

The State of Free Speech on Campus

Once the bastion of radical free speech and civil libertarianism, left-leaning student activism has taken a decidedly illiberal turn in recent years. What caused this shift? That's what Robby Soave, associate editor at *Reason* magazine, set out to investigate in his new book *Panic Attack: Young Radicals in the Age of Trump*. Cato hosted a book forum with Soave in June to discuss his findings. The forum also featured commentary from Jane Coaston, senior politics reporter for *Vox*.

ROBBY SOAVE: The subject of my book, *Panic Attack: Young Radicals in the Age of Trump*, is the culture of activism at the moment—particularly on college campuses where a number of progressive activists, especially at elite educational institutions, have been engaged in attempts to shut down visiting speakers who they disagree with. This kind of activity also reaches professors who are very much to the left, but further-left students object to something they said in a classroom and call for investigations, or sometimes it's targeted at other student groups whose activities they don't agree with. This is a problem that I think is more pervasive at places like Harvard and Yale and liberal arts institutions. That's where the culture is dominated by a relatively small number of students on the radical fringe who believe that ideas they disagree with must be banished from being heard on campus. They believe ideas that they disagree with represent a threat to their emotional well-being, and their health, and thus these ideas should not be heard on college campuses.

This is a problem that national media started paying more attention to beginning in late 2015, when there was a very notable event at Yale. It involved a dean of one of their residential colleges, Nicholas Christakis, and his wife, Erika, who was also a professor. Erika Christakis had written an email to the students rejecting previous guidance the administration had given to students warning them not to wear offensive Halloween costumes. She had said, in

essence, "You're probably all adults, you can maybe decide for yourself what's appropriate to wear for Halloween." And a number of students rejected this attempt to not be paternalistic and surrounded Nicholas Christakis in the public square and berated him for a long time. They asserted that it was his role on campus to provide a safe space for them from discomfort, from emotional harm, and that he failed in his obligation to do that.

This doesn't just happen to far-right people but even to leftist professors. Bret Weinstein and Laura Kipnis are two notable examples of liberal academics whose students have rejected something they thought or did. And in Kipnis's case launched harassment complaints; they had her investigated under Title IX, the law that bans gender discrimination in education.

This kind of thing continues today. Just in the news in the last few weeks, there was an incident with a law professor at Harvard University, Ron Sullivan, who is well known for his expertise on criminal justice reform. He was, at one point, an adviser to then senator Obama. He has represented and helped to free many wrongfully incarcerated people. He has represented, as you do as a defense attorney, all sorts of controversial clients—accused murderers, accused terrorists, even. But then he was going to represent Harvey Weinstein, who has been credibly accused of sexual harassment and assault. So the activist students—about 50 of them—had protests, and they said that Sullivan's representing Weinstein has made

the campus unsafe for women and that this should be impermissible. Harvard investigated Sullivan and decided to fire him, not as law professor, but as faculty dean to one of the residential colleges. And he just had a great op-ed in the *New York Times*. ["Why Harvard Was Wrong to Make Me Step Down," *New York Times*, June 24, 2019.] He said he is very concerned about the emotions of students at many elite institutions being taken so seriously that they are now dictating policies and overriding values that the left used to believe very strongly in: free expression and due process.

These are areas where libertarians and progressives have historically been in close proximity. I have tremendous respect for the work, for instance, that the ACLU has done over the years to defend the rights of despicable people, to defend their free speech and due process rights. But even the ACLU now is sort of out of step with where activist culture is going. At William and Mary, just two years ago, the executive director of the Virginia ACLU was invited to speak on the First Amendment. A group of activist students associated with the local Black Lives Matter group shut her speech down; they talked over her to prevent it from happening. Eventually the organizer of the event simply gave the microphone to the leader of the student activists to let them have their event instead. They shouted that the ACLU is a white supremacist organization, that liberalism itself is white supremacy, I guess for believing that even bad people like white supremacists should have rights.

This is all so different from where the left was decades ago. Berkeley was, after all, the birthplace of the Free Speech Movement. In research for my book, I learned that in 1963, a far-left student group invited a Nazi to Berkeley to make a free-speech point, and they dressed in full Nazi regalia

to promote the event. And then this guy spoke, and no one heckled him; no one shut him down; they just laughed at him. Again, this was something the progressive students did to demonstrate they were for iron-clad freedom of speech. Can you imagine if this happened today? Campuses would be shut down; there would be national days of mourning; there would be talk about how the mental health of everyone on campus was negatively impacted by this to the point where nobody could go to classes and nobody could take their exams.

