

Campus Crisis: Protecting the Free Pursuit of Truth

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“The worst thing is to rush into action before the consequences have been properly debated.” – Pericles

On campuses across America, students claim to be exercising their right to free speech and peaceable assembly—but are they? How far does “peaceable” extend? Does it extend to violent crowds and months-long unauthorized encampments, to “burglary in the third degree, criminal mischief, and trespassing?”¹ And what of free speech? In the past few years, American campuses have seen unprecedented incitements to violence, vulgar obscenities, and flagrant personal threats. By no means is this the idyllic America our Founders envisioned; a return to the true definition of “peaceable” and of “free speech” is long overdue. This paper addresses the task now presented to public colleges and universities: how to maintain order consistent with the Constitution, while still providing an environment for thoughtful discussions and promoting accountability for the exercise of free speech. Campus speech codes have failed to protect both speech and order. Instead, administrations at these institutions should adopt Supreme Court First Amendment Precedent as the standard for speech on campus, enabling students to become thoughtful, responsible citizens.

¹ To borrow the assessment of NYPD Deputy Commissioner Kaz Daughtry after the April 30, 2024 protest at Columbia University