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Not a Vast Right-Wing Conspiracy: Why Left-Leaning Faculty Should Care About Threats to Free Expression on Campus

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“There’s No Free Speech Crisis on Campus, So Please Shut Up About It.” This is a representative headline from an emerging genre of commentaries from the left that claim “the free speech crisis is an ideological myth” perpetrated by right-wing media and organizations.¹

As scholars on the left, we are disappointed by the fact that so many self-identified social progressives are hostile to the possibility that campus free expression may be threatened. And while few of our faculty friends on the left are outright deniers, many of them are dubious or indifferent when it comes to campus free speech concerns.

Higher education’s fundamental mission of developing critical thinking skills is being compromised by threats to free expression. What’s more, these threats jeopardize the *very* scholarly topics and political projects that the left holds most dear.

There are more than 1.5 million faculty members at colleges and universities in the United States.² By any measure, left-leaning faculty members make up a majority of the professoriate. One recent study found that 60% of faculty members describe themselves as far left/liberal, 30% as moderate and 10% as far right/conservative.³

Love us or hate us, faculty on the left have a significant role in shaping the objectives, values and culture of higher education. So it seems vital to us that our faculty peers on the left—

¹ See Rich Smith, “There’s No Free Speech Crisis on Campus, So Please Shut Up About It,” *The Stranger*, March 14, 2018; and Anthony Leaker, “Against ‘Free Speech,’” *Cato Unbound*, June 13, 2018. See also Ulrich Baer, “What ‘Snowflakes’ Get Right About Free Speech,” *New York Times*, April 24, 2017; William Davies, “The free speech panic: how the right concocted a crisis,” *The Guardian*, July 26, 2018; Andrew Hartman, “People always think students are hostile to free speech. They never really are,” *Washington Post*, March 15, 2018; Mari Ueyehara, “The Free Speech Grifters,” *GQ*, March 19, 2018; and Matthew Yglesias, “Everything we think about the political correctness debate is wrong,” *Vox*, March 12, 2018.

² Race/ethnicity of College Faculty, National Center for Education Statistics, <https://nces.ed.gov/fastfacts/display.asp?id=61>.

³ Samuel J. Abrams, “There Are Conservative Professors. Just Not in These States,” *New York Times*, July 1, 2016.

from mainline Democrats to Democratic Socialists, Marxists and beyond—take more of an interest in academic freedom and campus free expression.

Why are so many left-leaning faculty so reluctant to champion free speech?

In short: Free speech has joined the “culture wars.” Embraced by many conservatives, appropriated by the alt-right, given up for dead by a vocal contingent on the far left, free speech is increasingly seen as a right-wing cause.

For some on the left, especially those with a strong social justice orientation, free speech is perceived as “nothing more than a weapon of the rich, the powerful and the privileged.”⁴ This is due in part to a string of Supreme Court cases—decided on free speech grounds—that have infuriated the left, from *Citizens United* in 2010 to *Janus* this past summer.

Beyond the courts, the left’s skepticism toward free speech has been fueled by the xenophobia and racism that animated the Trump campaign and continues to suffuse the Trump administration. Coinciding with Trump’s rise, college campuses exploded with controversies surrounding the appearance of incendiary speakers such as Richard Spencer, Ann Coulter and Milo Yiannopoulos. For many of today’s college students, then, their first real introduction to debates and discussions surrounding free speech have been tied to the question of whether Neo-Nazis, conservative trolls and right-wing flamethrowers should be allowed to speak on campus. This unfortunate fact has led some students to conclude that the right to free speech is effectively a license to offend and oppress historically marginalized groups, especially people of color.

Confronted by the aggressive, bullying rhetoric of Trump and the spectacle of right-wing trolls masquerading as free speech martyrs, increasing numbers of students—not to mention faculty and administrators—have been challenging the wisdom of the old schoolyard maxim about “sticks and stones.” From this words-that-wound perspective, speech is sometimes a form of violence—and speech that denigrates, critiques or offends the members of a particular identity group should be constrained by “hate speech” rules and regulations.⁵

Accompanying all of these developments is the booming refrain from the right that free speech is being quashed on campuses because higher education is a breeding ground for

⁴ Jeffrey Aaron Snyder, “Free Speech? Now, That’s Offensive!” *Inside Higher Ed*, September 1, 2016.

