



FIRE is a nonprofit educational foundation devoted to free speech, individual liberty, religious freedom, the rights of conscience, legal equality, due process, and academic freedom on our nation's campuses.

Foundation for Individual Rights in Education

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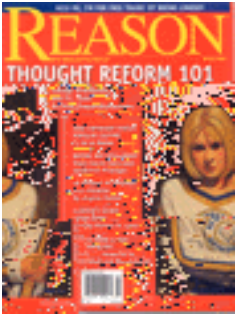
speechcodes.org





Read excerpts from *The Shadow University* by Alan Charles Kors & Harvey A. Silverglate.

Texas Tech’s nearly 28,000 students deserve more than 20 feet of freedom (approximately 1 foot of freedom per 1,400 students). This caricature of constitutional law should be anathema to any institution committed to intellectual rigor, robust debate, and a free and vibrant community. We call on you to tear down the barriers to speech and declare **all** of Texas Tech University a “free speech area.”



Read *Thought Reform 101* by Alan Charles Kors.

We also write in support of the student groups who intend to protest peacefully outside the confines of the free speech gazebo. Please do not let an overly restrictive policy turn your own students into criminals for exercising what should be recognized as fundamental rights. Let them protest, as is their right protected by both the law and our country’s noblest traditions.



Read *Memo to Free Speech Advocates University of Wisconsin-Madison* by Harvey A. Silverglate.

The irony of Texas Tech’s strict regulation of speech and confining free speech to only one lonely gazebo is that the special function of the university as a whole, in any free society, is to serve as the ultimate “free speech area.” A university serious about the search exemax-icyngeech gwaction of nt grogeeDfor 501 (k.

Foundation for Individual Rights in Education, Inc.
210 West Washington Square
Suite 303
Philadelphia, PA 19106
Phone: (215) 717-3473 (717-FIRE)
Fax: (215) 717-3440
Email: fire@thefire.org

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always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.
[emphasis added]

Texas Tech's actions in regulating free expression create the very "atmosphere of suspicion and distrust" against which the justices warned. The thoroughness with which Texas Tech controls basic free speech activities might be appropriate if Texas Tech were trying to teach their students to be obedient members of a private condominium association, but it is totally misplaced at an institution preparing students to be engaged citizens in a pluralistic democracy.

The only possible defense of the "free speech" gazebo policy is that it is a "reasonable time, place and manner" restriction as allowed by cases like *Ward v. Rock Against Racism*, 491 U.S. 781 (1989). There is no (by ens in a pluralistic) Tj T*teRel (Ward v. Rock Against Racism) n a plurap* (ererep7iulismannerccosorship aard. Agai". Ro law)Tj Or

Foundation for Individual Rights in Education

cc:

David R. Smith, Chancellor

William M. Marcy, Provost

Michael D. Shonrock, Vice President for Student Affairs

Cathy H. Allen, Vice Chancellor for Community and Multicultural
Affairs

Pat Campbell, Vice Chancellor and General Counsel

Cynthia R. Rugeley, Vice Chancellor for News and Information

John Michael Sanders, Vice Chancellor for Governmental
Relations

Harvey Madison, ACLU

Trevor Smith, Student

Because Your Liberty is a Precious Thing
