



News, Views and Careers for All of Higher Education

Oct. 18

## The Complications of Free Speech

After students stormed the stage and blocked a talk by an anti-illegal immigration activist, Columbia University President Lee C. Bollinger, a First Amendment scholar, quickly criticized the protestors' actions.

"This is not complicated," Bollinger said in an October 6 [statement](#), released two days after student protestors disrupted a talk by the founder of the Minuteman Project, Jim Gilchrist. "Students and faculty have rights to invite speakers to the campus. Others have rights to hear them. Those who wish to protest have rights to do so. No one, however, shall have the right or the power to use the cover of protest to silence speakers. This is a sacrosanct and inviolable principle."

Yet, for some students coming to grips with the fallout from the now infamous incident, the principles guiding protest protocol are more volatile than inviolable, the boundaries of free speech rights anything but "not complicated." Indeed, student leaders say many of their peers support the obstruction of the speech, and several student groups have released ambiguous responses to the event.

"For some students, there's a concern that the term 'free speech' is being used too loosely," said John K. Johnson, a second-year law student and the University Senate representative for Columbia's law school. "It's a concern because when you use that term, with its symbolism and history, it ends up shutting down what can be an objective discussion."

"I've really heard everything," said Christopher Riano, a senior who, as chair of the student affairs caucus within the University Senate, represents all 24,000 Columbia students. The essential question of whether storming the stage constitutes a valid form of protest has been the subject of a healthy debate. Some students believe that the protestors were within the bounds of their own free expression rights when they stormed the stage, Riano said, while others think that by doing so, they were suppressing Gilchrist's free speech rights.

"You can count me squarely in the school of thought that says climbing on the stage crossed the line and was not appropriate," said James Applegate, a professor of astronomy and member of the University Senate's executive committee. "It's kind of a no-brainer. You can have a peaceful protest but you cannot prevent a legitimately invited speaker from speaking."

"I think most of the people are basically going to agree with Bollinger that the protestors should not have

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done what they did.”

But a number of [statements from student groups](#) regarding the protest present a blurrier picture. On the one hand, the Engineering Student Council joins Bollinger and Applegate in condemning the protestors: “Students of this university cannot allow irresponsible acts of civil disobedience that promote the rights of one over another. The ESC is disturbed that any students of this university, no matter how few in number, would take part in abridging the right to free speech that this institution grants to all its members.”

However, a statement from the Student Governing Board of Earl Hall, a group that oversees all political, religious and activist groups at Columbia, is more vague, both asserting the right of any speaker, regardless of the “repugnance” of his or her views, to freedom of expression, along with the right of students to “express their dissent vigorously through various forms of protest” – in effect not taking a stand regarding whether this particular form of protest, that is, storming the stage, is something to be supported.

Meanwhile, a statement from the Black Student Organization, while stating its members’ position that “the right to free speech is an important question to ask about this event and our university community,” also raises a question of its own about the incendiary nature of the talk.

“We are upset with the manner in which the Columbia College Republicans organized their speaker event. This event did not use the right to free speech responsibly to create a space for dialogue. Instead this event intended to foster prejudice against Mexican migrants and Muslims,” the statement reads in part. The president of the College Republicans, which sponsored the lecture, did not return a request for comment; nor did two student protest leaders.

Law students have also questioned the time, manner and context of the speech, Johnson said, wondering whether it was designed to incite protest rather than provoke vigorous academic debate. And they have wondered why the university does not have clear or consistent policies about when context matters.

For instance, when the university recently [revoked its controversial speaking invitation to Iranian President Mahmoud Ahmadinejad](#), a known Holocaust denier and Islamic fundamentalist, almost immediately after extending it, officials said the event was canceled because the university was unable to organize the speech so that it would “reflect the academic values that are the hallmark” of a Columbia event. In that incident, Johnson said the administration paid attention not only to the Iranian president’s free speech rights, but also to the context that would plague an attempt to use the speech as a forum for meaningful academic discourse. In a private university such as Columbia, Johnson asks, rather than a strictly public setting, does context matter when it comes to establishing limits on free speech rights?

Applegate said he doesn’t believe that any new guidelines on speaking events at Columbia are necessary, and added that he fears anything resembling a speech code that could have a stifling effect on debate. But Riano said that student leaders are working with administrators to help formulate potential new guidelines that would provide students with a clearer sense of the extent and boundaries of their speech rights on campus in the future.

