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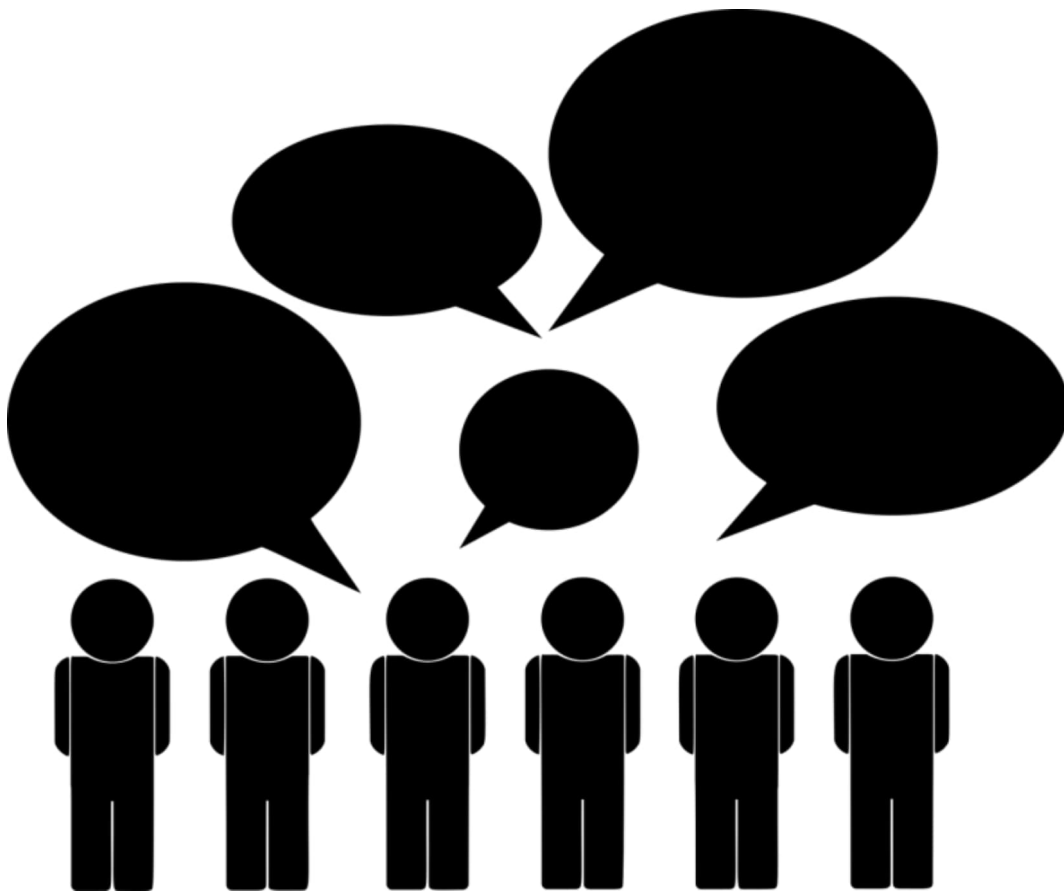
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CAMPUS

## Senate Bill 18: Two Months Later

BY DIVJOT WALIA ON FEBRUARY 3, 2020 • ( LEAVE A COMMENT )



Senate Bill 18, which passed on Sept. 1, 2019 (<https://legiscan.com/TX/bill/SB18/2019>), required Texas universities to discipline individuals who infringe on others' right to free speech on campus (<https://www.texastribune.org/2019/05/17/texas-free-speech-college-campus-legislation/>). As the student body discussed the bill and its implications, free speech mantras like “the marketplace of ideas,” “hate

speech,” and “society” were thrown around — with no understanding of the ideological underpinnings of those terms. Fast forward two months: protestors on Guad have not meaningfully disrupted day-to-day life on campus, we have not seen a resurgence of bigotry, and **student agency is just as prominent as ever** (<https://www.kvue.com/article/news/local/ut-students-stage-sit-in-protest-on-campus/269-d7a46cc7-ddb2-4e81-b41b-656040919e8d>). Yet, just two months ago, aneurysmal campus activists prophesied all these things would come to pass. Ultimately, the marketplace of ideas is the best nonpartisan approach we have to foster productive discourse, and such alarmism illustrates an unfortunate disconnect between free speech principles and the organizations that claim to uphold them.

In a September interview, a representative from the University Democrats insisted that although they were a “huge believer” in the marketplace of ideas, “the standard of free speech changes on a college campus.” They continued by reasoning that “by letting radical conservatives speak, it helps radicalism take political discourse by the hand and shape it in their own way [*sic*].” However, if we entertain the notion that the standard of free speech should change on a college campus, a college campus is not a marketplace. In a marketplace, the acceptance of ideas emerges from their competition with one another, not from the fist of a censor.

Simply allowing a group to have a platform does not equate to affording them the dominance of the campus conversation. Exposing students to incendiary ideologies (and subsequently strengthening their refutations and convictions) will not magically transform the political demographics on campus. Nonetheless, if politically motivated groups want to have a conversation about the merits of unfettered discourse, that is understandable. But it is important that we do not allow individuals or organizations to use “the marketplace of ideas” as a buzzword to sound more moderate and relatable.

Furthermore, former freshman representative Ashish Davé points out that “UT is a public school, funded by the public, **established by the Texas Constitution for the public good** (<https://www.utsystem.edu/about/history-university-texas-system>), and thus available for public discourse.” While this argument may be legally sound, concern over the presence of hate speech should not be flippantly dismissed.

To progressives on campus, the solution is clear. “Administrators should get to draw the line between hate speech and free speech,” the University Democrats representative says. But in the same breath, the University Democrats loathed “the administration” when they prohibited a partnership with a local podcast to show *Knock Down the House*, a documentary showcasing Congresswoman Alexandria Ocasio-Cortez.

To those who oppose unrestricted free speech, the administration appears biased when it opposes their activities — but justified when it draws the line between hate speech and free speech.

Who, then, gets to decide what speech is acceptable on a college campus? Maybe it's "society" — but on a college campus, the students *are* society. If it is the job of society to regulate speech, the burden of determining the realm of acceptable ideas falls on the people at large. Moral standards are relative, and no one entity can draw a line between "good" and "bad" speech. Conservative students, like Davé, assert that college administrations are overwhelmingly partial toward liberal sentiments. Progressive students insist that the administration has stood in the way of their goals. In any case, the marketplace of ideas **establishes moral standards** (<https://www.mtsu.edu/first-amendment/article/999/marketplace-of-ideas>) without inflating the authority of any one, unreliable source.

Perhaps there was a valid argument to be made (prior to the successful implementation of Senate Bill 18) that hate speech was a large enough problem to abandon the marketplace and allow some regulatory body to police speech. However, cataclysmic predictions have not come to pass, and, by any metric, the free speech experiment seems to be working.

Furthermore, the marketplace of ideas tells us that we are not helpless in the face of what we determine to be "hate speech." We have our own weapon that is just as effective: counter-speech. If that's not enough for certain groups on campus, perhaps they aren't as pro-marketplace as they claim to be.



## Published by Divjot Walia

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