



State of Wisconsin
2005 - 2006 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY JOINT RESOLUTION 15**

February 22, 2005 – Offered by Representative SCHNEIDER.

1 **Relating to:** the speech promoted by Professor Ward L. Churchill.

2 Whereas, Professor Ward Churchill, of the University of Colorado, is scheduled
3 to make a public address at the University of Wisconsin–Whitewater about his paper
4 in which he compared the people who died in the September 11, 2001, attack on the
5 World Trade Center with bureaucrats of the Nazi regime of Germany; and

6 Whereas, the concept regarding freedom of speech is a bedrock of the
7 democratic form of governance of the United States of America; and

8 Whereas, the First Amendment to the Constitution of the United States states
9 that “Congress shall make no law respecting an establishment of religion, or
10 prohibiting the free exercise thereof; or abridging the freedom of speech, or of the
11 press; or the right of the people peaceably to assemble, and to petition the
12 Government for a redress of grievances”; and

13 Whereas, the Declaration of Rights, article 1, section 3, of the Wisconsin
14 Constitution states that “Every person may freely speak, write and publish his

1 sentiments on all subjects, being responsible for the abuse of that right, and no laws
2 shall be passed to restrain or abridge the liberty of speech or of the press”; and

3 Whereas, in 1894, when Professor Richard T. Ely of the Department of
4 Economics, University of Wisconsin–Madison, was teaching about socialism and the
5 governmental regulation of business and in so doing brought the wrath of public
6 opinion upon himself and at his hearing before the Board of Regents of the University
7 of Wisconsin, he defended himself by stating that he believes that he “teaches all
8 sides of” an issue, even socialism and the regulation of business, and Professor Ely
9 challenged his students to “think, and to explore all sides of” an issue; the Board of
10 Regents of the University of Wisconsin System stood behind Professor Ely and
11 supported his right to “pursue the limitations of the truth”; and

12 Whereas, the tradition of free and open debate in Wisconsin is cherished by all
13 Wisconsinites in the declaration of academic freedom emblazoned on Bascom Hall
14 that “whatever may be the limitations which travel inquiry elsewhere, we believe
15 that the Great State University of Wisconsin should ever encourage that continual
16 and fearless sifting and winnowing by which alone the truth may be found”; now,
17 therefore, be it

18 ***Resolved by the assembly, the senate concurring, That*** the Wisconsin
19 legislature supports the right of Professor Churchill to present his beliefs at a public
20 presentation at the University of Wisconsin–Whitewater, and, even though
21 individually members may disagree vehemently with the views and opinions of
22 Professor Churchill, the members will defend the rights of all citizens to speak freely
23 in Wisconsin universities unless they incite riot or engage in libel or slander, in the
24 traditions established in 1894 by the Board of Regents of the University of Wisconsin
25 System; and, be it further

1 ***Resolved, That*** the legislature condemns all those who would refuse to allow
2 any citizen to speak freely and openly to express his or her views on science, religion,
3 politics, philosophy, religion, or any other subject without fear of reprisal or
4 intimidation by being denied access to public institutions or being shouted down or
5 harassed in the presentation of and pursuit of the truth.

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(END)