Students are asking a number of questions as they move forward, Riano said: “The debate even goes further than was it right for them to do this, was it not right for them to storm the stage, where do you draw the line on free speech? We’re even discussing whether people have a right on our campus to bring one view and not necessarily challenge that view.”

“Is it OK at Columbia to peacefully go up onstage, or is it not OK to do that? What exactly is defined as appropriate protesting? Does every speaker have to offer a question and answer session?”

“This has been debated. There might not be a real answer to what free speech is.”

Yet, a First Amendment expert said the fact that students are even debating whether going up on stage is a legitimate expression of free speech rights is “chilling.”

“It seems like they sincerely believed that they had every right to jump up onto the stage to actually disrupt the speech, that it was part of their free speech rights. That’s absolutely wrong; you don’t have a free speech right to disrupt an event,” said Greg Lukianoff, president of the [Foundation for Individual Rights in Education](#).

“They see it as being so clear what the right opinion is, that of course you can go out and censor wrong opinions. Wrong opinions have no value. But for anyone who really cares about the values of a free society, the idea that students have gotten into their head that they have a right to silence opinions with which they disagree – it’s chilling.”

## The Protest

In its immediate [coverage](#) of the event, Columbia’s daily newspaper, *The Columbia Spectator*, reported that protestors took to the stage minutes after Gilchrist began talking. Two students in the International Socialist Organization held a banner saying, “No human being is illegal,” sparking other protestors, and then Minuteman supporters, to storm the stage. An ensuing brawl involved more than 20 attendees.

While it’s clear that critics of the speaker took the stage when Gilchrist was starting to speak, some issues are in dispute. A Minuteman spokesman, Tim Bueler, said that Gilchrist was “assaulted” and his speech and glasses stolen, while Karina Garcia, a senior who spoke for the protestors in a *Spectator* [opinion piece](#), wrote that their peaceful protest “was met with violent attacks by Gilchrist’s goons. We were the ones who were punched and kicked.”

A Columbia investigation is underway, and students suspected of involvement will be sent letters alerting them of possible charges this week, *The Columbia Spectator* said [Friday](#) in its latest report on the incident. The university is also attempting to identify outsiders who may have participated.

The Arizona-based [Minuteman Project](#) solicits citizens to monitor the Mexican border. The group, founded in 2004, declares its commitment to peaceful means on its Web site – “The Minuteman Project is not a call to arms.” It also states that it has no affiliation with, and will not accept assistance from, separatists, racists or supremacy groups.

Yet, the Southern Poverty Law Center’s *Intelligence Report*, a quarterly magazine released by the Alabama-based nonprofit civil rights law firm, which tracks the activity of hate groups and extremists, [quoted](#) one armed member advocating that “[i]t should be legal to kill illegals.” The publication also quoted another member with a semi-automatic pistol strapped on as saying, “You get up there with a rifle and start shooting four or five of them a week, the other four or five thousand behind them are going to think twice about crossing that line.”

However, Lukianoff pointed out that there is no exemption in the First Amendment for hate speech.

“This was an attempt at censorship. Censorship is not compatible with a free society,” said Lukianoff, who added that he thinks universities perpetuate a culture in which “incorrect” viewpoints aren’t tolerated.

Rather than go onstage, he said, students could have conducted their protest outside, held their banners and signs within the auditorium’s seating area, or worn T-shirts expressing their views. Storming the stage could be seen as an incident of civil disobedience, Lukainoff said, but only if the protestors did so with the intent that they would accept the designated punishment.

However, another observer of protest rights on campuses said that the students were well within their rights to go onstage. “The students had a right to unfurl banners at an event,” said Heidi Boghosian, executive director of the [National Lawyers Guild](#), a liberal bar association that has supported the protestors. “Some people have asked, ‘Well, was it crossing the line to go up on the stage?’”

“I don’t think that’s crossing the line.”

“We don’t think they caused the violence; they weren’t going to stop Gilchrist from speaking; they just wanted to stand there and hold their banner while he spoke,” Boghosian said.

“In addition to a crack-down on dissent in this country, there seems to be a waning tolerance for civil disobedience. If you want, you can call the act of jumping on the stage an act of civil disobedience, a practice that has been used for hundreds of years in this country to resist tyranny,” said Boghosian, who added that she believed the university would likely have given the students just a “slap on the wrist” if the situation had not turned violent.

