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OPINION

Stop the hostility to free speech

Robert Steinbuch



In previous columns discussing the progressive scourge of so-called Diversity, Equity, and Inclusion (DEI), I mockingly referred to the left's politically correct policing of language as necessitating a DEI-to-English dictionary. True to form, leftist lamasery Stanford University turned parody into reality. Bless its heart.

Let's look at Stanford's re-education reader: Replace "addict" with "person with a substance use disorder." Leftists never miss an opportunity to use more words to articulate less substance.

The reason for this proposed word salad: "Using person-first language helps to not define people by just one of their characteristics." Have you ever met an addict—uh, a person with a substance use disorder? The addiction is a defining characteristic.

Moreover, the whole dichotomy is nonsense. I'm a law professor, a Jew, a son, a brother, occasionally funny, sometimes articulate, and much more. To call me any one of these doesn't diminish the others.

Context still matters. If a doctor refers to a patient as an addict, that's OK. If a Starbucks barista pens that on the side of the 90-percent post-consumer recycled-paper half-caf-latte coffee sleeve, you might have a problem.

Blind review is to be replaced with anonymous review, because the former "unintentionally perpetuates that disability is somehow abnormal or negative, furthering an ableist culture." While being blind isn't a positive, "blind review" is a good thing—not a pejorative!

"OCD" is out. "Detail-oriented" is in.

Nope. We don't medicate for being detail-oriented.

"Committed suicide" is replaced with "died by suicide." Apparently, suicide is like the flu. Better watch out, or you might catch this passive killer.

"American" is unacceptable, they said. "This term often refers to people from the United States only, thereby insinuating that the U.S. is the most important country in the Americas." Who's stopping other Americans from using it? How's this instead: 'Merica? I'll wear that badge of honor.

And what to use instead of "American" according to Stanford: U.S. Citizen. But that descriptor excludes the undocumented and resident aliens. Did Stanford think this through? (Doubt it.) "Trigger warning" is shot (see what I did there?), because it "can cause stress about what's to follow." I thought that was the whole point!

And “pull the trigger” is also verboten, but for a different reason, because it “[u]nnecessarily uses violent imagery to encourage another person to do something.” So, let’s kill it. (Whoops!) “Straight ... implies that anyone who is not heterosexual is bent or not ‘normal.’” Does “gay” imply that anyone not homosexual is not happy? (Asking for a friend.) “Walk-in” closet is off limits because some people can’t use their legs. Are “stand-alone tubs” offensive to conjoined twins? I can only imagine what they’ll do with “lazy Susans.” Don’t use “blackbox” because it “[a]ssigns negative connotations to the color black, racializing the term.” Not sure how the only thing that survives a plane crash has a negative connotation. No listed prohibition on “white elephant,” though.

Stanford tells us not to say “abort” for “cancel” for fear of “unintentionally rais[ing] religious/moral concerns over abortion.” Phew, finally leftist academics are protecting the sensibilities of apocryphal conservatives unable to distinguish two distinctly different meanings of homophones!

Dear Stanford, we’re not delicate daisies in need of your coddling.

“To call a spade a spade”—a phrase originating in Greek literature—is canceled because “spade” has negative racial connotations. Can you imagine how they’d deal with “The Dick Van Dyke Show”? That’s a veritable minefield! (Too violent?) The somewhat esoteric term “white paper” is to be supplanted by “position paper,” because the former “[a]ssigns value connotations based on color (white = good), an act which is subconsciously racialized.” No, it doesn’t.

“The term originated when government papers were coded by color to indicate distribution, with white designated for public access.” The source for that history lesson: a Stanford Law School white paper.

During the time I was drafting this column, the dictionary garnered national attention, Stanford pulled it down, and the school announced it hadn’t ever intended the reader to be university policy.

In critiquing communism in “1984,” George Orwell described Marxists’ three steps of mind control: constrain language, which begets limiting thought, which begets compliance. Totalitarianism insidiously removes the threat of dissent by eliminating the words representing the heretical ideas—and it’s happening in our colleges today.

A few years ago, Arkansas State University shut down a student, Ashlyn Hoggard, when she solicited members to the conservative group Turning Point USA, because she wasn’t in a “free-speech zone.” I thought America is a free-speech zone. (Oh, sorry—’Merica.) So, state Sen. Dan Sullivan authored a higher-education free-speech law. And Hoggard sued ASU. I would’ve happily represented Hoggard—for free, as I do for each of my clients—had she not already been superbly represented by Alliance Defending Freedom.

In his ruling, Supreme Court Justice Clarence Thomas affirmingly recounted the appellate court’s apt “conclu[sion] that [ASU’s] policy of restricting speech around the student union was unconstitutional.” Hoggard wasn’t awarded money damages despite ASU’s “unlawful” actions—to quote again Justice Thomas—pursuant to qualified immunity.

“Unconstitutional” and “unlawful”—that’s indefensible and undeniable! Did ASU fire all those behind this train wreck—the way they ingloriously gave Hoggard the Heisman stiff-arm? (Doubt it!) Justice Thomas concluded that the widely criticized doctrine that shielded ASU from damages for its decidedly illegal actions should be re-examined.

This session, Sullivan introduced a modest extension to his free-speech act of 2019, which grew out of ASU’s judicially declared unconstitutional and unlawful—not to mention shameful—actions against

Hoggard. The new bill, SB125, is designed to guarantee free speech inside campus facilities, where it's under even greater assault. Mandatory DEI-pronouns: no thanks. Freedom: yes please.

This isn't a left or right issue. It's a right or wrong issue. My liberal colleague Prof. Josh Silverstein says: "All too often, free speech is not adequately protected by universities. The chilling effect currently harms conservatives on campus more than progressives, but this is a problem that should concern everyone, because robust debate and freedom of inquiry are central to the health of higher education." Supreme Court Justice John Marshall Harlan soundly observed over 50 years ago: "[W]e cannot indulge the facile assumption that one can forbid particular words without also running a substantial risk of suppressing ideas in the process. Indeed, governments might soon seize upon the censorship of particular words as a convenient guise for banning the expression of unpopular views." Sullivan's bill got a somewhat frosty reception from the Senate Education Committee recently, despite the urgent need for conservatives to constrain higher-education leftist-overlord's efforts at brainwashing. If we don't safeguard these values right now, shortly there will be nothing left to defend.

So call your legislators. Tell them you want free speech on college campuses. Tell them to rebuff the anti-free-speech pushback from the education-industrial complex. Tell them they need to fight for the silenced majority. Tell them they need to represent you. Tell them this carnage must stop!

This is your right to know.

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