellow attendees.

The floor to speak is gained by raising your hand and being recognized.

All comments are made to the chair.

Comments are limited to two minutes.

First time speakers have the floor first over repeat speakers with one exception -

Anyone who wishes to support or rebut a speaker can ask the moderator to give her/him the floor.

No anecdotes unless they are on point with the subject of Free Speech

No personal attacks on any speaker.

The moderator will insure the rules and decorum are adhered to.

The moderator will not inject his thoughts and opinions into the discussion at any time. One exception: if the conversation ends he may ask a brief question to engage the audience in further discussion.

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## Berkeley paradox: Birthplace of free speech now offended by it

 [www.csmonitor.com/USA/2017/0426/Berkeley-paradox-Birthplace-of-free-speech-now-offended-by-it](http://www.csmonitor.com/USA/2017/0426/Berkeley-paradox-Birthplace-of-free-speech-now-offended-by-it)

April 26, 2017 —What started as a debate over conservative pundit [Ann Coulter](#)'s scheduled talk at the University of California, Berkeley, has become a nationwide showdown over freedom of expression, with a lawsuit filed and riots in the offing.

Ms. Coulter's brand of polemic conservatism – often associated with white nationalism and the “alt-right” movement – has come up against left-wing elements who refuse to tolerate such ideas.

“We don't accept the right of immigrant-basher bigots to come to Berkeley and help propel Trump's deportation machine to make it more hostile for human beings who are here,” says Hoku Jeffrey, a Berkeley graduate and representative of By Any Means Necessary (BAMN), a left-wing group that participated in previous protests that grew violent. “There is nothing that makes that OK.”

In insisting Coulter be allowed to speak, conservatives are asserting the right to speak freely. In protesting her presence, groups like BAMN are wielding the right to assembly.

“You have these two groups that are ideologically opposed to each other that are both trying to express their First Amendment rights,” says Lata Nott, executive director of the First Amendment Center at the Newseum Institute in Washington. “People need to be reminded that free speech rights are indivisible. When you try to silence one group, the precedent you're setting will be used against you.”

The furor first caused UC Berkeley to cancel Coulter's April 27 visit. The university then reversed its decision and offered to reschedule. But the Berkeley College Republicans and the Young America's Foundation, which had invited her, filed a lawsuit saying the university infringed their constitutional rights. Through it all, Coulter vowed to proceed on April 27 as planned – until Wednesday, when she canceled, saying the groups had withdrawn their support.

The conflict threatened to once more turn violent, as it did earlier this month when anarchists and right-wing agitators [clashed near campus](#) in a bloody melee. In February, riots broke out when masked protesters tried to stop alt-right provocateur Milo Yiannopoulos from speaking at the university.

Pundits have noted the irony that the university that birthed the free-speech movement of the 1960s is now the venue for such a showdown. But in a way, that's the point. The uproar over Coulter's appearance underscores a shift in thought about freedom of expression – particularly on college campuses, which have become more dominated by liberal ideas in the past 25 years.

“Berkeley should be the epicenter of the marketplace of ideas,” [writes First Amendment attorney Marc Randazza for CNN](#). “Unfortunately, it has become the most intolerant place in America.”

### 'A dangerous equivalency'

Through the fall of 1964, UC Berkeley was ground zero for student protests against a ban on political activity on campus – particularly causes related to the Civil Rights Movement. The sit-ins and demonstrations were largely peaceful, and led to the now-celebrated student activism that swept the nation throughout the 1960s and '70s.

Today, Berkeley is not alone in protesting the presence of right-wing speakers. In July 2016, more than 300 students at Elon University in North Carolina petitioned against an appearance by Kathleen Parker, whose book, “Save the Males,” contends that feminism has made enemies of men. White nationalist Richard Spencer drew hundreds of protesters when he spoke at Texas A&M University in December.

Similar demonstrations have taken place at California State University, Los Angeles; Middlebury College in Vermont; and New York University.

Part of the issue, analysts say, is that universities are increasingly situated on one side of America's [widening political gap](#).

In 2014, [60 percent](#) of professors at higher education institutions identified themselves as “liberal” or “far-left,” compared with 42 percent in 1990. While that doesn’t mean colleges have become “[indoctrination mills](#)” for liberalism, critics say it has contributed to an environment where conservative thought is often [dismissed as laughable](#) – or outright evil.