Columbia’s administration declined to elaborate on the fall-out from the Minuteman protest last week. Even the university’s press office denied a request Friday, saying that it was not accepting media inquiries on the subject.

A call to the dean’s office was referred to a voice recording featuring Columbia’s official statement on the incident: “This much is a matter of core principle at Columbia: that freedom to speak, to pursue ideas and to hear and evaluate viewpoints totally objectionable to one’s own is an essential value to this university, and indeed, to our civil society.”

— [Elizabeth Redden](#)

## Comments

### Welcome to anarchy

A Harvard professor once said famously after his departure that what he missed most was “the anarchy.”

It is matters such as Columbia that close millions of wallets to higher education. The obvious, violent indolence to ideological diversity.

I asked God today if she gave her permission for the “protestors” to act as they did. She said she hadn’t. How unfortunate.

**B.D.**, at 7:00 am EDT on October 18, 2006

### hundreds of years of civil disobedience?

Hundreds of years of civil disobedience? Please, Student, give me the historical data. I am trying to remember how many hundreds of years it was tolerated in THIS or ANY country to do what you did. I am remembering that Martin Luther King wrote his letter from jail. Emerson visited Thoreau in jail, too. I’m not a student of history—I just remembered a couple of examples of how civil disobedience was tolerated in this country within the last couple hundred years. Maybe you are thinking of since you became a teenager?

**MQS**, at 7:20 am EDT on October 18, 2006

## Student Arrogance

The article is quite frightening. The video of the storming of the stage is disturbing enough but the attempt to justify it by the activist community is an indication of something far more troubling. The activists are claiming that the views of the Minutemen on the subject of immigration are so repugnant that they, the self-selected "activists", have the right to prevent the Minutemen's views from being heard.

There is a tradition of non-violent civil disobedience that has at times played a noble role in our history. In those actions, primarily sit-ins of various sorts, the protesters were not physically threatening and the protesters were prepared to accept the consequences of their actions. The Columbia activists are asserting their rights to silence those with whom they disagree.

Sadly, this is a reflection of a much deeper problem with current academic culture. While the rushing of a stage is sufficiently over the top that few college administrators will allow it, the imposition of speech codes and anti-harassment policies have on numerous occasions been used to suppress constitutionally allowed speech.

On many campuses there are significant numbers of faculty, students, and administrators that consider opposition to affirmative action, abortion or illegal immigration to be a form of "hate speech. Having labeled such views as bigotry, they feel free to suppress such opinions by enforcing speech codes, bringing charges of harassment or in the case of Columbia, physically preventing people from speaking.

In the past couple of years we have seen faculty suspended for arguing with students distributing anti-Israel literature, students censured and publicly condemned for protesting affirmative action and in the worst case of all, a group of 88 members of the Duke faculty unashamedly condemning a group of lacrosse players for a crime that almost certainly never occurred.

President Bollinger is right to condemn the storming of the stage and the silencing of an invited speaker. But he shouldn't be surprised that it occurred at his university. After all, he was the one who responded to charges of systematic anti-Israel bias and the suppression of dissent in the middle-east studies program by appointing a committee to investigate, many of whose members had signed a divestment petition.

The storming of the stage at Columbia was clearly a violation of free speech by almost anyone's standard and deserves to be roundly condemned. But we need to look further at the extent to which the academic culture has become intolerant of dissent. The columbia event may very well be a harbinger of what is to come if we don't start taking a closer look at what is going on in academia.

**Jonathan Cohen**, at 7:45 am EDT on October 18, 2006

### Emily Post...where are you when we need you?

The beauty of all this is that a our community is engaged in deepening our understanding of what the costs are in having free speech... not to mention the requisite good manners to protect everyone's right to it even if what they say inspires the passion reflected in students' reaction. Yes, events like this remind us that we can always do it better.

**MLM**, at 7:45 am EDT on October 18, 2006

James Madison's warnings of mob rule continue to enter my mind when reading about this incident. It's unfortunate that, perhaps, the educational system has failed to give these students a proper respect for our civic culture and an appreciation for diverse perspectives.

