

EDITORIAL/OPINION

Reasonable limits are good

By Robert J. Scott

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The use of "free speech zones" or "protest zones" is not new and does not present a significant threat to free-speech rights. Protest zones have been used at political conventions and other major events, such as last year's Winter Olympics. By creating a protest zone, governments can ensure that those who wish to express their views have a place to do so while minimizing the disruptions protests may bring.

Given the violence and vandalism accompanying recent protests, there is a real, immediate threat of disorder justifying a reasonable governmental response. Most of downtown San Francisco was shut down for two days in March by demonstrators who blocked traffic, damaged businesses and held an organized "vomit-in" around the federal building. Across the bay in Oakland, protesters attempted to disrupt access to ships transporting munitions.

Such incidents remind us that the First Amendment is not a license to do and say anything, anywhere, at any time. The Constitution does not protect protesters who break windows, obstruct traffic, disrupt military supply lines or threaten the safety of other citizens.

It has long been recognized that governments can impose reasonable time, place and manner restrictions on speech. Obviously, the Secret Service should not be forced to allow protesters unlimited access to the president. College administrators should be able to make certain that protesters do not prevent other students from pursuing their studies.

Protest zones can be reasonable restrictions that allow free-speech rights to be expressed while decreasing safety concerns and preventing undue disruption.

Our democracy is based first and foremost on the rule of law. Reasonable protest zones are actually consistent with the basic idea that civil liberties may only be guaranteed and protected by an organized society maintaining public order.

In the words of Theodore Roosevelt, "Order without liberty and liberty without order are equally destructive." The lawlessness, violence and vandalism seen at recent protests are the hallmarks of anarchy, not liberty. Requiring those expressing dissent to obey the law while doing so does not constitute repression.

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