



Olivia Dehm

9 hrs ·

Here is some clarification on why I voted no on [Jake Goldberg's](#) "Resolution Requesting Free Speech Rights for All Members of Tufts University" at tonight's TCU Senate meeting.

This resolution called for clarification of sexual harassment policies so that "Tufts students receive the full protection of the First Amendment in regards to speech." Limits to the First Amendment have been and continue to be defined by Supreme Court decisions. Jake primarily mentioned *Virginia v. Black* (2003) and *Davis v. Monroe County Board of Education* (1999) as guidelines for how speech should be limited on our campus - these cases declared true threats, true intimidation, and true sexual or racial harassment as examples of unprotected speech. Yet, these Supreme Court decisions still do not provide specific guidelines for determining what specifically is or is not a true threat or sexual harassment. Such explicit guidelines would be cause for concern, because intent, motive and harm are all important factors to consider in determining whether speech falls under one of these unprotected categories. There is no clear cut rulebook out there to determine what constitutes harassment or intimidation. A holistic process is needed to balance our right to free speech and everyone's right to access their education free from discrimination. A certain level of vagueness is necessary within our policies, because each incident needs to be evaluated on a case to case basis.

At Tufts, I believe we have policies and processes that do not infringe upon one's right to free speech in an excessive way and that are consistent with how the First Amendment has been defined over the years. If there comes a point in which students feel that Tufts sexual harassment disciplinary policies are being systematically abused and students are being unfairly punished, I would invite these students to speak up and voice their concerns. Stand up and tell me that punishment based on loosely defined policies is a more urgent issue to address on this campus than sexual and racial harassment. Shrouding this Resolution in claims of confidentiality and a lack of evidence makes me question the motive behind it.

I believe that EVERYONE'S right to access their education on this campus is more important than abolishing the protective restrictions we have on free speech.

The Resolution did not pass the TCU Senate, with a vote of 0 in favor, 26 opposed, and 2 abstentions.

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