**K.T.**, at 7:55 am EDT on October 18, 2006

## What Is Free Speech?

In all the political science and law classes that I've taken, I've always been told that you have the right to free speech up to the point that your right begins to infringe upon others. Clearly, in this case, the student protesters rights infringed upon the free speech rights of the speaker; however much I disagree with his opinions.

I think this reflects a larger problem in this country where people think they can selectively choose whose rights should be protected and whose should not. If we agree with it, than sure protect it, but if we don't then lets silence it. You can't have it both ways. Either everybody has free speech or, in the end, no one will.

**T.A.**, at 8:25 am EDT on October 18, 2006

Let me say that I do NOT support the so-called Minutemen or subscribe in any way, shape or form to their political message. But for the protesters to adopt the posture of the victims, and circulate their absurd on-line petition, is beyond the pale. Methinks they doth protest too much. The protesters got what they wanted — forcing the speech to be cut short, which was their goal. What perversion of logic and distortion of reality supports their claim of abridgement of their free speech rights?

I recommend Columbia impose some sort of disciplinary action against the protesters. As punishment, I recommend sensitivity training so that the protesters will recognize and understand the concept of freedom of speech and how it should be valued, especially in a university environment; I recommend diversity training for the protesters so that next time they will contemplate their knee-jerk reactions to anyone who doesn't subscribe to their political viewpoint; and I recommend mandatory enrollment in a logic class so that the protesters can recognize their distortion of fact. That way society can hope for something good coming from this debacle.

**Manny**, at 9:20 am EDT on October 18, 2006

## Disruptions vs. Heckler's Vetoes

The key distinction here is between a short disruption vs. stopping a speaker from being allowed to talk. It appears that the Columbia students planned and conducted a small disruption. And yes, rushing the stage and doing such a disruption should be prohibited and subject to minor penalties. But it's not clear to me why order could not have been restored, the protesters ordered to leave the stage or be arrested, and the speech continued. Sadly, some of the protesters celebrated the cancellation of the speech, but it's not obvious that this was the aim or necessary effect of their actions. The best thing for Columbia to do is to set out clear rules for campus speeches and bring back Gilcrest to speak again.

[John K. Wilson](#), at 9:20 am EDT on October 18, 2006

## Hypocrisy?

It's hard to argue with President Bollinger when he says that “[s]tudents and faculty have rights to invite speakers to the campus. Others have rights to hear them.” The question is why this should not also apply to Mahmoud Ahmadinejad.

Now, because many people who visit this site love to take things out of context, let me make my feelings clear: I consider the Minutemen to be a troubling vigilante group, and I think many of their members are

motivated by fear, ignorance, and racism. But they are not nearly as despicable as the Holocaust-denying President of Iran. I have no interest in attending a talk by either Mr. Gilchrist or Mr. Ahmadinejad.

But that's not the point. President Bollinger shut down Mr. Ahmadinejad's talk just as surely as the protestors silenced Mr. Gilchrist. And if you read between the lines (does anyone really believe this was primarily a logistical issue?), it certainly seems as though Bollinger and the protestors acted for more or less the same reasons, believing that a speech by such an individual would not "reflect the academic values that are the hallmark" of the University.

The protestors' actions, of course, make for a much more dramatic video. But (repugnant) speech was silenced in both cases.

**Unapologetically Tenured**, at 9:26 am EDT on October 18, 2006

## No, Not Surprised

I was going to say how surprised I was that none of those condemning the student protestors' behavior above didn't take a moment to condemn the calls of Members of Mr. Gilchrist's group to murder people trying to cross from Mexico into the US. They surely have the right to make such statements, but reasonable Americans need to meet those statements with the most powerful condemnations. Instead, we see our politicians cozy up to the bigots. And in this forum, instead of condemning hatred & bigotry I read comments from people who are wetting their pants because some students took this bigot seriously enough to organize a protest.

I haven't seen the video. I don't know exactly what happened, but as a veteran of protests in days gone by, I can well believe that the students were attacked after peacefully unfurling their banner. If they stopped this son of a bitch from speaking, that would "cross a line," but what about Jim Gilchrist? No condemnations for one of the leaders of the New American Nativism? I'd argue that his speeches are an incitement to violence. One has a moral obligation to stand up to bullies & bigots. But the discussion here amounts to a bunch of hand wringing about those awful activist students. Pathetic. Shameful. But, no, I'm not surprised, not really. It is about what I have come to expect from my fellow-citizens.

