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[Columnists](#)
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[Lottery](#)
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[Special Reports](#)
[Today's Courant](#)
[Towns](#)
[Traffic](#)
[Weather](#)

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[Attractions](#)
[Columnists](#)
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[Events](#)
[Movies](#)
[Music](#)
[TV & Radio](#)
[TV Listings](#)

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[Baseball](#)
[Basketball](#)
[College Sports](#)
[Columnists](#)
[Golf](#)
[Football](#)
[High School Sports](#)
[Hockey](#)
[Husky Hardcores](#)
[Scores & Stats](#)
[UConn Football](#)

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[Columnists](#)
[Real Estate](#)
[Technology](#)
[Web 100](#)

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The Right To Speak Up

May 14, 2003

Do campus conduct codes protect students from harassment or rob them of the right to say what they think?

Should students be barred from making comments that may offend others, or encouraged to engage in free debate?

The Foundation for Individual Rights in Education (FIRE) has the answer. It's a watchdog group of professors, policy experts and intellectuals of diverse ideologies, from former U.S. Attorney General Edwin Meese III of the Heritage Foundation to the president of the American Civil Liberties Union. FIRE has declared legal war on dangerous policies that restrict student speech at public colleges and universities. In doing so, it has initiated a welcome discussion of an aspect of American university life that threatens to become mired in political correctness.

Shippensburg University of Pennsylvania is the target of the first lawsuit in the group's national campaign to free students from the shackles of speech codes. Shippensburg's Code of Conduct is typical of many colleges and universities. The school professes to encourage students to speak freely, yet restricts words or actions that "provoke, harass, demean, intimidate or harm" another. In addition, Shippensburg recently took the Gestapo-esque step of limiting demonstrations and rallies to specific "speech zones" on campus.

Does the code mean a student can't carry a "Peace" placard because it might be viewed as unpatriotic? Would a feminist or a lesbian or a Jehovah's Witness or a devotee of (fill in the blanks) have to stifle strong gestures and passionate views because she or he might offend others? The vaguely worded code provokes many such questions.

Prejudice and discrimination will not disappear just because no one talks about it, points out Thor Halvorssen, the foundation's chief executive, adding, "You know what happens when students offend each other? They have conversations and an exchange of views."

In the messy, exciting marketplace of ideas that higher education represents, original thought takes root only when nourished by discourse. The world would be a barren place if all speech were sanitized and no one disagreed. America would not exist at all if it hadn't been for dissent. Minds cannot be changed in a vacuum.

Universities would do well to pre-empt the foundation's initiative by dusting off their conduct codes and giving them

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