An Open Letter from Vice Chancellor Gomez

By Manuel Gomez on Feb. 15, 2010

Dear UCI Students:

Over the past few years, we have had numerous opportunities to talk about free speech – about what is and is not protected within the broad scope of the First Amendment. Now, following the incident at Israeli Ambassador Oren’s disrupted address on Feb. 8, it is clear we need to review some actions that are not protected and do not legally constitute free speech.

Preventing someone else from speaking is not the same thing as exercising free speech. As Chancellor Drake has stated, “A great university depends on the free exchange of ideas. This is non-negotiable.” Disrupting someone else’s right to speak is antithetical to the principles of the First Amendment because one cannot claim the right to speak in service of depriving someone else of that right. In some contexts we call that censorship.

In California, anyone “without authority of law willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character…” can be charged with a misdemeanor under California Penal Code § 403. Other penal codes can apply as well. In short, this is a very serious situation.

No one can steal the right to speak from someone else. No one’s right to speak is greater than anyone else’s. If you want to claim your right to speak, you must acknowledge and respect the same right for everyone.

Manuel N. Gómez
Vice Chancellor,
Student Affairs

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