[Joseph Duemer](#), Professor at Clarkson University, at 9:26 am EDT on October 18, 2006

## Refining the concepts here

I didn't want to get into this debate, because of its extreme silliness, but I think that Mr. Cohen proceeds from a false starting point.

In the US, what speech is "free" is usually determined by what the a government entity prevents. Neither Columbia or the students are a government entity. I am unsure of exactly who did what to who, but unless someone was assaulted, it is unlikely that any actual crimes were committed, since the students were actually invited to listen to the speech.

Whether academic culture is "intolerant" of dissent remains to be seen. The fact is, that these were an isolated group of kids. No professors were involved. No faculty stormed the stage. Whether the "Minutemen" represent a dissenting viewpoint, an extreme fringe group, a bunch of wackos, or the majority viewpoint in the US (and hence, not the dissent) is also a gray area.

Moreover, Mr. Cohen, the administration of Columbia has behaved admirably, and simply condemned the students behavior. So, it is a stretch to claim that they are "intolerant" of dissent, if you assume that the

“Minutemen” are dissenting.

TA, Your views of “free speech” are not necessarily correct. To say that you have a “right to free speech” to the point that it “infringes on others” [rights] is somewhat of an oversimplification. Unfortunately, political science courses are usually taught by non-lawyers, and law classes are taught by lawyers that enjoy condescending to undergrads. We live in a country where, in any given location, at any moment, there are several, perhaps hundreds of intersecting rights and immunities. Columbia is free to invite anyone they want to speak. Columbia also invites students to the campus (in fact, this is what pays a good chunk of Columbia’s bills). The students on Columbia’s campus permitted (and have a right) to pretty much do what they want on campus, and Columbia could likely not enlist the power of the state to eject them from the hall since they were not trespassing. The Minutemen have a right to speak, but not necessarily to use Columbia’s facilities and to use them a way that is unmolested by students. Indeed, many exercises of free speech, because they enjoy constitutional protection interfere with other peoples’ ability to express themselves. So, in reality, no speech is truly “free.” Anyone can heckle it. They just can’t enlist the power of the state to suppress it.

It may be that various crimes were committed by the students, but the students did not actually violate anyone’s constitutional rights, because the constitution only restricts state entities. (This is something that I don’t think most academics get, for some reason.) At the end of the day, ironically, the minutemen get their message out. The students get their message out. Both messages are rather simplistic and trite.

**Larry**, at 9:26 am EDT on October 18, 2006

## **Irony**

There is something delightfully ironic in watching the diversity of ideas being trampled on in the name of diversity. I wonder if any of the poor benighted fools who participated in this onslaught gave a second thought to their own obvious intolerance. Through their intolerance, they did more to validate the speaker’s message than they did to hinder it. In Talleyrand’s memorable phrase: “It was worse than a crime, it was a blunder.”

**Bill**, Professor, at 9:26 am EDT on October 18, 2006

## **Free Speech Legalities**

Larry writes, “(regarding freedom of speech)...because the constitution only restricts state entities.” This is a confusing concept to me. Are you saying that if an institution is private, it has the right to remove anyone who speaks out in a way the institution might find offensive? What if that institution is supported by public (state or Federal) funds? Where are the lines drawn?

**kgotthardt**, at 9:50 am EDT on October 18, 2006

## **Larry, You May Be Right...but**

Larry, you may be correct about my explanation of free speech being an oversimplification because I am not a lawyer. I also do realize that many, many rights do intersect. However, if you are a lawyer, you are in the minority of people in this country and it should not take a lawyer to understand a concept that this country was founded upon.

In that spirit, if everyone agreed to abide by my “oversimplification”, I doubt it would take an army of lawyers to figure it out.

**T.A.**, at 10:10 am EDT on October 18, 2006

## **answer for kgotthardt**

kgotthardt,

You asked: Are you saying that if an institution is private, it has the right to remove anyone who speaks out in a way the institution might find offensive?

I answer: yes.

As you noticed, the issue gets a little more complicated when funding is received by the institution from a government. On one hand, the mere receipt of some funds does not obligate a school to act just as a government entity would. On the other extreme, when a school starts to appear more like a “company town” (i.e. the state imposes criminal penalties for doing things in a town that is completely owned by the entity), then First amendment rights begin to flower again. (See *Marh v. Alabama*, 326 U.S. 501 (1946)).

