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## In Memory of Free Speech

By JOSIAH H. BROWN

There was recently an ironic coincidence of events: the death of Mario Savio, a leader of Berkeley's 1960s free speech movement, together with the suppression of an entire print run of that university's newspaper, *The Daily Californian*.

*The Daily Californian*, in a 6-5 vote of its editorial board, had endorsed Proposition 209, which subsequently passed and now threatens to end public affirmative action in California. Coming on top of the state regents' decision last year to terminate affirmative action in university admissions and financial aid, Prop. 209 has engendered tremendous controversy on the University of California at Berkeley campus and across California.

But strong feelings and a sense of justice (or injustice) cannot justify the theft of all Election Day issues of the newspaper, thereby denying a provocative editorial the open discussion it was meant to stimulate.

Although threats to free expression on campus are a familiar story, increasingly they are manifesting themselves in new ways. Speech codes, the content of on-line dialogue, and arguments over the legitimacy of visiting speakers are among the principal points of friction.

Last month at the New School for Social Research in New York, a handful of students protested the appearance of former Reagan administration official Bruce Fein at a panel on "Engaging Diversity." The

students lamented our university's "giving [him] a platform" to voice his views, although those views were intended to be critically considered and even challenged in civil debate.

These students' misguided impulse to narrow the boundaries of free speech—like the seizure of the press run at Berkeley—strikes at the heart of the First Amendment. Both incidents reveal an ideologically based intolerance, a reluctance to confront what may be bad ideas with better ones.



James Madison

This insecurity, while understandable, is myopic. Naturally we hesitate to provide a forum for those with whom we disagree. But the classic argument in favor of free speech is compelling: If I silence my opponent now, he may silence me in the future. In the words of Martin Luther King Jr., "Injustice anywhere is a threat to justice everywhere."

There is another basic reason to accept the articulation of contrary opinions, especially on campus, where education is the central mission. The more ideas are presented, the more opportunities are created to analyze, scrutinize and improve upon them—the more chances to learn and to

shape our own thinking. Further, the presence of a foil, and the need for opposition, can elicit creativity. It was First Amendment author James Madison who, confident that right prevails over wrong in a fair fight, asserted that "Knowledge will forever govern ignorance."

As Mario Savio did, most of my colleagues at the New School personally oppose Prop. 209 and similar efforts to restrict government's promotion of equal opportunity. We will continue to make our case and to support others who believe in affirmative action. But especially at universities, we have a responsibility to protect and indeed encourage diverse viewpoints. That is what diversity is all about.

My boss, New School President Jonathan Fanton—in his capacity as a founding co-chair of the Human Rights Watch Academic Freedom Project—often writes to foreign governments decrying various attempts to censor, harass, or imprison faculty and students overseas. What a shame that at Berkeley and the New School—institutional icons of tolerance and free inquiry—some individuals would choose to limit the range of expression in a manner that Human Rights Watch might deplore elsewhere around the world.

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