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Free Speech on Campus?

By [Hans Zeiger](#) on 09/15/03

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For a generation, America's vast system of higher education has become known for its increasing intolerance of free speech when it comes to conservative ideas. Fortunately, the stifling of expression and dialogue on America's university and college campuses may be in its final days.

Recently, both a federal court and the Bush Administration have upheld the First Amendment and denounced university and college policies that prohibit expression perceived as insensitive or hurtful.

First, U.S District Court Judge John E. Jones III ruled last week that Shippensburg University in Pennsylvania must end enforcement of its oppressive speech code. The Foundation for Individual Rights in Education sued Shippensburg earlier in the year because the university's code states that "commitment to racial tolerance, cultural diversity, and social justice will require every member of this community to ensure that the principles of these ideals be mirrored in their attitudes and behaviors."

In other words, Shippensburg students are required to drench themselves in Left-wing radicalism. Hopefully after this federal ruling, some bit of decency will return to Shippensburg.

Second, a letter was sent last month from the Department of Education Office of Civil Rights to America's college and university administrators, clarifying that "OCR's regulations and policies do not require or prescribe speech, conduct, or harassment codes that impair the exercise of rights protected under the First Amendment." This statement reverses years of federally required violation of the First Amendment.

Under the Clinton Administration, the Leftist control of expression in higher education became institutionalized at the federal level. In the 1990s, the OCR required universities to impose and enforce rigorous speech codes in order to receive federal funding.

Today, it is estimated that 90 percent of America's institutions of higher education have adopted a speech code of some form.

Campus administrations claim that the purpose of their speech codes is to protect certain groups who are vulnerable to harassment and discrimination. Yet too often, these codes are used as a means to censor the expression of non-Leftist ideas. At the University of New Hampshire, the speech code bans "ongoing and unproductive culturally based arguments between roommates" and "disagreements between floor members over 'political' material posted on their room doors."

Florida Tech bans any "use of threatening words or actions that are likely to, or do in fact,

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cause emotional distress."

The University of Maryland policy gives no leeway for "idle chatter of a sexual nature, sexual innuendoes, comments about a person's clothing, body, and/or sexual activities, comments of a sexual nature about weight, body shape, size, or figure, and comments or questions about the sensuality of a person." As George Mason University Professor David Bernstein points out, simply complementing a person on their choice of clothing could be considered an offense at University of Maryland.

Writing for the Washington Times, Bucknell University junior Charles Mitchell claims that his school's Campus Court has created and applied a "right to feel comfortable." Mitchell continues, "That policy makes me feel very uncomfortable, but, because of my political views, my sensitivities are given no standing whatsoever at Bucknell."

Diversity is the value above all others on the mainstream campus of 2003 - diversity of culture, morality, skin color, sexuality, and so on. Yet to the Left, diversity is a very narrow concept. Students and professors who are conservative, Christian, straight, white and male are not considered diverse enough these days.

So when it comes to the diversity that matters - intellectual diversity - only the Left is allowed to speak.

At the Harvard of Conservatives in the heartland of America, Michigan's Hillsdale College, tolerance for intellectual diversity remains a defining feature. Despite the conservative leanings of the college, there is a daily clash of differing viewpoints in the classrooms of Hillsdale.

There is certainly a necessity for codes of behavior on college campuses, but high standards can exist without destroying the free exchange of ideas. For example, Hillsdale College includes a simple policy in its code prohibiting "disorderly, lewd, indecent or obscene expression on college-owned or controlled property or at college-sponsored or supervised functions."

When campus speech codes go beyond the Hillsdale model, they reduce education to nothing more than an assembly line in a factory of political correctness. Today, the speech codes at most of America's campuses are a carefully planned mechanism by social engineers to turn students into mindless, soulless robots.

Fortunately, Judge John Jones and the Bush Administration have enough sense to uphold the First Amendment and demand an end to speech codes. It is time for colleges and universities to get serious about reopening higher education as the marketplace of ideas.

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Hans Zeiger is a conservative activist, columnist, speaker, and student from Puyallup, Washington. He is chairman of Washington Young Americans for Freedom. As an Eagle Scout, Hans is an outspoken defender of Scouting and moral character.

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editor@americandaily.com