I spoke to some of these activists for the book, specifically at the University of Michigan, at an event where Charles Murray was supposed to speak, and they were planning to prevent him from speaking. I asked them, “Don’t you think this makes Charles Murray look more sympathetic? And you look very sensitive or very foolish for not letting him be allowed to speak?” But what they told me then—and what activists told me over and over again in the research for my book—was that if you let someone speak who makes people feel uneasy, whom people disagree with on campus, who makes people on campus feel uncomfortable, then you have essentially allowed violence to take place. So they are committed to not having these uncomfortable conversations with people, to not allowing non-leftists to speak on campus because the result of that will be a kind of mental trauma for people. In their view, that trauma exists on sort of the same spectrum as physical violence, which obviously the campus is obligated to prevent. Thus these tactics are not only justified but necessary to protect people’s lives and their health. I think that’s a new trend in activist culture that poses a complication for those of us that believe campuses should remain places where difficult conversations can, and must, take place. Places where a range of ideological viewpoints should be aired and discussed. Places where professors should have wide latitude to tackle difficult subjects in their classroom

without fear of a student complaining to the administrators and being investigated for saying something that the students disagree with.

There is a climate, I think, of seeking out self-victimhood on campuses because there is authority that stems from being the most marginalized or the most victimized person.



ROBBY SOAVE

“There is a climate of seeking out victimhood.”

The philosophy that enhances that way of thinking is something called intersectionality, which is of incredible importance to activists on the left nowadays. The term comes from a sociologist, who coined it in the late 1980s, to describe how different sorts of oppression work against you. If you are a woman you might suffer from sexism; if you’re a person of color, from racism; but if you are a woman of color, you have sexism and racism intertwined against you. There is nothing wrong with that theory; it makes perfect sense. But many of these activists on campus have then added all sorts of other categories. We have gender identity, gender expression, sexual orientation, abilities, disabilities status, age, size, etc., etc. Many of

these things are, indeed, sources of oppression for these people, but if you are asking everyone to be sort of worked up about all of them at the same time, and you are also saying that we want to only work—from an activist’s perspective—with others that fully agree on all of these categories, then you have narrowed down the range of people who are in good standing with you to a very small, tiny fringe. Indeed, many of the activists I spoke to for this book said that the Women’s March—you know, where hundreds of thousands of people marched on DC to object to Trump’s truly appalling history of statements about and treatment of women—the majority of the activists I spoke with hated that. They hated that whole march; it was all bad. Why? Because it was not run and organized by a coalition of the most oppressed. The people running it only checked off one or two boxes. They were not transwomen of color; they were just women running the event.

That is my criticism of this version of activist intersectionality theory. Again, not that this theory is wrong in its core premise but that this version of it can be self-defeating and amount to a kind of cannibalism for the left. That aspect of it, in addition to no longer upholding free speech and due process, is a recipe for disaster. Part of my concern is that while these values have played out primarily on college campuses, they are also permeating social media and maybe mainstream media companies as well. And moving forward, if these are the values of not just elite campuses—where you can say OK, that’s not real life anyway, that doesn’t matter—but now it’s moving to real life. Firms and organizations are going to have to reorient their policies around the demands of a small, tiny subset of politically engaged young people. You are going to have a very hard time having people who disagree or having uncomfortable discussions in the workplace, in broader society, because this is explicitly what these activists want.

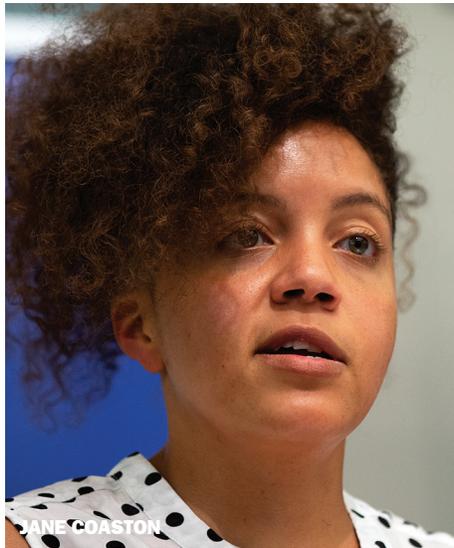
JANE COASTON: I write predominantly about conservatism, the right, and the GOP, and something that I think is particularly interesting about this beat, and I think part of the reason I am on this panel, is because we can have a riotous discussion across ideological barriers. I've been working on some pieces about how many of the biggest sources of repression of speech taking place on college campuses are not inherently coming from college students. They are coming from outside entities. They are coming from someone like, say, then Kansas secretary of state Kris Kobach who just a couple years ago was so offended at a piece of art featuring an American flag with a tiny sock on it that he demanded the flag be ceremonially destroyed. That was somebody on the right insisting something that offended him had to be removed.

I thought that was a particularly telling incident, because Kobach and a whole host of other Republicans have really championed the idea they are stalwarts of free speech and expression and the alternative is oppressive leftist orthodoxy. It turns out that everyone has a form of speech that they, themselves, find deeply offensive. Everyone.

Right now, my biggest obsession is this conversation over social media companies and whether or not they're too big and what they allow and what they don't allow. Sen. Josh Hawley (R-MO) is proposing to amend Section 230 of the Communications Decency Act so that social media companies would need to submit to the FTC—the unelected commissioners of the Federal Trade Commission—verification that the moderation policies that those companies use are “neutral.” Based on what? No one knows. But it's another case in point that the push to regulate speech is by no means an exclusive feature of the campus left. You see it everywhere on these issues, including from mainstream Republican politicians.