⁵ See Mari J. Matsuda, ed., *Words That Wound: Critical Race Theory, Assaultive Speech, And The First Amendment* (Boulder: Westview Press, 1993).

liberal orthodoxies. We shouldn't be terribly surprised, then, to see the left charge that "campus free-speech advocates are dupes of a vast right-wing conspiracy."⁶

In the *Washington Post*, Andrew Hartman breezily dismisses concerns about campus speaker disinvitations and shout-downs as "a few high-profile instances" where conservative speakers "have been denied the opportunity to air their views." "Outrage about threats to free speech is overblown," he concludes. In a Cato Unbound forum on free speech, Anthony Leaker declares that the "so-called free speech crisis is a self-serving myth" propagated by "racist opportunists" and reactionaries, "part of an onslaught against a range of oppressed minorities and progressive gains of the last half century." Or as Jim Sleeper puts it in an op-ed for the *New York Times*: "today's conservative 'free speech' campaign doesn't want you to know" that "free speech and open inquiry are alive and well on campus." This campaign's true purpose, according to Sleeper, is to dress down "politically correct" students and to stand up for "free markets."⁷

With debates about campus free expression, as with so many other hot button issues, we have fallen into the George W. Bush you're either *with* us or *against* us trap.

Every time President Donald Trump, Attorney General Jeff Sessions or Secretary of Education Betsy DeVos assert that "freedom of speech and thought" are "under attack" on campus, we suspect the left's skepticism only hardens.⁸ It is a kind of "guilt by association" in the realm of ideas.

Our friends on the left, of course, have good reason to be skeptical when the right cries that the "sky is falling." For years now, right-wing news organizations have aggressively embraced the following technique of persuasion: Zoom in on a handful of extreme incidents, magnify their importance and extrapolate to make wild, unfounded claims. (Left-wing media do this too, of course, but right-wing news organizations have turned it into a high art.)

Consider this Fox News segment from 2007 titled "Minnesota: America's First Somali-Muslim State?" Fox News personality John Gibson warned his viewers that immigrants from Somalia were "bringing the Muslim culture of that desert country to Minnesota's snowy woods." Gibson used three anecdotes to make his case, including a situation at Target where

⁶ "Campus free-speech advocates are dupes of a vast right-wing conspiracy," UO Matters blog, September 3, 2016, <http://uomatters.com/2016/09/campus-free-speech-advocates-are-dupes-of-a-vast-right-wing-conspiracy.html>.

⁷ Hartman, "People always think students are hostile to free speech"; Leaker, "Against 'Free Speech,'" Sleeper, "Political Correctness and Its Real Enemies."

⁸ Katie Benner, "Sessions Says Justice Dept. Has Helped Preserve Free Speech on Campuses," *New York Times*, September 17, 2018.

Somali cashiers complained about having to handle packages of bacon. “Target,” Gibson said, “has now reassigned those people so they don’t have to handle pork, which means that Target has agreed to go along with Sharia law.”⁹

This is sensationalized, spurious news reporting at its worst.

The left rightfully regards this right-wing model of persuasion as intellectually and morally bankrupt. So we have become accustomed to automatically discrediting or disregarding the doomsday messages broadcast by right-wing media.

If the right is ringing the alarm bell on free speech, then it must be a false alarm.

This conundrum reminds us of Joseph Heller’s famous line from *Catch-22*: “Just because you’re paranoid doesn’t mean they aren’t after you.”

We reject chicken-little claims about “The Death of Free Speech on College Campuses.”¹⁰ However, just because campus free expression is not on life support does not mean that it is in a robust state of health.

