

# THE WALL STREET JOURNAL.

## The ACLU Yields to the Hecklers Veto

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October 25, 2017

Claire Gastañaga was supposed to give a Sept. 27 talk on freedom of speech at the College of William and Mary. The executive director of the American Civil Liberties Union of Virginia never got the chance. Members of Black Lives Matter W&M stormed the stage and shouted her down, in protest of the ACLU chapter's defense of free-speech rights—including those of white supremacists who'd gathered the previous month in Charlottesville.

The BLM group posted an hourlong video on its [Facebook](#) page. Among the cries and chants: "ACLU, you protect Hitler, too." "The revolution will not uphold the Constitution." "Liberalism is white supremacy."

The progressive left has become increasingly hostile to free speech over the past few decades. Claims that speech can be violent, and that it should get different treatment depending on whether it operates for or against historically oppressed groups, have become the unchallenged truisms of freshman orientation courses and social-justice efforts.

What's troubling is that the ACLU is moving in the same direction, yielding to the heckler's veto and even declining to defend its own speech rights. The Virginia chapter initially issued a strong statement criticizing the disruption of Ms. Gastañaga's speech—then redacted it in favor of ambiguous language. It brings to mind Robert Frost's description of a liberal as someone too broad-minded to take his own side in a quarrel.

Gone from the statement is a passage asserting that "disruption that prevents a speaker from speaking, and audience members from hearing the speaker, is not constitutionally protected speech even on a public college campus subject to the First Amendment" but instead is "a classic example of a heckler's veto."

Gone too—as legal scholar Ronald K.L. Collins [reported](#) at the blog *Concurring Opinions*—is language about how actions that "bully" or "intimidate" have no place in campus discussion and how a public university such as William and Mary has a responsibility to act against disruption of speakers.

A Virginia ACLU spokesman told Mr. Collins the revisions reflected "internal feedback" from colleagues. In Mr. Collins's words, the spokesman "agreed that the deleted passages no longer reflect the Virginia ACLU's current position."

And what is its current position? The revised statement makes no mention of the Constitution or the First Amendment, except in identifying the topic of the suppressed talk.

The national ACLU is getting similar internal feedback. Two hundred of its 1,300 staffers signed a letter earlier this month calling on the group to reconsider its "rigid stance" in favor of the freedom of speech. Over the years the ACLU has expanded its mission to housing

discrimination, LGBT issues, school finance and even supporting ObamaCare—issues with little connection to the Bill of Rights. The organization’s joked-about “Civil Liberties Caucus” is fast becoming an old guard, giving way to progressives who are there for equality and social-justice work.

America needs an organization single-mindedly devoted to civil liberties. For decades it had one—the ACLU. It may need a new one.

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