“It’s like someone is claiming the Earth is flat or something,” says James Miller, a conservative professor of economics at Smith College in Northampton, Mass.

The implication is that liberal ideas are more deserving of First Amendment protections than conservative ones, says constitutional lawyer Brian Levin. But all speech – regardless of content – has intrinsic value, he adds.

“It’s about allowing unfettered access to viewpoints,” says Professor Levin, director of the Center for the Study of Hate and Extremism at California State University, San Bernardino.

Recent face-offs also give rise to a troubling view of free speech as something to be wielded by one faction against another.

“There’s a willingness to see speech as a kind of harm in and of itself. [People] feel attacked by these speakers,” adds Robert Shibley, executive director of the Foundation for Individual Rights in Education (FIRE), a nonpartisan group in Philadelphia that aims to protect and sustain constitutional rights at educational institutions.

“If you are willing to cede speech as a form of violence, it makes a certain amount of sense to respond with physical violence,” he adds. “That’s setting up a dangerous equivalency.”

## **New civil rights movement on campuses**

To those protesting campus appearances of conservative figures, focusing on free speech is missing the point.

“The right-wing people ... don’t have any lack of ways to publicly air their thoughts,” says Mr. Jeffrey of BAMN, whose goals include defending immigrant rights and affirmative action. “That’s not a real issue. Having real racial integration and inclusion, that’s a diversity of thought.”

The argument echoes the assertion at the heart of [the new civil rights movement](#) at college campuses. Across the country, minority students and their supporters have lobbied for inclusion that goes beyond token diversity, popularizing terms such as “safe spaces” and “microaggressions.”

“They’re looking for that sense of belonging,” says Ajuan Mance, professor of English at Mills College in Oakland, Calif.

Eric McDaniel, a political scientist and organizational behavior expert at the University of Texas at Austin, says that while violence is not desirable, it can be necessary to get the public's attention.

“Sometimes it’s an issue of desperation,” says Professor McDaniel. “You have to ask why people would want to tear down the system.”

## **History lessons**

With tensions running high at Berkeley, cooler heads counsel taking the long view – and learning lessons from the past.

“There are times when we look back and realize we overreacted or this person had something important to say but was ignored,” Professor McDaniel says.

Even the free-speech protests of 1964 weren’t always regarded with pride. Lynne Hollander Savio, a former

activist and widow of Berkeley protest leader Mario Savio, says the public so disapproved of their rallies that Ronald Reagan won the governorship of California in 1966 partly on the promise of restoring law and order to the university.

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Martha E. Pollack , President of Cornell University, said this as a part of a Q & A discussion:

Freedom of speech and academic expression are integral parts of Cornell’s foundation as a community of scholars. Given today’s polarized political environment and many universities facing challenges on how to present and freely discuss diverse opinions, what principles will you turn to in ensuring that robust discussion and debate can flourish?

I am an adamant supporter of freedom of speech and academic expression. Last month, the Cornell community, and especially Cornell students, beautifully modeled civil, respectful dialogue about controversial ideas during the Newt Gingrich speech.

We must, as a community, honor free speech. There are many reasons for this, and among them is the fact that an essential part of our mission is the discovery of truth. We can’t get at truth unless we’re willing to entertain all ideas, including ones we disagree with. To ignore and shut down opposing ideas is to let your own ideas degrade to cant. Instead, you must to be able to defend your ideas well – rigorously and vigorously. What about ideas that are patently offensive and clearly false? In our democracy, even those ideas have to be allowed to be expressed, lest we open the door to having discourse more generally suppressed. History has shown that it’s often the most marginalized groups whose voices are shut down when free speech is abridged. While we have an obligation to refute and even express our disgust with offensive ideas, we cannot bar them from being said.

Based on all this, it should be clear that I will uphold the principle of freedom of expression at Cornell and do everything I can to ensure that all voices are allowed to speak. When those voices are at odds with the core values of Cornell, I’ll also ensure that there are venues for opposing voices – and I’ll make clear my own opposition. But we cannot allow the hecklers’ veto to shut down speech.