Today, there is clear evidence that campus free expression is threatened, whether in the form of disinvitations and shout-downs, trigger warnings, bias response teams, censorship by committees, Deans and Presidents or self-censorship. While we don’t have the space here to present the relevant evidence, we would like to underscore one crucial point:

Campus climate is almost certainly chillier than the official thermometer registers.

High-profile events and incidents that are a matter of the public record--think Milo at Berkeley and Murray at Middlebury--represent the tip-of-the-iceberg when it comes to threats to campus free expression. (As Musa Al-Gharbi points out, “the default assumption should be that the problem is likely worse than the available data suggest.”)¹¹ Beyond the startling, hand-wringing cases, we should be even more worried about the countless daily threats to free expression that go unreported, whether that’s a professor quietly dropping a “controversial” text from a course syllabus or a student staying quiet to avoid censure from her peers.

⁹ “Minnesota: America’s First Somali-Muslim State?”, *Fox News*, March 19, 2007.

¹⁰ A. Barton Hinkle, “The Death of Free Speech on College Campuses,” *Reason*, March 18, 2015.

¹¹ Musa Al-Gharbi, “Vox’s Consistent Errors on Campus Speech, Explained,” HxA blog, August 16, 2018, <https://heterodoxacademy.org/vox-consistent-errors-explained/>.

Sean Stevens and Jonathan Haidt cogently argue that campus climate is influenced not only by the views of the average college student regarding free expression but also, more significantly, by “the perception of the average college student about how easy it is to speak up, dissent or challenge dominant views on campus.”¹²

A 2017 Knight Foundation survey found that more than six out of ten college students “agree that the climate on their campus prevents some students from expressing their views because others might take offense.”¹³ This number lines up with the finding from a 2017 Foundation for Individual Rights in Education survey that nearly half of students self-censor in the classroom. (Forty-eight percent answered yes to the following prompt: “In my college classes, I have stopped myself from sharing my ideas and opinions.”)¹⁴

With respect to viewpoint diversity, students of all political stripes agree that conservative views are less socially acceptable and that conservative students are more likely to keep their ideas and opinions to themselves. On too many campuses, the fear of articulating a point-of-view that falls outside the narrow bounds of a liberal-progressive frame creates the illusion that conservative views don’t exist.

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Across college campuses, there is one value that remains eminently uncontroversial: the development of critical thinking skills as central to the mission of higher education.

We believe that threats to campus free expression are stunting our intellectual growth, diminishing the prospects we will learn how to: 1. challenge our own presuppositions and biases 2. construct evidence-based arguments by anticipating and addressing critiques and counterpoints and 3. consider and assess multiple, sometimes competing, interpretations of scientific and social phenomena as well as creative work.

The “right to hear,” as Frederick Douglass put it, is a prerequisite for intellectual growth and intellectual self-defense.

¹² Sean Stevens and Jonathan Haidt: “The Skeptics are Wrong Part I: Attitudes About Free Speech on Campus are Changing,” HxA blog, March 19, 2018, <https://heterodoxacademy.org/skeptics-are-wrong-about-campus-speech/>.

¹³ “Free Expression on Campus: What College Students Think About First Amendment Issues.” Knight Foundation, March 11, 2018, <https://knightfoundation.org/reports/free-expression-on-campus-what-college-students-think-about-first-amendment-issues>.

¹⁴ “Speaking Freely: What Students Think About Expression at America’s Colleges.” FIRE, October 2017.

Only 16 percent of college students say Americans do a good job at “seeking out and listening to differing viewpoints from their own.”¹⁵ Campus speaker disinvitations and shout-downs, unfortunately, send a strong signal that it’s acceptable to not just tune out but to silence the voices of speakers you disagree with or dislike. Over the past several years, the roster of speakers subjected to concerted disinvitation campaigns ranges from Ben Shapiro, Charles Murray and Betsy Devos to Chelsea Manning, Angela Davis and the Dalai Lama.

Without any exposure to alternative perspectives and opposing viewpoints, we are starved of the stimulation required to develop as serious thinkers, including invaluable opportunities to change our minds. The tyranny of conformity exacted by speaker disinvitations and shout-downs, not to mention a stay-in-your-lane call-out culture, makes us prisoners of our own perspectives.