Most of the time, students enjoy a contractual and/or “property” relationship with the university that prevents the university from restricting their expression and/or receipt of ideas, so it isn’t too much of a problem. Moreover, cognicent of the benefits of free discourse, and the Supreme Court’s writings regarding how legitimate academe enjoys a “special place” in our constitutional scheme, universities usually do not wish to structure their relationship with students as that of indoctrination, but more of a provider of property and resource for free inquiry. The universities figure that the universities, as an institution, would lose their “academic freedom” (as a component of the 1st amendment) if they start restricting students and faculty.

Finally, there are some state and federal statutory provisions that condition the receipt of some funds upon the vitality of some areas of free speech. This isn’t really a constitutional argument per se, but rather a valid exercise of either Congress’ power under the commerce clause or 14th amendment, or a state’s police power.

Now, the issues are not too easy. In fact, most of the non-legal media has confused most of the court decisions in this area. I.e. Hotsy was widely reported as allowing public universities to restrict speech, when it was really a question of whether a state actor could have reasonably known their actions were unconstitutional.

As to where the exact lines are drawn: that is why we get paid the big bucks.

**Larry**, at 10:50 am EDT on October 18, 2006

## **Minutemen advocate murder?**

Be careful about news organizations using unsourced and anonymous quotes. Remember the Reuters and AP fauxtography. Remember Dan Rather...

**Natrium**, at 10:50 am EDT on October 18, 2006

## **The Constitution**

To kgotthardt — It is true that the Bill of Rights to the Constitution (including the First Amendment) only restricts the government from infringing on someone’s rights of free speech, religion, assembly, etc. A state university is thus constrained by the legal principles embodied in the First Amendment. But a private university may indeed bar access to its campus by anyone it wishes, although the overwhelming majority of

academic institutions as a matter of choice recognize the value of academic freedom and free speech and have policies that reflect those values — but the Constitution does not impose it on them. As for those who receive government support, that by itself won't make a private school a government entity subject to the Constitution, but you are correct that at some point the line blurs. That's why we have courts — to draw those lines.

**GR**, at 11:15 am EDT on October 18, 2006

### **not a surprise**

“the idea that students have gotten into their head that they have a right to silence opinions with which they disagree – it's chilling.”

I don't know why he's so shocked. Most people on the Left that I know believe this, and even I believed it when I was in college and a far leftie like everyone else. (Note I don't use the term “liberal”). We were right! They were wrong! We are the victims not them! They have ruled for centuries; their voices don't need to be heard ours do! etc.

This is how kids think, and the Left. Look at every socialist country that ever existed. Even Europe STILL has laws stifling free speech that is dangerous. Even their laws against denying the Holocaust scare me, but it is just an example of how the self righteous think.

[Pluto's Dad](#), at 11:16 am EDT on October 18, 2006

### **Thanks for the Info.**

Interesting. So even if it were not in the college's best interest, students protesting at a private college could easily be expelled as well as arrested. And students protesting the validity of a private college's education and benefit could also be expelled. This makes quite an argument for public colleges and universities.

**kgotthardt**, at 11:45 am EDT on October 18, 2006

*the discussion here amounts to a bunch of hand wringing about those awful activist students. Pathetic. Shameful.*

The content of the speech is not at issue here. It is the propriety and hypocrisy of the student's actions. I doubt many folks on this board are sympathetic to the calls of the Minutemen. Yet, I'll defend their right to speak, no matter how objectionable, anyday of the week. And, I'll criticize the students for their intolerance of diverse perspectives until I turn blue in the face (again no matter how objectionable those perspectives are).

**K.T.**, at 1:05 pm EDT on October 18, 2006

*This makes quite an argument for public colleges and universities.*

Quite the contrary, it makes the case for private universities. Such institutions should stand for something and not be afraid to silence those who disagree with its values (see BC article). The beauty of private institutions is that, if organized correctly, we can all attend institutions that represent our own values and beliefs — it is the essence of “freedom of association” — to associate with those that are like-minded and share our values. But, those are decisions for institutions to make (generally through their boards), not a roving mob of students.

**K.T.**, at 1:05 pm EDT on October 18, 2006

## Restricting Free Speech

It is curious that someone has commented on my use of the term free speech in my earlier comment since I never in fact used the term. I described what happened which was the students prevented the speaker from giving his lecture.