I think that it is really important to be clear here: though we are talking about college students, we are not talking about *all*

college students. There are millions of people in college and most of them aren't at Middlebury or Yale or Berkeley. They are attending community colleges. They are attending smaller institutions, bigger institutions. This kind of campus activism is by no means a majority activity among students today.



“People don't join the alt-right because of the left's illiberalism.”

I think the problem with the rise of a more oppressive attitude toward speech really gets to the growth of the administrative state on college campuses, like the idea that you would hire someone just to be your expert on diversity. Which, you know, I'm kind of surprised that no one has asked me—a noted expert in being diverse! But if you create all these new administrative positions, they're going to have to find something to do. A lot of that time they end up policing speech in ways that are deeply illiberal.

I think that how we talk about these issues is important too. Just as Robby said, it's not all students; it's not even most students. When I was a student at the University of Michigan, I was also working in a dining hall

washing dishes for four years. I remember my own experiences of witnessing campus activism, which like so many others I was too busy to join. At the time there was a group on campus, BAMN (By Any Means Necessary), which you reference in the book. This group was very upset about efforts to end affirmative action and so had a lot of big, showy protests to that effect. But I also saw it coming from the conservative groups like Young Americans for Freedom. While I was on campus, YAF hosted “catch an illegal immigrant day” and would do things like host “affirmative action bake sales.” It seemed as if they were—do you remember the old *Spy vs. Spy* cartoons? Occasionally you had moments where it felt like that—the reciprocal absurdity of it, where it felt like both sides were more copying than really opposing each other. The culture of campus activism has changed, both on what we think of as the left but also on what we think of as the right.

It's not necessarily that campus activists on the right and the left are doing activism wrong; they are doing activism in the way that colleges have created the atmosphere to do it. It's difficult when you are on a college campus and you are aware that outside of your college campus you have virtually no power to change minds about anything. Particularly for those on the left, who see Republicans in control of the White House and, currently the Senate, and in many states also the state government. It feels like there's a disconnect between real-world politics and what these fired-up young radicals want. At the same time, conservatives feel powerless in the face of overwhelmingly liberal faculties and student culture on campus. So all that frustrated energy gets channeled into the kind of highly performative activism we see today.

When you have no space to make actual change, you do get into this kind of activity. I think some people have called it virtue signaling, but it's really a kind of activism signaling. It's talking about white people in

a certain deliberately outlandish way, for example. Or on the right, stuff like Charlie Kirk's Turning Point USA creating a Professor Watch List, where you can report professors for being mean or "leftist." It is this idea, when you get down to it and what I hear when I talk to kids on college campuses, that this is the only way anyone is going to listen to us. The squeaky wheel gets the grease, so to speak. It's the person who is saying things like, "we should kick all white people off of this college campus" who gets listened to by national media.

And I have some critical thoughts on how national media covers college issues, because generally it is sending a bunch of reporters over here to talk to the loudest person, while ignoring the person whose story is "I'm working two jobs to pay off my college loan debt, so I can't really get involved in campus activism." That person is not getting heard from, even though there are far more of that type of person than there are of the yelling, screaming, acting-out type.

I want us to be fair to those students, and I want us to be really fair with the genuine issues they are dealing with. And I think I'd like to close with the biggest point of disagreement I have with the book—sorry Robby! There is an argument toward the end that liberal activism, or "left-leaning activism," could push people toward the open arms of the alt-right. And I think that's an argument that has been made historically, too, when it comes to the rise of fascism in the 1930s.

Robby spoke to Richard Spencer, the noted white supremacist, who spends a lot of time on college campuses for someone who was born in 1978. Normally people try to look down on that kind of thing, but he's following in a tradition. The founder of the American Nazi Party, George Lincoln Rockwell, went on a college tour in the early 1960s, and you can go look up his speeches at Michigan State University. And his entire point was saying, every effort to protest him was pushing people to-

ward him. Any effort to stop this expression of free speech is just pushing people toward the Nazis. That all he was asking for was the sharing of ideas in a civil discourse. But then, in an interview with Alex Haley, author of *Roots*, in *Playboy Magazine*, George Lincoln Rockwell was a little bit clearer. He said repeatedly, in essence, "I hate n——. I hate them. I hate n—— and the Jews. The Jews are controlling the n——." That's what George Lincoln Rockwell's message really was.

I think that it is extremely clear that people do not wind up in the alt-right because of the illiberalism of the left. That is taking away the personal responsibility of people who choose to become angry bigots. I think

we should remember that people do not join political entities because they were pushed to do so. The people who send so many Jewish journalists gas chamber images did not do so because a professor at the University of Missouri was an illiberal leftist. They did so because they decided to do so. They did so because they decided to engage in an illiberalism themselves.

There are a host of people who have received cruelty and illiberalism on social media and college campuses from the left, and they did not decide, "you know who looks good right now? That Nazi Richard Spencer and his stupid suits." I think we should give college students more credit than that. ■

Wedding Bells



VICTOR I. NAVA and KAT MURTI, Cato's senior digital outreach manager, were married on August 25, 2019, in Chennai, India. Victor and Kat met at Cato when they interned together.

Congratulations, Victor and Kat!