“Sick of living in an echo chamber” when he was at Williams, Zachary Wood became co-president of a student-led “Uncomfortable Learning Initiative.” Wood, a self-described “black liberal Democrat from a disadvantaged background,” welcomed the opportunity to lock horns with controversial speakers like John Derbyshire and Suzanne Venker. Much to his chagrin, both of these speakers were disinvited after his peers voiced their loud disapproval. “Only with a better understanding of offensive views,” Wood insisted, would Williams students “learn how to combat them more effectively.”¹⁶

Trigger warnings are another regrettable campus phenomenon that restrict the space for “uncomfortable learning.” The original trigger warning policy of Oberlin College suggested a content advisory for Chinua Achebe’s *Things Fall Apart* as it might “trigger readers who have experienced racism, colonialism, religious persecution, violence, suicide, and more.”¹⁷ At other campuses students earmarked *The Great Gatsby*, *Mrs Dalloway*, Ovid’s *Metamorphoses*, and Shakespeare’s *Merchant of Venice* as needing trigger warnings. At Duke students refused to read the sexually explicit graphic novel *Fun Home* because “Jesus forbids his followers from exposing themselves to anything pornographic.”¹⁸

¹⁵ “Free Speech on Campus,” Knight Foundation, 2016, <https://knightfoundation.org/reports/free-speech-campus>.

¹⁶ Zachary Wood, “I ran a speaker series to expose Williams students to unpopular ideas. It was deemed ‘too offensive,’” *Washington Post*, October 27, 2015.

¹⁷ Alison Flood, “US students request ‘trigger warnings’ on literature,” *Guardian*, May 19, 2014.

¹⁸ Brian Grasso, “I’m a Duke Freshman. Here’s why I refused to read ‘Fun Home,’” *Washington Post*, August 25, 2015.

One of the biggest problems with trigger warnings is that they prescribe the way that a particular work should be interpreted. As Jay Caspian Kang explained, his professor's trigger warning that *Lolita* was about "the systemic rape of a young girl" ruined the novel for him. Kang, who had read *Lolita* several times before and seen it as a masterpiece of language play, could no longer pick up the book "without feeling the weight of his [professor's] judgement."¹⁹

In addition, trigger warnings take away the element of surprise and wonder that only art and literature can provide. As Kang put it, they "disrupt the creation of those highly pressurized, vital moments in literature that shock a reader into a higher consciousness."

Gaining an initial notoriety in English classes, trigger warnings have marauded across the humanities and social sciences, with student demands for warnings in subjects from anthropology to philosophy. And while some proponents of trigger warnings say they are intended to allow students to "delve into difficult material on [their] own terms," in practice, they increase the likelihood that students will opt-out from particular readings and class sessions.

With such a heightened awareness of the potential for course material to cause "harm," it is no surprise that self-censorship is pervasive. As Northwestern Professor Laura Kipnis attests, many of her colleagues "now routinely avoid discussing subjects in classes that might raise hackles."

Many of these dropped subjects, alas, are precisely those that liberal and left-leaning faculty have fought for years to be able to teach. For instance, Harvard Law Professor Jeannie Suk Gersen reported that some students don't want rape law taught "because of its potential to cause distress." About a dozen of her colleagues at multiple institutions are no longer including rape law in their criminal law courses because it's not worth the risk of student complaints. Before the 1980s, rape law was not even a part of the curriculum because "it wasn't considered important or suited to the rational pedagogy of law-school classrooms."²⁰ Feminists fought hard to have it included. When rape law is scrapped, not only will students simply not learn the material but we will also have fewer lawyers with the requisite expertise to represent rape victims.

For offended, distressed or irked students who would like to file complaints about alleged instances of conscious or unconscious bias, more than 230 colleges and universities across

¹⁹ Jay Caspian Kang, "Trigger Warnings and the Novelist's Mind," *New Yorker*, May 21, 2014.

