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Free speech an important part of education

September 23, 2003

"Whatever may be the limitations which trammel inquiry elsewhere, we believe that the great State University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found." ? Board of Regents, 1894

So says the plaque guarding the entrance to Bascom Hall.

Truly, we have a good situation here at the University of Wisconsin. We can say almost anything we want whenever we want without fear of regulation, prosecution or expulsion by university officials. But other universities throughout the country do not share the central tenet by which this university seeks truth through open and uninhibited inquiry.

At the University of Massachusetts at Amherst, students are prohibited from "prolonged staring or leering." At Shippensburg University in Pennsylvania, students were forced to remove messages on their dorm-room doors expressing hostility toward Osama bin Laden and support for U.S. troops in Afghanistan. At Harvard, an editor of the school's student-run newspaper was admonished by the business school for publishing a cartoon critical of the administration.

Many times, these codes have been instituted so as to prohibit "offensive" speech, often relying on vague regulations put forth by the Office of Civil Rights in the Department of Education prohibiting harassment. Until a few years ago, faculty versions of these speech codes existed at UW. They were only eliminated when some brave faculty members successfully protested.

But now students at both public and private universities have the law on their side. According to a statement issued this summer by Gerald A. Reynolds, the OCR's assistant secretary, public and private universities receiving federal funds must enforce their harassment policies in accordance with the First Amendment. Since non-compliance with these regulations could now result in the loss of federal funding, many private universities across the country must now take the notion of open inquiry seriously.

We applaud this action. For too long, students and faculty from universities as well-known as Harvard to Shippensburg have had their free-speech rights impinged by the self-made knights of political correctness.

Politically incorrect speech is not tantamount to harassment. There is a difference between racial, sexual or gender discrimination and the fearless sifting and winnowing that necessitates uninhibited speech. As Greg Lukianoff, director of Legal and Public Advocacy for the Foundation for Individual Rights in Education, put it, "There is no inconsistency between civil liberties and civil rights ... Civil liberties are a necessary precondition for the continued survival of civil rights."

Indeed, if students and faculty are to defend those rights they hold dear, the

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most crucial of these is the right to speak freely. Without it, others cannot be defended. Without it, the pursuit of truth is futile. ■

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