

Brooks -- Misunderstanding about Free Speech Rights -- 4/25/14

Ethicalego Speaks
Ethicalego (Kenneth Brooks) discusses current events from a critical thinking perspective rarely expressed elsewhere
Misunderstanding about Free Speech Rights By Kenneth Brooks 4/25/14

The

New York Civil Liberties Union (NYCLU) misinterpreted free speech principles. St. Anthony High School in South Huntington, N.Y. suspended two students for displaying the flag of the Southern Confederacy at an after-hours school event according to CBS New York. St. Anthony is a private school. Therefore, the First Amendment prohibitions of federal government authority over speech do not apply here.

Despite

the school's private status, NYCLU objected that, "All people should be able to express their views freely, even the offensive ones." "Our motto is more speech, not censorship, or punishment," said NYCLU director Donna Lieberman. "Helping children understand the impact of this patently offensive expressive activity." Lieberman's illogical conclusion shows a misunderstanding about speech rights."

The

ability to communicate is an inborn human trait of survival. However, each person must exercise the ability responsibly or lose its usefulness. The First Amendment to the Constitution denied government authority over the people's speech to prevent its ability to censor their speech about government operation. The First Amendment did not create freedom of speech rights, as many Americans believe. Instead, it protected existing free speech rights of the people from government restrictions. Therefore, each person's right of free speech includes the power to restrict offensive speech to him or her in areas he or she controls. Illogically, Lieberman concludes that people should surrender this personal component of their free speech rights to provide forum for people with speech goals to offend them.

Individuals,

family, friends, business associates, and strangers censor the speech of one another all the time. They ignore or object to speech they find offensive, uninteresting, or unworthy of their time. The power of choice provides each person an independent vote which speech is most valuable to him or her and to society. People harm themselves and society if from ignorance they persistently provide a forum for illogical, abusive, destructive, or vacuous speech. Each forum allowed for vacuous or intentionally offensive speech displaces the opportunity for positive speech and ideas. Therefore, nobody has a duty to provide a forum and the use of his or her time for speech designed to offend him or her.

Remarks

by St. Anthony officials and others presumed the students' display of

the rebel flag was mostly offensive to black-labeled Americans. It is true that some descendants of Freed Americans believe they should take special offense to displays of the Rebel flag. However, the flag represents the poorly reasoned plan of some slave states to withdraw from the Union and establish a slave nation. It represents the crushing and humiliating defeat the Union Army of free white-labeled and black-labeled Americans and escaped slaves inflicted on the Rebels. No doubt, this Rebel plan and defeat at Civil War advanced approval of the 13th Amendment and ending of slavery in the United States by a century or more. Therefore, descendants of Freed Americans have reason to cheer displays of the rebel flag symbolizing those events and their ancestors' role in them.

On

the other hand, all Americans should disapprove any current support for the traitorous rebels that killed around three-hundred thousand Union soldiers. Nevertheless, we should respond to this type provocation with care and restraint. St. Anthony school officials overreacted to the students' conduct by assigning indefinite suspensions. This overreaction suggests that those children had power and influence over targeted people to devastate them emotionally merely by displaying the Rebel flag. If so, then the people that feel especially victimized need to evaluate their values and self-worth.

Society

must stop overreacting to antisocial conduct by young people seeking attention by offensive conduct. This is true whether they display the flag of the defeated Rebel cause at inappropriate times or places or they spew self-belittling racist slurs and degrading sexist language in music. We should discipline them for disruptive conduct, if it is disruptive, and move on. St. Anthony High officials should assign those two students the task of writing an essay comparing the living conditions of free workers in the rebel states before, during and after the Civil War with those of wealthy slave and property owners in those states during those same periods. This will teach them about the inappropriate timing and location of their speech while educating them of the true circumstances of conditions symbolized by the Rebel flag.