



# THE LEAST FREE PLACE IN AMERICA

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How important is free speech on a college campus? Here's what the Supreme Court said in 1957 in the landmark case *Sweezy v. New Hampshire*: "Teachers and students must always remain free to inquire ...otherwise, our civilization will stagnate and die." Inspiring words. And true... which is why what's happening at American colleges and universities is so disturbing.

A study conducted by the Association of American Colleges and Universities in 2010, revealed that only 30 percent of college seniors strongly agreed with the question; "Is it safe to hold unpopular positions on this campus?" Worse, the study found that students' confidence that they can hold unpopular opinions declines from freshman to senior year. How can it be that at the place where speech should be the most free, the university, young people fear merely holding -- to say nothing of actually expressing -- unpopular opinions?

The reason is that for decades now, students have been sent a clear message from their schools: express dissenting opinions, violate political correctness, or even just criticize the administration at your peril. After working for 12 years at the Foundation for Individual Rights in Education, I have seen hundreds of examples of students in peril. Here are just a few:

At Indiana University-Purdue University Indianapolis, a student employee was found guilty of "racial harassment" for publicly reading a book that some of his fellow employees found offensive. The book was *Notre Dame vs. the Klan* and it was available in the school's library. It recounted and celebrated the defeat of the Ku Klux Klan when its members marched on Notre Dame in 1924. So what did the university find offensive? The photo on the book's cover.

At the University of Delaware, students were forced to undergo ideological reeducation as part of the university's compulsory student orientation program. The program was described as "treatment" for students with incorrect attitudes and beliefs. Students were taught to adopt highly specific university-approved views on politics, race, sexuality, sociology, moral philosophy, and environmentalism. They were also required to attend one-on-one meetings with their resident assistants where they were compelled to answer intrusive, probing, and utterly irrelevant personal questions, such as ... "When did you discover your sexual identity?"

And an increasing number of schools are trying to drive religious students off campus. Vanderbilt University, for example, has enacted a policy that forbids faith-based student groups from selecting members and leaders based on . . . their faith. As a result, 14 Christian groups have been derecognized by the university.

Then there are "speech codes" at a majority of American colleges and universities. What is a speech code? It is a university regulation or policy that limits or bans expression written

or verbal that is protected under the First Amendment. Such codes are applied with glaring double standards against religious, conservative, or politically incorrect speech, or simply speech that a particular campus administration happens to dislike. In other words, there are things you are completely free to say and write off campus that will get you into serious trouble if you say or write them on campus.

These codes include polices that ban speech that administrators find “insulting,” or “offensive”. One absurd code that appeared at multiple universities banned “inappropriately directed laughter.” And in Orwellian fashion, some schools even limit free speech to tiny sections of campus called, “free speech zones.” Recently at the University of central Arkansas you were subject to disciplinary action if you said or did something deemed annoying to another student.

In the most extensive study yet conducted of campus speech codes, the Foundation for Individual Rights in Education found that 62 percent of America’s top colleges maintain serious restrictions on written and verbal expression, restrictions that violate First Amendment protections. What are the consequences of all this censorship by colleges and universities? I explain that in detail in my book, *Unlearning Liberty: Campus Censorship and the End of American Debate*, but for our purposes here, I will focus on just three.

First, campus censorship teaches students that they have a right not to be offended. The moment society says that people have the right not to be offended, it has announced the end of the right to free speech.

Second, campus censorship teaches students poor intellectual habits. It teaches them not to think critically lest they arrive at a conclusion or express a thought that might offend someone. Further, students are taught to ignore the timeless principle that educated people should actively seek out intelligent people with whom they disagree for debate and discussion.

And third, it teaches students that they have fewer rights than they actually have; that they must defer to arbitrary authority. A generation of students who don’t know their rights, and believe they must get permission before speaking their minds, is not thinking like a free people and that is a threat to free society.

The rights embodied in the First Amendment shape American society. They foster America’s religious and cultural pluralism, spur scientific and scholarly innovation, and thus secure our remarkable prosperity.

But today’s universities with their censorship, speech codes, and political correctness are putting the future of this unique experiment in freedom at risk. This is the very opposite of what American Higher Education was founded to do.

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