

Notes for Panel on Free Speech TX Student Media

First, it's a deep pleasure to be part of this panel and particularly to be on TX Student Media. Students have been an integral part and sometimes leading force of nearly every movement for social change – from Civil Rights where university students fought and died to the anti-war movement with Jackson and Kent State to protests that lead to Ethnic Studies on campus to the coming down of the Jefferson Davis Statue to the current student-led protests against what's happening in Gaza.

“Freedom of speech is something that represents the very dignity of what a human being is... That's what marks us off from the stones and the stars... It is the thing that marks us as just below the angels. --Mario Savio, leader of the free speech movement at UC Berkeley in 1964.”

I suppose I could now read George Carlin's seven words you can't say on television. But it would be silly for me to say them in this broadcast at this time. Wouldn't it? I mean we could try one like to urinate. A normal body function. But what would it accomplish?

Well it would make two points:

1. Free speech means nothing unless it's offends someone.
2. That someone has to involve the government. That's what the first amendment is about.

So with Carlin it was not so much the complaint of a guy in Mississippi but that he complained to the FCC – a part of the government. That's what got Carlin arrested. I mention that because the University of Austin is a state entity. So when we question university polities we are questioning the State of Texas – the government.

Anne Braden and her husband bought a house for a black couple in Louisville in the 50's. The house was bombed and they were charged with sedition. What got them off was a legal technicality. You can't commit sedition against a state. The second time was House Unamerican Activities Committee and this time Carl Braden and Pete Seeger and others pled the 1st amendment instead of the 5th. Braden went to Federal Prison for more than a year. Dr. King led the committee that got him out.

This is a quote from Anne Braden, “The whole theory of the right of free speech is not your right to speak, but my right to hear. So people can hear different ideas. Not just because I want to get up, pop off and speak, see. I say it guarantees the right to organize because your right to speak, to meet, to print, to petition the government -- that's organizing is what it is. It's the freedom to organize against policies of the government that are wrong. It was born in struggle. It was because people insisted on it and there's been a struggle ever since

to make it mean something. And the only time it's meant something is when people struggled for it.”

The right to hear and the right to assemble are parts of the first amendment. If I express an idea, it's one thing. If I have a group of people with me it's quite different. This is the nature of freedom of speech combined with freedom of association.

Another quote from Anne Braden.

“It's a different country because of what happened in the 1960s and that happened because young people, 14, 15, 16 years old, all through the south, stood up and said we're going to change this thing, and we will risk our lives and they did and some of them gave their lives. They were trying to be able to sit at a lunch counter and get a cup of coffee. Well you don't risk your life for a cup of coffee. They were trying to get the right to vote, which is terribly important but I'm not sure you risk your life even for the right to vote. They risked their lives because they had a vision of a whole different world< where people's needs came first, where people cooperated instead of dog eat dog trying to step on another person. They had a dream they called it the beloved community, not just a community where people would love each other but a just community for everybody they had that vision. Non-violent direct action was people themselves taking to the streets.”

Current Protest

Abbott's executive order which has a very board definition of antisemitic speech and prohibits such things as covering your face or carrying a sign on a stick is probably unconstitutional.

But the censorship of language isn't just Texas. There's an article from about 6 months ago based on a leaked document from the NY Times where the journalists were told not to use terms like occupied territory in reference to the actions of the Netanyahu government on the West Bank.

These are demands from the UT-Austin Faculty Committee of Counsel on Academic Freedom and Responsibility

No Prior Restraint of Speech

Allow face coverings

No blanket criminal charges during protests

High standards of due process in disciplinary actions against students

<https://liberalarts.utexas.edu/history/news/chair-s-letter-historical-insights-for-resolving-campus-tensions>