



Foundation for Individual Rights in Education

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Greg Lukianoff
PRESIDENT

April 24, 2007

Robert L. Shibley
VICE PRESIDENT OF
OPERATIONS

President Lawrence S. Bacow
Ballou Hall
Tufts University
Medford, MA 02155

Samantha K. Harris
DIRECTOR OF LEGAL AND
PUBLIC ADVOCACY

Sent by U.S. Mail and Facsimile (617-627-3300)

Alan Charles Kors
CO-FOUNDER AND
CHAIRMAN EMERITUS

Dear President Bacow:

As you can see from our Directors and Board of Advisors, the Foundation for

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for ready example, the Supreme Court ruled that the First Amendment protects even the most outlandishly offensive parody—in that case, a cartoon suggesting that the Reverend Jerry Falwell lost his virginity in a drunken encounter with his mother in an outhouse. Highly offensive material is protected under the First Amendment and should likewise be protected on any campus that claims to protect its students’ right to free expression. If speech of this nature is considered outside of the parameters of protected speech at Tufts, then no expression is safe.

FIRE was encouraged to read your comments in the “Viewpoints” section of the *Tufts Daily* today, where you wrote that you will not respond with censure because “[t]he First Amendment protects freedom of speech and that includes most offensive speech.” Nevertheless, the complaints against *TPS* should have never progressed to the level of a CLS hearing; there is nothing to adjudicate in this matter. We hope that Monday’s hearing will not result in sanctions against *TPS* and we urge Tufts University to reject any possibility of punishment for *TPS* for engaging in political satire. We further ask that Tufts University take its commitments to a liberal education and the encouragement of “the free exchange of ideas” seriously and work to assure its students that freedom of expression is to be celebrated, not feared.

FIRE hopes to resolve this situation amicably and swiftly; we are nonetheless committed to using all of our resources to oppose the censorship of *TPS* or any other campus publication punished for engaging in protected expression. We request a response on this matter by Friday, April 27, 2007.

Sincerely,

Tara Sweeney
Senior Program Officer

cc:

Jamshed Bharucha, Provost, Tufts University
Margaret E. Newell, Vice Provost, Tufts University
Suna Grassi, Assistant Provost, Tufts University
Bruce Reitman, Dean of Students, Tufts University
Marisel C. Perez, Associate Dean of Students, Tufts University
Veronica Carter, Judicial Affairs Officer, Tufts University
Shiva Bhashyam, Vice Chair of Tufts Community Union Judiciary, Tufts University
Jodie Nealley, Director of the Office of Student Activities, Tufts University