

Dear Berkeley: Even Ann Coulter deserves free speech

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Marc Randazza

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Editor's Note: Editor's note: [Marc J. Randazza](#) is a Las Vegas-based First Amendment attorney and managing partner of the Randazza Legal Group. The opinions expressed in this commentary are his own.

CNN —

Are we living in an alternate reality, one in which [Bill Maher](#) and Bernie Sanders are sticking up for Ann Coulter?

Marc Randazza

courtesy of the author

What could have caused this rip in the space-time continuum? The so-called [birthplace of the free speech movement](#), the University of California at Berkeley, has once again engaged in liberal censorship, this time of Ann Coulter, using the fear of violence as cover to suppress a voice it did not like.



Conservative columnist Ann Coulter was invited to speak at UC Berkeley by the Berkeley College Republicans. Given recent violence against conservative speakers in Berkeley, the college cancelled the speech. Coulter, to her credit, offered suggestions as to how to better deal with any problems – to expel any students engaging in violence or trying to stop the speech from happening. That solution apparently was not good enough for UC Berkeley, which instead decided to reschedule the talk, but on a date when there would be no students on campus.

I despise Ann Coulter. But, with everything I hold dear as an American, I also believe in what [Oliver Wendell Holmes Jr. wrote](#): “[T]he ultimate good desired is better reached by free trade in ideas – that the best test of truth is the power of the thought to get itself accepted in the competition of the market, and that truth is the only ground upon which their wishes safely can be carried out. That at any rate is the theory of our Constitution.”

Berkeley should be the epicenter of the marketplace of ideas. Unfortunately, it has become the most intolerant place in America. I would feel more comfortable preaching for Sharia law in rural Mississippi than I would feel challenging the wage gap theory or speaking out against anti-Asian discrimination in admissions at Berkeley. In Mississippi, I would likely be ignored. Jeered at worst. In Berkeley, if you do not adhere to the Leftist orthodoxy, your speech is branded “hate speech,” and out come the shock troops to physically attack you or anyone who wants to listen to you.

Thus far, UC Berkeley has shown that it will use the cover of violence to suppress speech. For example, when leftist opponents to Milo Yiannopolous’ ideas engaged in violence, UC Berkeley did not protect freedom of expression, but rather tacitly endorsed the violence by giving the rioters what they wanted – Milo’s speech was cancelled.

The Berkeley government has purposely and deliberately refused to protect right-wing protesters from attack.

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This isn’t new. During the 2016 election season, we saw a major uptick in political violence by the far Left. Emboldened by a view that “we” were right and the Right was wrong, I saw KKK marchers attacked in Anaheim. Ben Shapiro was shut down due to violence at Cal State.



As mentioned above, Milo Yiannopolous was driven from Berkeley by violent thugs, and Charles Murray and professors supporting him were violently attacked at Middlebury College. Murray, who wrote “The Bell Curve,” enrages those who embrace left-wing identity politics. Despite a professor being seriously injured, there have been neither arrests nor even school discipline against the students who attacked her. The only official result of the Murray incident was an “apology” from a political science professor that would not have been out of place during the Cultural Revolution.

While all this was going on, where was the traditionally-free-speech-friendly moderate Left? The prevailing view was, “If you didn’t say offensive things, you wouldn’t be attacked.” Shame on the Left for tacitly condoning this culture of violent suppression of views it disagrees with.

And praise to Maher and Sanders for standing up against it. I question whether Coulter would do the same for them, but that is not the yardstick by which we measure our commitment to freedom of speech. Standing up for the rights of those who would not do it for us demonstrates your commitment to liberty. We don’t need a First Amendment for speech that neither challenges, nor offends. We need it as a good in itself. And, sometimes that very challenging and offensive speech fosters growth.

As an example, the most hateful speech I ever heard was at the University of Massachusetts, when they had Leonard Jeffries speak. It resembled a Nuremberg rally. He preached about how Jews were trash, and so were Arabs, and Europeans. He preached that White people were devils. And, he was surrounded by brainwashed idiots holding huge Egyptian Ankh symbols, who cheered louder the more vile the rhetoric got. Despite being detestable, the event taught me more than any lecture by someone I agreed with. Still to this day, I rely on that experience as a negative example. I am grateful I got to hear Jeffries' bigoted ideas.

Related article [Ann Coulter isn't letting Berkeley off easy for messing with her speech](#)

I am grateful that nobody tried to shut him down. Had they done so, I would like to believe that I would have done whatever I could to let the man speak. The kind of people who supported him that day would not likely do the same for Charles Murray or Milo Yiannopolous or Ann Coulter. I am certain that anyone cheering Jeffries that day would have joined in the violence in Berkeley – smug in the belief that their ideas were “right” and their opponents were “wrong,” thus justifying the violence.



When anyone tries to shut down speech with violence, all decent Americans should band together against the violence, regardless of their political “tribe.” Does Berkeley stand for freedom of expression, or is it so captivated by its infectious one-party rule that it cannot possibly stand up for expression that challenges its liberal sensibilities?

Coulter has a right to her views. Just as important, we all have a right to hear her speak.

Those who disagree have a right to oppose her, but to use violence cuts against the principles that our entire Constitution rests upon. The First Amendment stands for principles like those articulated in the case, *New York Times v. Sullivan*: “Debate on public issues ... [should be] ... uninhibited, robust, and wide open.”

You may think Coulter’s speech is offensive. I certainly do. I think she is a mental midget and an intellectual snake oil salesman. I do wish she would shut up, dry up, and blow away. But even so, I am outraged that her political discussion must go through an on-again, off-again process because either violent thugs control the streets or effete and weak university presidents and the City of Berkeley lack the spine to defend the First Amendment.

Violent trash should never stop Ann Coulter (or anyone else) from speaking. Let her ideas flow forth into the stalls in the marketplace and let the market reject (or embrace) her. My ideas can stand in opposition to hers. And a bunch of cowardly children playing revolutionary dress-up with bandanas over their faces should not be permitted to destroy freedom of expression. Despite my politics somewhat aligning with them, I consider them to be my enemy – not Ann Coulter.

In these times, when political violence is becoming the norm, it is your responsibility to stand up for freedom of expression, even expression you dislike. Stand against the violence, even when your tribe does it. Stand for freedom of expression, even when you abhor the words and ideas.

If you don't stand up for Coulter's liberty today, someone will come for yours tomorrow. And, more importantly, the Enlightenment will die a violent and pathetic death.