

3-15-2016

Trump Needs to Show Respect for Free Speech

Nadine Strossen

Trump Needs to Show Respect for Free Speech

[Nadine Strossen](#), a professor of constitutional law at New York Law School, was the president of the American Civil Liberties Union from 1991 through 2008.

Updated March 15, 2016, 3:22 AM

Our cherished First Amendment rights generally protect us only from government actions. Therefore, in contrast with government law enforcement officers, Donald Trump's security staffers are not required to honor First Amendment rights. Moreover, many Trump rallies are not held in government-owned venues such as public parks, which must be equally open to all speakers and messages.

Nondisruptive demonstrators convey important information to the candidate and the other rally attenders, as well as to the world.

Nonetheless, even when the First Amendment doesn't bar Trump's security personnel from ejecting peaceful, nondisruptive demonstrators from his rallies, he should direct them not to do so. As a leading candidate for the highest office in the land, he should respect the fundamental free speech principles that are essential to our democratic political system. Most private universities abide by First Amendment standards even though they are not legally required to do so, given how important free speech is to the educational process. Surely it is at least as important to the political process, particularly in choosing the "leader of the free world."

To be sure, candidates should be free to select participants in small, invitation-only events. In contrast, Trump's "huge" rallies, which have many earmarks of public events, should not exclude members of the public just because they exercise the fundamental right of peaceful protest. Demonstrators may be ejected only if they substantially hinder other audience members from hearing the speaker, for example by sustained shouting; at that point, the demonstrators themselves undermine other people's free speech rights.

Nondisruptive demonstrators convey important information to the candidate and the other rally attenders, as well as to the literally worldwide media audience. After all, the purpose of these events is to demonstrate that Trump deserves to be chief executive and commander in chief for all of us, not only those who unquestioningly pledge allegiance to him. We the people deserve a president — and presidential candidates — who pledge allegiance to fundamental free speech principles.