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Education, free speech and Benedictine Values

Michael Hemesath

College of Saint Benedict/Saint John's University, mhemesath@csbsju.edu

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Education, Free Speech and Benedictine Values



The Constitution of the United States, U.S. Archives

Education in general and higher education in particular are based on the belief in academic freedom. Students, faculty and researchers must be free to ask questions and pursue inquiries where their curiosities and imaginations take them. They must be able to question the received wisdom and current understandings within their disciplines and to create new disciplines. Without this freedom, the sun would still revolve around the Earth, Darwin would be unknown, philosophy might well be purely Aristotelian and whole disciplines, like Gender Studies, would not exist.

New knowledge and understandings do not come without pain.

Sacred cows are gored, strongly-held beliefs are challenged and whole world views are upended. If colleges and universities do their jobs well, every student will experience some of this intellectual vertigo. They will feel unsettled as their beliefs are stretched, tested, challenged and sometimes found wanting. Education should be uncomfortable or it does not deserve the name.

But at the same time academic freedom is causing discomfort, it is moving forward the boundaries of human knowledge within disciplines and for societies, and it is preparing students for a lifetime of learning in an ever-changing world.

The game is worth the candle.

Freedom of speech is the other side of the academic freedom coin. The ability to express ideas, thoughts and opinions obviously extends to settings well beyond the academy and our Founding Fathers felt the exercise of free speech to be important enough to put it into the **First Amendment of the Constitution**:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The ability to bring new or unpopular ideas into the national conversation without fear of government intervention (or worse) has had a salutary effect on political and policy discourse throughout our history. Free speech played an important role in ending slavery, bringing about the revolution in women's rights, civil rights and gay rights, among other policy changes that have moved us toward a more just society.



Yet free speech brings even more challenges in its exercise than academic freedom. The protocols of the academy, including but not limited to the scientific method, provide some generally accepted guidelines for the exercise of academic freedom.

The exercise of free speech is much less circumscribed. The Supreme Court has, appropriately, been very hesitant to limit **the exercise of free speech**. As soon as one starts drawing lines, the philosophy and purpose of free speech start to erode. Who gets to draw the lines? Those in power? How does that affect the functioning of the marketplace of ideas? How do the politically or socially marginalized get to influence society's political and social choices?

But with few legal limitations on speech, those expressing their views can be extreme, personal and even hateful. (There is no hate speech exception to the First Amendment.) One simply has to look at political discourse today to see these extremes in print and electronic media. Social

media has exacerbated these issues as anyone with an internet connection can join the public conversation, often with the cover of anonymity.

Yet again, many (not all, surely) would argue the benefits of constitutionally protected free speech outweigh the costs. As Voltaire **may or may not have said**, “I disapprove of what you say, but I will defend to the death your right to say it.”

So, what are we at educational institutions to make of all this as we pursue our missions? Interestingly, the responses are potentially different at public and private institutions. What the First Amendment provides is protection from government imposed restrictions on speech: Congress shall make no law... So the University of Minnesota, as a public institution is bound by the First Amendment. As the **ACLU website notes**:

Many universities, under pressure to respond to the concerns of those who are the objects of hate, have adopted codes or policies prohibiting speech that offends any group based on race, gender, ethnicity, religion or sexual orientation.

That’s the wrong response, well-meaning or not. The First Amendment to the United States Constitution protects speech no matter how offensive its content. Speech codes adopted by government-financed state colleges and universities amount to government censorship, in violation of the Constitution.

The legal constraints that pertain to free speech for private institutions like Saint John’s University and the College of Saint Benedict are less binding, as we are not publicly funded. We have the ability to restrict the speech of members of our private community, but the ACLU is very clear on its recommendation for private institutions:

The ACLU believes that all campuses should adhere to First Amendment principles because academic freedom is a bedrock of education in a free society.

...

ACLU Executive Director Ira Glasser stated, in a speech at the City College of New York: “There is no clash between the constitutional right of free speech and

equality. Both are crucial to society. Universities ought to stop restricting speech and start teaching.”

This advice can be hard for some to accept. It requires one to listen to not only speech we disagree with but speech that might be hateful and hurtful. It can require Holocaust survivors to listen to speech from neo-Nazis, as occurred in a famous 1979 case in Skokie, Illinois, but as the ACLU argues:

Free speech rights are indivisible. Restricting the speech of one group or individual jeopardizes everyone’s rights because the same laws or regulations used to silence bigots can be used to silence you. Conversely, laws that defend free speech for bigots can be used to defend the rights of civil rights workers, anti-war protesters, lesbian and gay activists and others fighting for justice.

As private institutions, Saint John’s University and the College of Saint Benedict have options that can balance free speech with civility in ways that other private and public institutions may not. We have our 1500-year-old Benedictine Catholic tradition to turn to for guidance. We can both strongly support academic freedom and its public counterpart, freedom of speech, by encouraging our community to exercise speech rights in ways that are consistent with our Benedictine values.

Even if the First Amendment allows for extremes in the exercise of this constitutionally protected right, our Benedictine values remind us that respect for individuals, moderation and our commitments to the community call us to the harder work of civil and respectful free speech.

I’d suggest that there are three commitments we might make to each other in this Benedictine educational community as we strive to balance the important goals of encouraging the open and vigorous exchange of ideas at the same time we seek to build a respectful, civil community:

1. **Personal reflection:** Ideally, we would all commit to thinking through our own opinions and beliefs thoroughly and carefully. We wouldn’t espouse unexamined ideas, or simply repeat what we hear from others or speak when we are not capable of being coherent. We

should know what we believe and be able to articulate why we believe it. This goal is consistent with living an examined life, which Socrates so eloquently encouraged.

2. **Respect your audience:** To be persuasive in making any argument, we need to understand our audience. Do they want to hear what we have to say? How will they hear what we are saying? Might they misinterpret our meaning? How will their perspective or life experiences affect what they hear us saying? How can we clearly make our points in the politest and most civil fashion?
3. **“Listen with the ear of your heart”** (Prologue of the Rule of Saint Benedict): For true engagement with others, we must be just as willing to listen as we are to speak. We must commit to working hard to understand where other are coming from and to understand why they have a different perspective than we do. Finally, we must listen with generosity and be willing to accept that good and thoughtful people might reasonably disagree on matters of importance.

We are communities made up of imperfect individuals, sinners not angels. But we can be committed to each other and to our communities and can strive to make them better places to live and learn—even as we know and want that learning to be uncomfortable at times.

While I am not certain that Bennies and Johnnies can change the way the rest of the world engages in discourse, I do believe our Benedictine values can guide us toward deep and meaningful interactions where we respectfully learn from each other and are better prepared to interact in the world. If we can achieve this on our campuses, Bennies and Johnnies might serve as models of civil discourse that the world seems to so desperately need.

By [Michael Hemesath](#) | February 17th, 2017 | Categories: [Uncategorized](#) | [0 Comments](#)

About the Author: [Michael Hemesath](#)



Michael Hemesath is the 13th president of Saint John's University. A 1981 SJU graduate, Hemesath is the first layperson appointed to a full presidential term at SJU. You can find him on Twitter [at] [PrezHemesath](#).