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## Our Opinion

### Free speech not matter of 'acceptability'

May 1, 2003

America's college campuses, which should be strongholds of free expression, have actually become havens for those who want opinions to be controlled and limited.

While many campuses have instituted codes of conduct that limit expression, one of the most blatant examples of excess can be seen at Shippensburg University in Pennsylvania.

The school's conduct code is currently being challenged in court by the Foundation for Individual Rights in Education (FIRE), a Philadelphia-based group that champions the constitutionally guaranteed right of free speech.

The Shippensburg code prohibits expression and conduct that "annoys, threatens or alarms a person or group." Additionally, the university limits demonstrations to two "speech zones" on the campus.

The school views free speech as a "secondary" right to the "primary" right to be free from harassment, intimidation, physical harm and emotional abuse, according to a New York Times article.

Certainly, students should be protected from physical harm and illegal forms of harassment,

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such as sexual harassment or stalking. But laws already exist to cover these areas — it is a matter of enforcing them.

But it is quite another matter to tell students they cannot express their views if they "annoy" or "provoke" another student or even "alarm" them. Many people have views that others would find annoying or even offensive, but they have a right under our Constitution to express them as long as they do so without causing physical harm or the threat of physical harm.

What we find "alarming" is that those who supposedly are the most educated among us — those running our institutions of higher education — have so little understanding of the importance of free expression.

Frankly, college students need to have their views challenged. That is how we establish our belief systems, through a debate over the merits of issues — not simply by blind acceptance of what is the most popular viewpoint. The codes of conduct on many campuses do not encourage debate or expression, however.

"Such codes are a moral, educational and legal scandal in American higher education," according to Alan Charles Kors, president of FIRE. "A nation that does not educate in liberty will not long preserve it and will not even know when it is lost."

FIRE plans to begin a systematic challenge of higher education codes of conduct across the nation which limit free speech. We wish the organization well in its efforts to bring free expression back to the nation's college campuses.

The nation's founders intended that free speech would be robust — that is why they protected it. Requiring that speech not annoy, provoke, anger or otherwise disturb us means that we no longer have the right to free expression.

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