

Hate Speech and its relationship to the Ward Churchill Affair
Hamilton College Statement
March 3, 2005

Many sincere critics of Ward Churchill's appearance at Hamilton College have suggested that his 9/11 remarks represent "hate speech." They have asked why Churchill could not have been banned from the Hamilton campus on that basis.

To be sure, Churchill's published views could hardly have been more hateful in their characterization of the victims of 9/11. But political speech one may have a justification for hating is not the same as "hate speech."

The purpose of hate speech as a category of expression on a campus is to prevent the creation of an educational or social environment so hostile that abuse, oppression, or even raw intimidation, particularly of disfavored classes or groups, can overwhelm civil discourse and render learning and open discussion impossible. Depending on their nature, and the relationships between speaker and subject, certain types of hate speech -- such as speech and acts amounting to racial discrimination or sexual harassment in the workplace -- may actually be illegal under current state or federal law or regulations.

On other occasions some of the most vocal critics of Ward Churchill, along with other observers, have noted that "hate speech" has the potential to be misused as a tool to suppress lawful expression or to impose forms of "political correctness" that may themselves be oppressive to some viewpoints on a campus.

So it is essential to scrutinize closely any definition or application of "hate speech" to assure that it is not inappropriately or over-broadly used to censor open and robust debate of political ideas, however controversial or unpopular.

When assessed according to these criteria, Ward Churchill's remarks on 9/11 can be seen for what they are -- hateful speech, politically offensive to the vast majority, but not "hate speech."