



March 12, 2014

The Honorable Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201

Sent via U.S. Mail and Facsimile (803-734-5167)

Dear Governor Haley:

The Foundation for Individual Rights in Education (FIRE) unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, legal equality, academic freedom, due process, freedom of speech, and freedom of conscience on America's college campuses. Our website, thefire.org, will provide a greater sense of our identity and activities.

FIRE writes you today to express our grave concern over the serious threat to the First Amendment and academic freedom presented by the South Carolina House of Representatives' recent passage of a state budget that imposes funding cuts on the College of Charleston and the University of South Carolina Upstate as punishment for the content of readings assigned to incoming students. Specifically, the budget would reduce funding to the College of Charleston and the University of South Carolina Upstate by \$52.325

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society—inquiries into these problems, speculations about them, stimulation in others of reflection upon them, must be left as unfettered as possible. Political power must abstain from intrusion into this activity of freedom, pursued in the interest of wise government and the people's well-being, except for reasons that are exigent and obviously compelling.

These pages need not be burdened with proof, based on the testimony of a cloud of impressive witnesses, of the dependence of a free society on free universities. This means the exclusion of governmental intervention in the intellectual life of a university. It matters little whether such intervention occurs avowedly or through action that inevitably tends to check the ardor and fearlessness of scholars, qualities at once so fragile and so indispensable for fruitful academic labor.

Sweezy, 354 U.S. at 261–62 (Frankfurter, J., concurring).

FIRE opposes attempts by elected officials to stifle discussion at public universities by threatening their funding when they assign texts or spark conversations that the officials dislike. We hope that with your leadership, South Carolina's elected officials will recognize the tremendous benefits our society has gained from affording our institutions of higher education independence and academic freedom. That this freedom may sometimes result in consideration of ideas that politicians oppose is inevitable—but in our free society, we must answer ideas we dislike through open debate and discussion, not threats and coercion from those in power.

The politicians who support punitive actions against the College of Charleston and the University of South Carolina Upstate must understand that attempts to punish or preempt intellectual inquiry are not only unwise, but also bring more public attention to the opinions that they wish to suppress and to strengthen the resolve of those who hold those opinions. Americans famously and rightfully prize freedom of speech and academic freedom and look suspiciously upon those who, rather than engage in debate on the merits of their ideas, seek to stop that debate from happening at all.

We urge you to take decisive action to protect academic freedom in South Carolina. In order to preserve the marketplace of ideas at South Carolina's public campuses, the Legislature's attempt to punish educators because of the content of assigned readings must be rejected and removed immediately.

Thank you for your attention to this important issue.

Sincerely,



Joseph Cohn
Legislative and Policy Director