

[Click here to visit other RealCities sites](#)**philly.com**  
THE REGION'S HOME PAGE[Our Local Channels](#) ▾ [News](#) ▾ [Business](#) ▾ [Sports](#) ▾ [Entertainment](#) ▾ [Living](#) ▾ [Classifieds](#) ▾[Help](#) | [Contact Us](#) | [Archives](#) | [Place an Ad](#) | [Newspaper Subscriptions](#)**Search**[» Search the Archives](#)[Back to Home](#) > [Philadelphia Inquirer](#) >

Thursday, Apr 24, 2003

**The Philadelphia Inquirer****Local & Regional**

Posted on Thu, Apr. 24, 2003

**The Philadelphia Inquirer**

## Group takes aim at campus speech codes

**Court complaints and a Web site grading college policies will combat perceived rights violations.**

By James M. O'Neill  
Inquirer Staff Writer

A Philadelphia-based free-speech group has launched the first phase of a national attack on controversial campus speech codes by filing a complaint in federal court against Shippensburg University, calling its restrictions on campus speech unconstitutional.

The group, cofounded three years ago by a University of Pennsylvania professor, says it plans to file similar complaints against other public universities across the country in coming months. It also is launching a Web site in May to list the speech codes of every university in the country and to give each code a grade based on how restrictive it is.

"We're seeking to end the absolute scandal" against free speech that speech codes have become, said Alan Charles Kors, a Penn history professor and cofounder of the Foundation for Individual Rights in Education.

The nonprofit group previously published a series of guides for students that outline their religious, legal, speech and other rights. The guides were edited by a politically diverse group that included a former Reagan administration attorney general and the head of the American Civil Liberties Union.

**Shopping & Services**[Find a Job](#)[Find a Car](#)[Find a Home](#)[Find an Apartment](#)[Classifieds Ads](#)[Shop Nearby](#)**The Philadelphia Inquirer**[Front Page](#)[Local & Regional](#)[» Philadelphia & Suburbs](#)[» Montgomery County](#)[» Chester County](#)[» Bucks County](#)[» South Jersey](#)[US & World](#)[Sports](#)[» High School](#)[Business](#)[Daily Magazine](#)[Editorials & Commentary](#)[» Metro Commentary](#)[» South Jersey Commentary](#)[» Pennsylvania Commentary](#)[» Community Voices](#)[Columnists](#)[Personal Finance & Investing](#)[Tech.life](#)[Health & Science](#)[Food & Dining](#)[Home & Design](#)**Stocks**

Enter symbol/company name

[Weekend](#)

[Arts &](#)

[Entertainment](#)

[Travel](#)

[Sunday Neighbors](#)

[Real Estate](#)

[Education](#)

» [School Report](#)

[Card](#)

[Religion](#)

[Automotive](#)

[Obituaries](#)

[Photography](#)

[Books](#)

[Sunday Review](#)

[Sunday Magazine](#)

[Special Reports](#)

In the brief filed Tuesday in U.S. District Court in Harrisburg, Kors' group argues that the language governing speech in Shippensburg's student code of conduct is so vague and sweeping that it creates "a chilling effect" on students' rights "to freely and openly engage in appropriate discussions of their theories, ideas and political and/or religious beliefs."

The group's chief executive officer, Thor L. Halvorssen, a Penn graduate, said that because the Shippensburg code prohibits students from expressing their views in a way that could "demean" or that "annoys" or "alarms" others, it would preclude a student from holding up any number of signs on campus that carry phrases commonly used in debates over contentious issues in America.

He said, for instance, that it would preclude a student from holding up a sign that read, "Take your rosaries off my ovaries," a phrase that has been used by abortion-rights advocates.

Halvorssen said the Shippensburg code is overreaching because the terms it uses are so vague. "What is 'demeaning' to you might not be demeaning to me," he said by way of example.

"Universities should be places with unfettered debate, but instead they have adopted speech codes that limit the flowering of the mind," he said.

Shippensburg, one of Pennsylvania's 14 state-run universities, responded yesterday with a formal statement. It argued that the school "strongly and vigorously defends the right of free speech" but is also committed to the principle that "this discussion be conducted appropriately. We do have expectations that our students conduct themselves in a civil manner that allows them to express their opinions without interfering with the rights of others."

The university has 20 days to file its legal response.

Penn's Kors has been fighting speech codes since the 1980s. He calls them the "infantilizing of students." He said the irony is that college administrators who enjoyed the free-speech

movement of the 1960s during their own college years have turned around and imposed restrictions on today's students.

"It's the generational swindle of all time," he said.

A decade ago, Kors was involved in a speech code case at Penn that became known as the "water buffalo" incident, cited by critics nationally as a prime example of political correctness run amok.

Kors defended the student, who was charged under Penn's speech code because he yelled a phrase that included the term "water buffalo" at black female students.

Kors and a colleague later thought Penn had unfairly been singled out for national ridicule over its speech code, since the code was actually symbolic of a trend at colleges across the country. He and a colleague wrote a book about that trend, called *The Shadow University*.

After the "water buffalo" incident, Penn trustees scrapped the speech code. And last spring, when a graduate student posted a message on a Penn Internet news group calling for the death of Palestinians, the issue was handled very differently.

Instead of sanctioning the student, Penn encouraged more campus discussion of the incident. Kors applauds the approach, noting that the student was subject to intense public criticism. The answer to offensive speech, he said, "is more speech."

---

Contact staff writer James M. O'Neill at 610-313-8012 or [joneill@phillynews.com](mailto:joneill@phillynews.com).



[email this](#)



[print this](#)



[license this](#)



[reprint this](#)

## RELATED LINKS

» [On the Web](#)

[News](#) | [Business](#) | [Sports](#) | [Entertainment](#) | [Living](#) | [Classifieds](#)

[Help](#) | [Contact Us](#) | [Archives](#) | [Place an Ad](#) | [Newspaper Subscriptions](#)

