

Palaima: Censure of Wallace Hall ignores free speech principles

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One of the hallmarks of democracy in America and elsewhere — including the original concept that begun in Athens in 507 B.C. — is what we call freedom of speech. We use the words “freedom” and “free” to refer to public expression of personal ideas as a fundamental right of our democratic system. But the Athenians and other Greeks used the word “equal” in their term “*isegoria*,” which means “equality of speech. It’s similar to the word “*isosceles*” — a triangle with two equal legs. They linked this concept to another important concept, “*isonomia*” — or “equality under the law.”

These two principles form the bedrock of democratic life. All citizens have equal rights to speak their thoughts. And the rules of society apply equally to every citizen. This second principle is summed up neatly in Bob Dylan’s “Lonesome Death of Hattie Carroll.” A judge puts on a show that “the ladder of law has no top and no bottom,” that those of high station and those of low station get equal treatment under the law. In Maryland in 1963, the kin of the deceased “poor Hattie Carroll,” a black “maid in the kitchen,” had little chance of obtaining justice from William Zantzinger — his real name — who has “rich, wealthy parents who provide and protect him” and “high office relations in the politics of Maryland.”

These concepts are now at the center of what might appear to be an internal squabble among the high and mighty, much like the back-and-forth wrangling that goes on among the Greek gods on Mount

Olympus far removed from the everyday lives of ordinary people. The University of Texas System regents took the “rare step” on Oct. 30 of “officially chastising fellow Regent Wallace Hall” and of “saying he doesn’t speak for the board” and “should stop making negative and inaccurate comments about the system and its chief, Chancellor Bill McRaven.”

I am no fan of the political views of Wallace Hall. But in this case, he has been standing up for democratic principles that we should hold sacred: freedom of speech and equality under the law. What is the action taken by the regents all about? Why is it a case of equality of speech (isegoria) and law (isonomia)? Why does it matter?

In his time as regent, Hall has filed many freedom-of-information requests of the University of Texas. These have been labeled too onerous to process. Yet, Mr. Hall uncovered misconduct serious enough for the the UT System to request and eventually get the resignation of the previous president of the University of Texas, Bill Powers.

For six years, Powers, in violation of the very regents rules and handbook of operating procedures that maintain isonomia at our public flagship university, personally overruled the admissions committee that tries to admit applicants by merit, achievement and diversity, not by privilege, moneyed influence and political clout.

When this was uncovered, the UT System hired an outside entity, Kroll Associates, to conduct an investigation. This is standard operating procedure in this kind of power game. Kroll identified 1,384 applicants over whom Powers appropriated to himself the final say and pinpointed 73 proven underqualified admits. This was spun as no problem for those who like the idea that the ladder of law has a top reserved for children of the well-connected.

When Hall filed a freedom-of-information request for more information, he was not rewarded for acting in support of the existing rule designed to maintain a fair playing field. Instead, the chancellor

and the regents changed the rule so that now the president can practice what the Kroll report itself termed “a sort of ‘affirmative action for the advantaged’.”

That is how power people have operated since well before ancient Greek times. And Hall is now censured for doing his best to keep blowing the whistle on those who would not only countenance breaking the rules, but who also have the arrogance to change the rules going forward.

If this is too hard to follow, let me boil it down: A car is caught going 35 in a 20 mph school zone. The driver says, “But I need to get the children of my wealthy buddies somewhere.” The buddies appoint outside investigators. They conclude the driver has gone 35 through this school zone at least 73 times. His buddies on the town council change the speed limit in the school zone to 35. Public safety be damned.

But Wallace Hall should not be.