It is important to note that many of the commenters have commented negatively about what the speaker had to say even though he was not allowed to speak. Gilchrist is a member of a group that has taken certain positions but he is also an individual and he would be the best person to describe his own views on immigration and the tactics he would recommend in pursuing those views.

There are certainly legal and constitutional as well as common sense ways of looking at free speech but the student activists described in the article have certainly come up with a unique definition.

Free speech is the right of the activists to prevent a speaker from giving his lecture because the activists have decided in advance that they don't like what the speaker will have to say.

This is a mentality that comes dangerously close to fascism.

**Jonathan Cohen**, at 2:55 pm EDT on October 18, 2006

### **time to grow up—you are not in the schoolyard anymore**

Clearly the students stormed the stage and incited their sympathizers in the crowd so that the speaker could not be heard. They obviously had it timed or signalled for bigger impact. Otherwise, they could have hung banners beforehand; stood outside with signs; even stood in the back saying nothing, holding placards and wearing t-shirts. The intent was to suppress the speaker's speech. I am tired of protestors who upset and infringe on everyone else, including the illegals who tie up the streets & cause stores to shut down, the Cubans in Miami who take over bridges causing traffic hell, and goons who cause a furor outside medical clinics. Your right to protest shouldn't come at my expense. It is time for Americans to wake up and stop this nonsense. It's a shame that these brats admitted to Columbia weren't of better ilk. Bad parenting maybe? Glad my teenager crossed Columbia off her list!

**kathy**, at 2:55 pm EDT on October 18, 2006

### **responses to Kathy and others**

Kathy, I am sorry that you are "tired" of people, but that doesn't resolve the important issues here. For better or worse, it is likely that the students broke now laws, because they were lawfully present at the own university. Sure, they were rude, but so are lots of people. Moreover, the "illegals" as you say, usually have permits for demonstrations that are lawfully acquired. (Most of the time they are not "illegals" anyway, but this is a distinction that I don't think you care about.) In fact, a person's "right" to protest does comes at the expense of other's ability not to be offended. Indeed, you have absolutely no right not to be offended in the US.

I am curious: were you somehow deprived of the ability to hear a Minuteman speak? Also, was your child admitted to Columbia, and then you turned it down. To turn down a school such as Columbia because of what a few students do is a tad silly, since going to a real school, such as Columbia, will make his future considerably easier.

Jonathan, It is doubtful that anyone's mentality is "close to fascism" since none of the people you mentioned

exercised stated power, and I don't even think you have a working definition of fascism. The speaker, in this case, did not suffer any constitutional injury. He is free to broadcast his message anywhere. Whether students at Columbia want to hear him is a different question. However, a little bird tells me that few Columbia students will be spending their summer guarding the Mexican border.

KT, While I like drawing conclusions as much as the next guy, the contours of the First amendment do not indicate that one model of a university is any better than the next. As you concede, universities are only good if "organized correctly." However, without exception, at least some people complain about every university. Personally, I can't see how anyone under 30 (much less a pre-college-age person) can determine what their own values are. It takes years to understand a value system, and it takes years of exposure to difficult situations to even begin to form one's own views of things outside a few slogans.

**Larry**, at 4:45 pm EDT on October 18, 2006

### **Just a minute!**

" .. didn't take a moment to condemn the calls of Members of Mr. Gilchrist's group to murder people ..

Sir, where is your proof? You have provided none. The quality of your words are equal to your proof.

" .. I haven't seen the video."

<http://youtube.com/results?search..y=columbia+protest&search=Search>

Welcome to the 21th century, sir.

**B.D.**, at 5:05 pm EDT on October 18, 2006

### **Free Speech**

Regarding the comment from the National Lawyers Guild apparatchik:

However, another observer of protest rights on campuses said that the students were well within their rights to go onstage. "The students had a right to unfurl banners at an event," said Heidi Boghosian, executive director of the National Lawyers Guild, a liberal bar association that has supported the protestors. "Some people have asked, 'Well, was it crossing the line to go up on the stage?'"

"I don't think that's crossing the line."

She might change her mind if the question is people going up on stage at a Guild event. Clearly the protestors were trying to stop core political speech. Their intolerance is defended by the Guild. Disgraceful.

**Gabriel Peters**, at 5:20 pm EDT on October 18, 2006

Got something to say? [Add a comment.](#)

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