

Universities can't have it both ways on free speech

MARGARET WENTE
OCTOBER 27, 2017
GLOBE AND MAIL

<https://beta.theglobeandmail.com/opinion/universities-cant-have-it-both-ways-on-free-speech/article36749219/?ref=http://www.theglobeandmail.com&>

The trouble with campus speech codes is that they backfire. That's what happened when Dalhousie University tried to discipline Masuma Khan for making rude remarks on Facebook.

Ms. Khan is the black-robed student activist who got pushback after she urged people to boycott Canada Day. "F*** you all," she responded in one post. "Be proud of this country? For what, over 400 years of genocide?" For good riddance, she signed off with the hashtag #whitefragilitycankissmyass."

Never mind for now the remarkable ingratitude Ms. Khan expresses toward the country that took her parents in, and provided her with a first-class education. No one took offence at that. On today's campuses, the sentiments she expressed are common – and, for aspiring activists, practically obligatory. No one blinked until a white, male graduate student decided to test the system. He filed a written complaint alleging that her Facebook post was "blatant discrimination" against white people.

The university should have told them both to go away and grow up. But of course it couldn't do that. Dalhousie has a detailed code of conduct that, among other things, prohibits "unwelcome" actions that might make another person feel demeaned, intimidated or harassed – even if it's just a Facebook post. The vice-provost of student affairs investigated the matter and recommended that Ms. Khan should face a disciplinary hearing and be sentenced to re-education camp.

What happened next was perfectly predictable. The very people who had insisted on rigid campus speech codes in the first place – left-wing professors, Indigenous and anti-racism activists and the like – suddenly discovered the importance of free speech. In an open letter, they vigorously condemned the administration, and demanded an environment in which "political speech can flourish." The university capitulated instantly.

These people are, of course, correct. Ms. Khan has every right to trash talk anyone she wants on her Facebook page. She should not, however, be surprised when she is trash-talked back. Nor should we expect these sudden converts to free speech to express the same zeal for protecting the free-expression rights of, say, conservative white male graduate students.

For universities, the burden of policing speech creates an impossible dilemma of their own making. The requirement to create "safe" spaces, where people have a right to feel unoffended, undemeaned and undiscomfited, is incompatible with the right to free expression in the public square – for the simple reason that free expression is bound to make people feel cheated off, threatened and unsafe. That's why it needs protection.

Ironically, universities have done much to institutionalize the idea that speech itself can be dangerous, and that certain speech should not be tolerated. This idea is now depressingly pervasive. In one recent survey of 800 U.S. university undergraduates, 81 per cent said they agreed with the statement: "Words can be a form of violence." Thirty per cent agreed that physical violence "can be justified" to prevent someone from espousing hateful views.

As intolerance spreads on campus, more and more students – and their professors – are insisting that "free speech" includes the right to shut down speech they don't like. At Columbia University, hundreds of students and professors have come to the defence of demonstrators who shouted down an address by the far-right U.K. activist Tommy Robinson last month. They insist that the demonstrators should not be disciplined by the university. By shutting down the speaker, they argue, the protesters "were providing a model of informed political engagement." As two graduate-school journalism students (!) wrote, "defining 'free speech' as a one-handed monologue full of unchallenged smears, however, is a lazy cliché."

These students simply echo the position of professors such as the University of Southern California's Charles H.F. Davis, who argues that students who shout down right-wing speakers are engaged in "resistance against white supremacy." Last week, anti-fascist protesters at a university in California even shut down a panel on – that's right – free speech.

Universities should scarcely be surprised that campus conservatives are now using policies devised by leftists to constrain speech *they* don't like. People who are happy to see the leftie vigilantes get their comeuppance shouldn't be too smug. Those surveys show that students of all stripes – left, right and centre – aren't very tolerant of speech they don't happen to like.

As universities enthusiastically embrace a mission of expanding social justice, the tensions between their role as speech nannies and as a platform for ideas and debate will only grow. I am sorry to say that no university in Canada has yet followed the lead of the University of Chicago, which explicitly advises incoming students that it does not believe in trigger warnings, safe spaces, disinviting speakers, or presumably, in policing students' Facebook posts. The administrative time and energy that could be saved by adopting such a policy would be truly awesome. And imagine what would happen if universities stopped treating students like kindergarteners: They might grow up.