

Research paper on limited speech on college campuses

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Student Prof. English 1020 Should Colleges Be Limited to Speech? In “ The Freedom to Offend,” Ian Buruma explains how we have the right to speak freely and how we can have the freedom to offend our own being. America is the land of the free and we can say what we want because of the First Amendment. Limiting speech could become an issue on college campuses because some students inevitably choose to follow the hate speech codes and some would choose to disobey the hate speech codes.

I am focusing on how campuses are allowing policies to be put into place that limits students on what they can say as well as how hate speech affects students. Limiting speech and hate speech on campuses goes against the First Amendment, it goes against student rights, the use of censorship violates the First Amendment, and limiting speech affects our diverse college campuses more frequently. The First Amendment provides guidelines on how America should work. The First Amendment states that, “ Congress shall make no law...abridging the freedom of speech...” (Greenup 606).

One of the main reasons that the United States of America was founded was for the right to speak freely. America is unique because of this freedom. It seems that this is no longer the case because the courts have been forced to create a tightrope on how people express themselves through freedom of speech. Greenup states that on college campuses we get the image of “ a place where ideas and theories are analyzed, debated and honored—and where no opinion is shunned” (Greenup 608). Universities should not create any type of policy that renders us from speaking what we want.

Universities have begun to limit what students can say and who can give a speech at the university. Universities bring in outside speakers to speak to <https://assignbuster.com/research-paper-on-limited-speech-on-college-campuses/>

the student body; however, in some cases speakers can create controversy. For example, Lisa Williamson came to speak at a university located in the Midwest about issues related to diversity. After Ms. Williamson spoke an organization known as the " Invisible Empire, Knights of the Ku Klux Klan" came into the universities offices of Diversity and Equal Opportunity and asked to speak, but the university denied their request.

The university believed that the Ku Klux Klan preached " faulty information" but still the Ku Klux Klan demanded that they be " afforded the same opportunity to address the university community as was provided for Ms. Williamson" (Greenup 606). The university still would not give them the right to speak because it did not reflect the tone of Ms. Williamson's presentations (Greenup 605-606). Now even though most people do not agree with the ways of the Ku Klux Klan I honestly think they have the right to speak to their followers and anyone who wants to listen.

I do not agree with their ways, but this is America and many people do not understand the concept that we all have the right to speak freely. If someone says that we cannot speak then that is going against the first amendment. Bradley W. Wendel of the Harvard Journal of Legislation says, " To put the point bluntly, colleges and universities are in the business of controlling the speech of members of their communities, and trying to affect the beliefs of students" (Wendel 408).

What Wendel is stating here is that colleges nowadays are controlling what anyone can say and what we believe. The Ku Klux Klan has the right to speak what they believe and colleges should not tell them that they cannot speak.

Colleges cannot control what we say, it is just wrong. To not let anyone

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speak because of his or her beliefs is just completely wrong. The Ku Klux Klan has a right to speak freely. The university has put in hate a speech code that entitles only a few certain people to be able to speak.

Ku Klux Klan goes with these hate speech codes that make them unable to express their opinion. Hate speech codes become useless because laws that have already been placed instead of relying on freedom limiting hate speech codes can solve problems. Hate speech codes go against our fundamental rights as citizens of the United States of America because of our freedom of speech. A second reason why universities should not limit people's freedom of speech would be because of censorship. Censorship is speech that has been censored because it has been deemed inappropriate or harmful.

Also when the government uses censorship it is unconstitutional. An example of censorship would be that according to Sara Hebel of the Chronicle of HigherEducation, public-college officials in California would be strictly limited in their ability to censor the content of student-run newspapers under proposed legislation that passed the State Assembly this month (Hebel A28). Hebel explains that college students are worried that the bill will provide campus administrators to infringe new limits on what students say (Hebel A28).

Hebel accurately reflects on the issue at hand and I agree with her position because students should not have to limit what they can or cannot say in a newspaper. Citizens need to know the truth and the truth would not be fully explained and contrasted without something like hate speech. The bill states: The bill would write into state law broad protections for the written speech of college journalists, a move that would complement and enhance <https://assignbuster.com/research-paper-on-limited-speech-on-college-campuses/>

the free-speech rights to which students are already entitled under the First Amendment.

