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A Growing Threat to Free Speech

By Allan C. Brownfeld

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Free speech is now under widespread attack in the name of political correctness.

In August, Yale University Press announced that the book *The Cartoons That Shook The World*, should not include the 12 Danish drawings that originally appeared in September 2005 and led to protests by Moslems around the world, including riots and the burning and vandalism of embassies. At least 200 people were killed.

Yale also decided to eliminate other illustrations of the prophet Muhammad that were to be included in a children's book. These included an Ottoman print and a sketch by the 19th century artist Gustave Dore of Muhammad being tormented in Hell, as well as an episode from Dante's "Inferno" that has been depicted by Botticelli, Blake, Rodin, and Dali.

This acquiescence to political correctness has been widely criticized. Reza Aslan, a religion scholar and the author of *No god but God: The Origins, Evolution, and Future of Islam*, decided to withdraw his supportive blurb from the book after Yale dropped the pictures. The book is a "definitive account of the entire controversy," he said, "but to not include the actual cartoons is, to me, frankly, idiotic."

Editorially, The Washington Post declared that, "Yale's self-censorship establishes a dangerous precedent. If one of the world's most respected scholarly publishers cannot print these images in context in an academic work, who can? In effect, Yale University Press is allowing violent extremists to set the terms of free speech. As an academic press that embraces the university's motto of 'Lux et Veritas,' it should be ashamed."

Mona Eltahawy, an Egyptian-born commentator who writes and lectures on Arab and Muslim issues and is a columnist for the Danish newspaper Politiken, argues that, "Yale University Press has handed a victory to extremists. Both Yale and the extremists distorting this issue should be ashamed. I say this as a Muslim who supported the Danish newspaper Jyllands-Posten's right to publish the cartoons of the prophet Muhammad in late 2005, and as someone who also understands the offense taken at those cartoons by many Muslims, including my mother...."

In Eltahawy's view, "Yale has sided with the various Muslim dictators and radical groups that used the cartoons to 'prove' who could best 'defend' Muhammad against the Danes, and, by extension, burnish their Islamic credentials. These same dictators and radicals who complained of the offense to the prophet's memory were blind to the greater offense they committed in disregard for human life. (Indeed, some of those protestors even held banners that said, 'Behold those who offend the prophet.' ... Unfortunately, those dictators and radicals who want to speak for all Muslims - and yet care little for Muslim life - have found an ally in Yale University Press."

The Yale University Press is hardly alone in challenging the First Amendment in the name of political correctness.

The Foundation for Individual Rights in Education (FIRE), which defends free-speech rights of students and professors across the political spectrum, shows how censorship is now being administered through college and university "speech codes," which are sometimes incorporated into "codes of conduct."

These edicts ban expressions that may "offend" students by "insulting" or "harassing" them on the basis of race, religion, gender, transgender, political affiliations, and views.

The University of Iowa, for example, forbids sexual harassment that "occurs when somebody says something sexually related that you don't want them to say or do, regardless of what it is." At Jackson State University, expressions by students are banned that "degrade," "insult," or "taunt" others as well as "the use of profanity" and "verbal assaults" based on ethnicity, gender, and the known or presumed beliefs of their fellow students.



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FIRE reports that, "77 per cent of public colleges and universities maintain speech codes that fail to pass constitutional muster" despite federal court decisions "unequivocally striking down campus speech codes on First Amendment grounds from 1989 to 2008."

In August, The New York Times reported of the treatment of the cartoonist Herge, the creator of his adventurous reporter Tintin, who will be featured in a Steven Spielberg movie due out in 2011. According to The Times, "... if you go to the Brooklyn Public Library seeking a copy of 'Tintin au Congo,' Herge's second book in a series, prepare to make an appointment and wait days to see the book. 'It's not for the public,' a librarian in the children's room said when a patron asked to see it. The book, published 79 years ago, was moved in 2007 from the public area of the library to a back room where it is held under lock and key. The move came after a patron objected, as others have, to the way Africans are depicted in the book."

The decision to get rid of a book or restrict access to it goes to the very heart of a public library. "Policies should not unjustly exclude materials and resources even if they are offensive to the librarian and the user," says the Web site of the American Library Association, which adds, "Toleration is meaningless without tolerance for what some may consider detestable."

Nat Hentoff, a senior fellow at the Cato Institute and one of the country's leading advocates of the First Amendment, reports an incident at Brandeis University. Professor Donald Hindley, a faculty member for 48 years, teaches a course on Latin American politics. In 2007, he described how Mexican immigrants used to be discriminatorily called "wetbacks." An anonymous student complained to the administration and accused Hindley of using prejudicial language. It was the first complaint against him in 48 years.

After an investigation, during which Hindley was not told the nature of the complaint, Brandeis Provost Marty Krauss informed him that, "The university will not tolerate inappropriate, racial and discriminatory conduct by members of the faculty." Threatened with termination, Hindley was ordered to take a sensitivity training class.

Hentoff notes that Justice Louis Brandeis, after whom the university is named, would not be pleased. A passionate protector of freedom of expression, Brandeis wrote in *Whitney vs. California*, "Those who won independence believed... that freedom to think as you will and to speak as you think are... indispensable to the discovery and spread of political truth."

Do Americans any longer care about free speech and the First Amendment? The 2008 annual State of the First Amendment survey by the First Amendment Center in Nashville found that, "4 in 10 Americans are not able to name any First Amendment right whatsoever, the highest figure in the 11-year history of the survey."

James Madison declared that, "I believe there are more instances of the abridgement of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations."

These gradual and silent encroachments upon free speech now underway deserve the resistance and opposition that all assaults upon freedom merit, but, unfortunately do not always receive.

[A shorter version of this column is available on request.]

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Allan C. Brownfeld is the author of five books, the latest of which is *THE REVOLUTION LOBBY* (Council for Inter-American Security). He has been a staff aide to a U.S. Vice President, Members of Congress, and the U.S. Senate Internal Security Subcommittee. He is associate editor of *The Lincoln Review* and a contributing editor to such publications as *Human Events*, *The St. Croix Review*, and *The Washington Report on Middle East Affairs*.

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