## The Washington Post

## On Charlie Hebdo and campus speech codes

By David Post

January 9, 2015

David Brooks has a very thoughtful and important op-ed in today's New York Times, linking our reactions to the horror at the Charlie Hebdo offices and the campus speech codes.

The journalists at Charlie Hebdo are now rightly being celebrated as martyrs on behalf of freedom of expression, but let's face it: If they had tried to publish their satirical newspaper on any American university campus over the last two decades it wouldn't have lasted 30 seconds. Student and faculty groups would have accused them of hate speech. The administration would have cut financing and shut them down.

Spot on, and pretty disturbing when you think about it - not to mention hypocritical on the part of many who are now so vociferous in their apparent support for untrammeled free expression.

Healthy societies don't suppress speech, but they do grant different standing to different sorts of people. Wise and considerate scholars are heard with high respect. Satirists are heard with bemused semirespect. Racists and anti-Semites are heard through a filter of opprobrium and disrespect. People who want to be heard attentively have to earn it through their conduct.

The massacre at Charlie Hebdo should be an occasion to end speech codes. And it should remind us to be legally tolerant toward offensive voices, even as we are socially discriminating.

If this becomes an occasion for re-thinking our attitudes about the importance of tolerating all manner of "offensive" speech, that will at least provide a small silver lining to what is, obviously, a very, very ugly cloud.

David G. Post is a Sr. Fellow at the New America Foundation's Open Technology Institute. He taught intellectual property and Internet law at Georgetown and Temple Universities until his recent retirement. He is the author of In Search of Jeffersons Moose: Notes on the State of Cyberspace (Oxford, 2009) and an Adjunct Scholar at the Cato Institute.