It would also prescribe how campus administrators might oversee student publications that colleges help finance and operate. Under the measure, which now goes to the State Senate, college administrators would retain the ability to discipline students for publishing hate speech. And students would still be required to observe libel and slander laws (Hebel A28). Freedom of speech should not be limited except when freedom of speech is put into harmful situations. Slander is when someone makes a false spoken statement that damages someone's reputation.

This is an example of when freedom of speech should be limited. It is wrong for someone to initially defame someone. Another example of when speech should be limited is libel. Libel is when someone damages someone else's reputation expressed through writing. Hate speech can come in many forms and limiting speech would be wrong unless it was put into a harmful situation. Another example of how hate speech codes are affecting students would be at Emory University. Gerald Uelman is a professor at the Santa Clara University School of Law. Professor Uelman is renowned for his extensive experience in criminal law.

He is most well-known for serving on the defense team for the trial of People v. O. J. Simpson in 1994-1995. Well according to Uelman hate speech codes follow several formats. Some codes, including Emory's, prohibit speech or conduct that creates an intimidating, hostile, or offensive educational environment. Court rulings have prohibited public (state-run)

colleges and universities from enacting codes that restrict the constitutional
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right to free speech based on content (Uelmen). I like the fact that hate speech codes make sure that students are safe within the university.

I also like that universities are not suppose to put in codes that will go against the First Amendment. I also think that universities probably do not follow these laws all the time especially earlier when I mentioned the new newspaper bill. It is not right for students to have to know these policies for hate speech codes; it just is not fair towards the students. In society these days people should not have to worry about other people talking about them behind their back. Everyone works together in this world and I do not understand why we cannot just get along.

According to Jeremy Waldron, a professor that taught law and philosophy at New York University Law School, was a professor of social and political theory at Oxford, and was an adjunct professor at Victoria University in New Zealand, believes that “ we are diverse in our ethnicity, our race, our appearance, and our religions, and we are embarked on a grand experiment of living and working together despite these sorts of differences” (Waldron) just like colleges. He believes that everyone should not live in fear and just to live life day by day.

Hate speech on college campuses are more diverse and the experiences of hate speech occurring is more likely to happen. I believe that no one should have to live in fear on college campuses because of hate speech. White people are not superior, I mean look at President Barrack Obama, he is black and the leader of our country, and so he must be doing something right. But since people have to live in fear, according to Waldron the older generations

of the black and Muslim families have to explain to their children why slanderous, libelous, and hateful statements are made towards them.

Waldron says, “ Can their lives be led, can their children be brought up, can their hopes be maintained and their worst fears dispelled, in a social environment polluted by these materials” (Waldron). This quote explains what people of different minorities have to endure for their children. Can their children be brought up different than they were? Hate speech is an awful thing to succumb to and people of different diversities especially on college campuses should not have to go through that pain.

Waldron also says, “ Diversity” and “ inclusiveness” are so wonderful but fragile that maintaining the “ dignity” of “ vulnerable minorities” (Professor Waldron loves this expression) is a positive obligation not only for government but also for individuals. The law should therefore require us to “ refrain from acting in a way that is calculated to undermine the dignity of other people” (Waldron). This quote by Professor Waldron tells us that diversity is a good thing, but it is also a fragile thing. Waldron says that the law should require us to refrain from undermining the dignity of the “ vulnerable minorities. As citizens of the United States of America we need to quit hating people and let them have a say in how they feel. America is suppose to be the melting pot of the world and the land of the free and no body needs to be limited to it. In conclusion, limiting freedom of speech and allowing hate speech codes to be involved in our college campuses is unconstitutional. Limiting freedom of speech and allowing hate speech into our college campuses is wrong. University students are one of the main focus points in our society that are affected by limiting speech.

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They do not have the right to speak what they want because of hate speech codes and because university officials have a policy on what they can say or do. I honestly think there is something we can do about this, but everyone would have to work together. Unfortunately, I do not see that happening any time soon. Sooner or later this is how America is going to become. If we do not act soon we will no longer have the right to say what we want and the First Amendment will slowly disappear. We will not have the right to what we want to say anymore.

Being able to say what we want in this country is a privilege. Most people in other countries do not get to say what they want because their country will not allow them to do so. No one should be able to take our right away from us because it ay hurt people. This is America, many important officials wrote the Constitution of the United States of America in 1787 for a purpose. They wanted us to have freedom and the right to do many things people could not do. The Constitution has been in place and used since 1789. This piece must be important if we are still using it today in our government systems.

So in conclusion, college students should not be limited to speech and hate speech codes should not come into effect within Americas college systems.

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