²⁰ Jeannie Suk Gersen, "The Trouble with Teaching Rape Law," *New Yorker*, December 15, 2014.

the country now have Bias Response Teams. Tasked with investigating and responding to complaints about so-called “bias incidents,” they define these incidents as conduct targeted against “an individual or group based upon actual or perceived identity characteristics.”²¹ Examples include telling ethnic jokes, using language that objectifies women and making disparaging comments about someone else’s political beliefs.

“No incident is too small to report.” (A survey conducted by the Foundation for Individual Rights in Education counted over 60 different “categories of bias” total, including “height,” “weight,” “medical condition,” “veteran status” and “smoker status.”)²² These explicit instructions to students have led to some eyebrow-raising complaints, including a “phallic snow object,” a faculty member who made “inappropriate” jokes about “grading like a Nazi” and the “upsetting” demolition of a Donald Trump piñata in a student center.

Bias Response Teams run the risk of trivializing genuine instances of bias or hatred by equating, say, derogatory comments about Jews with the offhand comment “grading like a Nazi.” Instead of making us pay attention to truly troubling instances of prejudice, they cheapen the very concept of “bias” by devolving into a crude, box-ticking exercise. This all-or-nothing approach towards bias makes us blind to nuance and context in ways that privileges knee-jerk reactions over considered responses. The left is justifiably concerned with the disturbing persistence of different kinds of bias, from anti-Semitism to Islamophobia. But complaints about snow penises will only reinforce the position of many conservatives and right-wingers who deny the very existence of prejudice and discrimination.

The rush to judge that is encouraged by Bias Response Teams strikes yet another blow to nuance and complexity when applied to creative works.

These are just three examples of works of art that have been banned, removed or sequestered from college campuses in the past two years: satirical posters urging “all white Americans” to report “any and all illegal aliens” because they are “criminals” in a “white country” (put up by a student-organized Diversity Leadership Council at Gustavus Adolphus College)²³; *Untitled (Flag 2)*, an American flag, which included “an abstracted image of the US split into two parts

²¹ Jeffrey Aaron Snyder and Amna Khalid, “The Rise of ‘Bias Response Teams’ on Campus,” *New Republic*, March 30, 2016.

²² “Bias Response Team Report 2017.” FIRE.

²³ Susan Du, “Gustavus Adolphus students post racist flyers to prove a point about racism,” *City Pages*, March 22, 2017.

to symbolize the deeply divided state of the country” at the University of Kansas²⁴; and a stylized painting of Klan members for an exhibit entitled “State of the Union” at Salem State University.²⁵

Earlier this year Sehrat Tanyolacar, whose seven-foot Klansman installation covered with newspaper stories of racial violence was censored at the University of Iowa in 2014, came under fire again when he submitted his work *Death of Innocence* to an open faculty show at Polk State College, where he was an adjunct professor. In this piece Tanyolacar features dozens of graphic illustrations of Trump in “compromising positions” to represent the moral decay of the Trump administration. The repetition of Trump’s face, the artist explained, was intended to invoke all of the misleading statements from the White House, which “repeat themselves just like a copycat.” “You repeat one thing over and over and over again, you can make your subject numb, you can train them,” Tanyolacar said. Polk college authorities refused to display the work, deeming it “too controversial.” When Tanyolacar pressed them to elaborate on their rationale, he received no answer.²⁶

In certain cases artistic expression is censored even before it sees the light of day. California State University Long Beach canceled a play because its title alone was considered too incendiary. The production, N*W*C (or N*GGER, WETB*CK, CH*NK,) was written by and stars three actors of African American, Asian and Latino descent. It tackles the meaning of race in America, especially the power of taboo racial slurs. “If we’ve been called these words,” one of the show’s creators said, “then we have the right to confront them.”²⁷

The decision to cancel the play reflects a more widespread failure to distinguish between articulating an idea, concept or position and endorsing it.²⁸ The ability to draw this distinction is a foundational building block of critical thinking. What place will satire, comedy and art have in a world where we conflate simply saying something with fervently believing and preaching it?

