

**♣ Marywood U. No Speech Code – Free Speech Ballot/Survey ~April 10 - 18 2007**

**Preface:** Please cast a thoughtful vote. To vote later (or not at all) please immediately return this ballot to the vote canvasser and strike your name off the vote register book and initial the change. Thank you!

To VOTE: mark your choice at page bottom and immediately place the ballot in the ballot box --PRIZE- to encourage turnout one DORM voter's name will be randomly selected and he or she wins \$50 if the dorm turnout is over 50% and \$100 if the turnout is over 80%.

Dr. Fagal pays. The name will be selected at noon on April 20 in LAC 82.

**On March 26 the Student Life Committee discussed plans to implement a written Marywood University speech code.** Since Marywood is a private institution, it is not *legally* required to uphold the first amendment to the US Constitution on campus. In the absence of a codified right to free speech, this means that Marywood's administration is free to set the bounds on campus discourse in any way it sees fit. Certain individuals have run afoul of such "rules," and others inhibit their thoughts because of these unknown unwritten rules.

**It is impossible to measure the extent to which the existence of unknown arbitrary speech codes restricts and chills free expression on this campus.** Moreover, as Marywood ramps up to implement an official policy it almost surely will "officially" regulate the content of campus speech and *personal* websites (including facebook etc.) of students and faculty. **First amendment free speech rights** for students and faculty **need to be clearly codified in writing to avoid institutional censorship.** Campus speech codes serve to repress otherwise legal free speech. See [www.thefire.org](http://www.thefire.org) for many examples of universities and colleges which punish students and faculty for trying to exercise free speech (including facebook cases).

**Marywood has a rich Catholic heritage and many members of the community promote Catholic social teaching. This is admirable.** Though some believe that this religious mission prohibits free speech on campus, we think Marywood—as a Catholic university—has an especially keen interest in fostering a dialogue with the wider culture. Even the Pope has run into trouble when discussed a controversial issue. Instead of avoiding the contentious topics of the times, **Marywood students and faculty must be allowed and indeed encouraged to freely express and/or argue all points of view and insist on first amendment free speech rights on campus.**

In this spirit, **rather than trying to impose some novel new speech code which even hints at limiting speech, our proposal simply draws from** the greatest intellectual traditions of our country to provide every student and faculty member the protections of **the first amendment of the US Constitution.** We ask for the **same protections that any student or faculty member could expect as a citizen and nothing more.** The absence of this very basic protection at Marywood University should be unacceptable for an institution of higher learning. Marywood can set a fine example for other colleges and universities by adopting the proposal below:

***Proposal*----(Circle or Underline or otherwise indicate your choice)----**

**"Marywood University shall not make or enforce any rule subjecting any student or faculty member to disciplinary sanction solely on the basis of conduct that is speech or other communication that, when engaged in outside the Marywood campus, is protected from governmental restriction by the United States Constitution. Hence NO Marywood University speech code shall be imposed."**

**SUPPORT**

**OPPOSE**

**ABSTAIN**