

If the Constitution Was Written Like Campus Speech Codes

We don't know for certain if Voltaire actually said, "I disapprove of what you say, but I will defend to the death your right to say it." Nonetheless, it's a sentiment that has been a cornerstone of Western culture since the Enlightenment, and free speech is a right enshrined in the U.S. Constitution.

But that could be changing.

As a well-known advocate of free speech wrote in the Wall Street Journal on Friday, in an article headlined "[The Closing of the American Mind](#)":

Education in America, and particularly higher education, has become increasingly hostile to the free exchange of ideas. On many campuses, a climate of intellectual conformity has replaced open debate and inquiry, stifling discussion on a host of topics ranging from history to science to economics. Dissenters are demonized, ostracized or otherwise treated with scorn and derision.

One thing the writer did not touch upon is the fact that students seem largely oblivious to what is happening. [A survey conducted last year](#) by McLaughlin & Associates revealed that university students are at once ignorant, confused, and dismissive of free speech. Consider these findings, which are based on responses from 800 undergraduate students across the nation:

- About a third students couldn't identify which amendment in the Constitution protected free speech.

- More than half of respondents had no idea whether or not their campus had a speech code.
- Eight in ten students said speech on campus should be regulated less or equal to society at large, yet more than half said they support speech codes.
- More than half of respondents said “hate speech” was not protected by the First Amendment.
- More than half of the respondents said speakers who had engaged in “hate speech” should be forbidden from speaking on their campus.
- Half of the respondents favored banning political cartoons that “criticize any particular religion or ethnicity.”

Such attitudes are why a student can be [stopped from handing out copies of the Constitution](#) (on Constitution Day, no less!).

If the authors of the Constitution had approached free expression with the same attitudes as the vast majority of students and administrators in university systems today, it's difficult to imagine what the document would have looked like.

Perhaps something like this:

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