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Organization rates university's free speech policies

By: [Stephanie Veale](#)

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The Foundation for Individual Rights in Education has concluded that Syracuse University isn't doing enough to protect free speech.

While some faculty members and students also said they feel SU does not do enough to protect their First Amendment rights, others think F.I.R.E., a nonprofit organization based in Philadelphia, is off-base.

F.I.R.E. analyzes policies at universities across the country and evaluates them using its Speech Code Rating System. Each university gets a picture of a red, yellow or green traffic light next to its name on Spotlight, F.I.R.E.'s university database. Red lights connote the most severe free speech violations, and green lights mean none of a university's policies defy the First Amendment.

Samantha Harris, program officer and spokeswoman for F.I.R.E., said SU is a red-light school because of its Protocol for Responding to Bias-Related Incidents, located on the Division of Student Affairs Web site.

Harris said the non-discrimination protocol is troubling because it condemns expression of hostility, without making clear what speech is protected under the university's Code of Student Conduct.

Since the protocol doesn't distinguish between protected and unprotected forms of expression, SU is not taking enough care to inform students of their First Amendment rights, Harris said.

"A lot of universities restrict free speech in the name of civility and tolerance and (other) good values," Harris said. "But a major research university should not be censoring the speech of students and faculty."

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F.I.R.E. lists 444 public and private universities on Spotlight, 351 of which have yellow or red lights. Twenty-seven have green lights, and the rest are unrated. Although private universities are not legally bound to the First Amendment, Harris said F.I.R.E. believes all universities are morally bound to uphold it.

SU had a red light on Spotlight before the HillTV controversy began in October. F.I.R.E. rates schools based on policies, not current events.

The red light brings up questions about SU's reputation with regard to freedom of expression. David Rubin, dean of SU's S.I. Newhouse School of Public Communications, said he believes SU encourages members of the campus community to speak their minds. He also said he thinks the limits the university does impose are reasonable.

"I have never felt in 16 years on this campus that I, or the faculty, or the students, or the staff weren't free to say what they want to say," Rubin said.

Not everyone agrees with Rubin's interpretation of SU's campus culture. David Sutherland, a Newhouse photography and graphics professor, said SU is not an open marketplace of ideas.

Most professors at most universities - including SU - are politically liberal, Sutherland said. This like-mindedness means those who fall outside of mainstream academia, like himself, don't feel comfortable speaking up.

"I think this school is as free as any other university, but I regret to say that I think most universities don't really welcome free speech," Sutherland said. "We are ruled by political correctness way too strongly."

Sutherland said some colleagues consider him right-wing even though his conservative politics fall within America's mainstream political spectrum. Academia is a different world.

"We talk about struggling for diversity, but we never talk about struggling for diversity of opinion," Sutherland said.

Chancellor Nancy Cantor's decision to shut down HillTV is just the most recent example of poor decision-making when it comes to free speech, Sutherland said. He felt the "Over the Hill" content was "rude, crude and immature," but that Cantor should have let the student body handle it.

"Instead of having a conversation about the precise issues and having a teaching moment, we lost it in screams of censorship and shutting down a station," Sutherland



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said. "We swatted the fly with a baseball bat and didn't learn the proper lessons from it. We broke the table the fly was sitting on."

Harris said the best way to fight offensive speech is with more speech. No one's thoughts should be repressed, Harris said, as long as individuals don't cross the line into harassing or threatening speech. Sutherland agreed with this interpretation.

Juanita Perez Williams, director of the Office of Judicial Affairs, said SU's Code of Student Conduct is in line with the Constitution and established law. Students must take offensive speech to the level of harassing or threatening before they will receive sanctions from OJA.

However, Williams said the university won't necessarily stand by and watch offensive speech take place. A student who says something that faculty or students deem inappropriate might be asked to sit down and have an "educational conversation" with a resident adviser or a faculty member, Williams said.

For Harris, even an educational conversation - if forced upon a student - might go too far.

"That may be enough to get students to censor themselves," Harris said.

Most students seem to get through SU without worrying about their First Amendment rights, however.

Jason Fisher, a senior broadcast journalism major and one of the chairmen Cantor assigned to the Task Force on Student-Run Television said his opinions were never suppressed when he worked for HillTV. That sort of extreme openness may even have encouraged problems with "Over the Hill," he said.

"Free speech was almost too big of a range," Fisher said. "I could do or say basically whatever I wanted."

Peter Moller, who teaches screenwriting and film production at Newhouse, said he thought SU valued free speech before HillTV, but now is headed down the wrong path.

"I think this whole controversy and the way that it was handle have created ... a very hostile climate to free speech," Moller said, adding Cantor's decision to shut down HillTV was unwise. "When one person decides, then there's a kind of totalitarianism."



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