

Free Speech, Personified

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Submitted to the *New York Times*; published November 26, 2017

<https://www.nytimes.com/2017/11/26/opinion/free-speech-yale-civil-rights.html>

In recent months, visitors with controversial views have found themselves disinvented from or unable to speak on American college campuses. These struggles are often portrayed as new and radical assaults on freedom of speech. But they are not new. For decades, conservatives and liberals have argued over which speakers should be allowed to address university audiences.

In 1963, the Yale Political Union, one of the oldest collegiate debate societies in the United States, invited the defiant segregationist governor of Alabama, George Wallace, to Yale. Just a few weeks before his scheduled visit, Klansmen bombed the 16th Street Baptist Church in Birmingham, Ala., killing four African-American schoolgirls and wounding 22 others.

Wallace—the personification of Southern hostility to integration—had famously stood on the portico of the Alabama State Capitol and declared in his inaugural speech, “Segregation now, segregation tomorrow, segregation forever!” Many blamed Wallace for inciting the violence.

The provost and acting president of Yale, Kingman Brewster Jr., advised the students to withdraw their invitation. Mayor Richard C. Lee said Wallace was “officially unwelcome” in New Haven.

Not everyone agreed. Pauli Murray, a lawyer and civil rights activist pursuing her doctorate of jurisprudence at the law school, wrote to Brewster, urging him to send a clear message that Wallace should be allowed to express his views at Yale.

“This controversy affects me in a dual sense, for I am both a lawyer committed to civil rights including civil liberties and a Negro who has suffered from the evils of racial segregation,” she wrote.

On the face of it, Murray was an unlikely advocate for Wallace. The granddaughter of an enslaved woman and the descendant of a prominent slaveholder in North Carolina, she had recently helped organize the historic March on Washington for Jobs and Freedom, and she was serving on President Kennedy’s Commission on the Status of Women at the behest of Eleanor Roosevelt, her friend and mentor.

Murray hated what Wallace represented. Segregation, she had written years before, was “a monster, dividing peoples, thwarting personalities, breeding civil wars.” Yet she told Brewster, “The possibility of violence is not sufficient reason in law to prevent an individual from exercising his constitutional right.” Her defense of free expression at a private institution went beyond even what the First Amendment required, and she was less sensitive than we are today about the fact that speech that could incite imminent violence is not protected. At stake, Murray believed, were the rights of all Americans to speak freely—including her fellow civil rights activists.

“This has been the principle behind the enforcement of the rights of the Little Rock Nine, James Meredith and others to attend desegregated schools in the face of a hostile community and threats of violence. It must operate equally in the case of Governor Wallace,” Murray wrote Brewster.

In linking the fate of the civil rights movement to Wallace’s speech, she reminds us that the Constitution makes for strange bedfellows. It applies to segregationists and integrationists, civil rights activists and self-proclaimed racists. All Americans can lay claim to its protections, but those, like Murray, who seek to change society and extend freedoms to the most marginalized may need it most.

By the time she arrived at Yale, Murray was an experienced activist and a disciple of nonviolent protest. Fifteen years before the Montgomery bus boycott, she and a friend refused to sit on broken seats in the Jim Crow section of a Virginia bus, landing them both in jail. As a law student at Howard University, she led some of the earliest sit-ins, successfully integrating whites-only eating establishments in Washington.

Unsurprisingly, then, Murray had every intention of protesting Wallace should his visit take place, but not his right to speak—and she would not prevent others from hearing him. “I would be among the first to picket such a meeting,” she assured Brewster. But she urged him not to “compromise the tradition of freedom of speech and academic inquiry” by barring Wallace from campus.

Brewster did not take Murray’s advice, and the invitation was withdrawn at his request. Some years later, he asked the eminent historian C. Vann Woodward to lead a committee to examine free expression at Yale. The committee endorsed many of the arguments Murray had made to Brewster—even though they never saw her letter—and its report continues to guide Yale’s policies on freedom of expression.

“The right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable,” as the Woodward Report states, is essential to fulfilling the university’s dual missions of education and research. As a scholar who spent much of her life as both student and teacher, Murray would surely have appreciated the inseparable relationship between free expression and intellectual discovery.

“I intend to destroy segregation by positive and embracing methods,” Murray wrote in the magazine *Common Ground* when she was 35 years old. “When my brothers try to draw a circle to exclude me, I shall draw a larger circle to include them. Where they speak out for the privileges of a puny group, I shall shout for the rights of all mankind.”

Pauli Murray drew that circle large enough to include even the hate-spewing governor of Alabama, a man who denied everything she stood for and threatened the principles to which she had dedicated her life.

After graduating from Yale, Murray continued her life of activism and public service. She pioneered legislation and litigation strategies used to combat discrimination against minorities and women, and she helped Betty Friedan found the National Organization for Women. At the age of 67, she became the first African-American woman ordained as an Episcopal priest.

Last month, Yale proudly dedicated a new residential college named for Pauli Murray. Murray's prescient words—and her lifetime of action—speak forcefully to us about the essential freedoms at the heart of all struggles for equality and dignity. As she taught us, our responsibility to protect freedom of expression is all the more vital if we are to overcome the hatred and division that have characterized our nation for far too long.