Any censorship of art constitutes a gross attack on our creative and critical sensibilities. It assumes that art may be interpreted with ease and that there is a singular, “correct”

²⁴ Sarah Cascone, “Politicians Blasted Josephine Meckseper’s Stained American Flag as ‘Beyond Disrespectful.’ So a Kansas University Took It Down,” artnet news, July 12, 2018.

²⁵ Scott Jaschik, “Students and Art on the Klan,” *Inside Higher Ed*, December 1, 2016.

²⁶ Claire McNeill, “Polk State College deems explicit anti-Trump art “too controversial” for campus display,” *Tampa Bay Times*, February 21, 2018.

²⁷ Andrew R. Chow, “A Charged Title. A Canceled Show. Now a Cal State Official Resigns,” *New York Times*, September 13, 2016.

²⁸ See, for example, Dick Gregory, “Language, Racism and a Protest,” *Inside Higher Ed*, May 26, 2016.

interpretation of individual artworks. The left should be especially anxious when art that offers a searching examination of today's most troubling and pressing social developments, including the rise of the alt-right, draconian and inhumane border policies as well as the shameful shenanigans inside the White House, is shuttered. When Trump has his Twitter megaphone, the left should fight to make space for works of art like *N*W*C** and *The Death of Innocence* in the public sphere.

Threats to academic freedom pose a particularly acute risk to minority faculty and faculty who teach about third-rail subjects like race, gender and sexuality in the humanities and social sciences. As early as 2014, seven "faculty of color, female, and/or queer faculty" warned that they would be "disproportionate targets of student complaints" about "difficult" and "unsettling" material.²⁹ The chances that students will ask for content advisories for lessons on chromosomal mutations or differential equations are slim to none.

Consider the case of Assistant Professor Lucia Martinez Valdivia, who helped teach the iconic Humanities 110 course at Reed. In the fall of 2016, the student group Reedies Against Racism began an extended series of aggressive sit-ins to disrupt the course, which they saw as "Eurocentric", "white supremacist" and "a cruel test for students of color." Valdivia, a self-described "gay mixed-race woman," said she was "intimidated" by her own students--and that she and other instructors "including people of color, immigrants and those without tenure, found it impossible to work under these conditions." The experience, she reported, made her "scared to teach courses on race, gender, or sexuality, or even texts that bring these issues up in any way."³⁰

The left is committed to increasing faculty diversity within the academy. Minority faculty are under-represented among the ranks of tenured and tenure-track professors and over-represented among the ranks of instructors and adjuncts. Subject to summary dismissal, these latter two groups are in an especially perilous position in terms of their ability to teach controversial material and to speak their minds. Valdivia's trial-by-fire suggests that threats to academic freedom could stymie efforts to diversify the faculty talent pipeline. Why would prospective faculty of color join a profession where their authority and expertise might be undermined because the content they teach is too charged?

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²⁹ Elizabeth Freeman et al., "Trigger Warnings are Flawed," *Inside Higher Ed*, May 29, 2014.

³⁰ Lucia Martinez Valdivia, "Professors like me can't stay silent about this extremist moment on campuses," *Washington Post*, October 27, 2017; Chris Bodenner, "The Surprising Revolt at the Most Liberal College in the Country," *The Atlantic*, November 2, 2017.

In today's hyper-partisan political environment—where ideological purity is at a premium—we automatically reject the concerns of our political “opponents” as fabrications, hoaxes and myths.

Yet, threats to free expression on college campuses are most certainly real and much more pervasive than the skeptics on the left would have us believe. When free expression is constrained, curiosity is the biggest casualty.

Curiosity is arguably the most important single source behind the development of critical thinking skills. It inspires, provokes and excites, encouraging us to push the limits of our intellect. It's also a prerequisite for empathy and cultivating a sense of self that extends beyond the individual, facilitating imaginative engagement with people and perspectives foreign to our own.

As intellectual freedom declines, so too will the impetus to broaden our horizons. And that's something we should all care about—left, right or center.