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Newsroom: Logan on 'Marketplace of Ideas'

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NEWSROOM

Logan on 'Marketplace of Ideas'

Professor David Logan explains to ProJo's Ed Fitzpatrick why the "marketplace of ideas" is a classic American concept, rooted in an emphasis on individual rights.

From the Providence Journal: "[Freedom for 'opinions that we loathe'](#)" by Edward Fitzpatrick



January 24, 2015: [...] Here in the United States, we adhere (more so than most countries) to a notion that [Oliver Wendell] Holmes, a former U.S. Supreme Court justice, articulated in one of his dissents: "If there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought — not free thought for those who agree with us but freedom for the thought we hate." [...]

And in a nation that believes in the separation of church and state, we are also free to debate, criticize and satirize on matters of faith.

"If you speak against Mohamed in Pakistan, you can be put in jail because blasphemy is a crime," **said David A. Logan, a Roger Williams University School of Law professor who writes about First Amendment issues.** "If blasphemy were a crime in the United States, [comedian and TV host] Bill Maher would have been in jail a long time ago. Bill Maher wouldn't have a career in three-quarters of the world."



Logan said the marketplace of ideas is a classic American concept, rooted in the nation's emphasis on individual rights. "Let the idea get out there and see who wins and who loses," **he said**. "It's not the government's job to choose between ideas. In particular, we don't want prosecutors and judges deciding what is a good idea and what is a bad idea." [...]

Other countries would not tolerate such offensive speech. "In Germany, there is a constitutional right to human dignity, so courts have to balance that," **Logan said**. "But in this country, you can make fun of my religion, my family, my heritage, my politics, the football team I root for — all the things that may mean a lot to me — virtually without recourse." [...]