
Measuring Student and Public Support for Controversial Speech on Campus

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Free speech—both popular and unpopular—is a bedrock principle of public discourse and political engagement in a liberal democracy. But how much do Americans, particularly the nation’s future leaders—those currently matriculating in America’s colleges and universities—support free speech when that speech is unpopular or controversial? In recent years, the tendency of college students—and in some cases, administrators—to restrict controversial speech on campus has become a commonplace report in the news (Myers 2018). Media stories announce free speech is under siege on college campuses (Hooper 2018; Healy 2019). The *Atlantic*, for example, published articles titled “The Coddling of the American Mind” (Lukianoff and Haidt 2015), “The New Intolerance of Student Activism” (Friedersdorf 2015), “The Glaring Evidence That Free Speech Is Threatened on Campus” (Friedersdorf 2016), and “The Princeton Faculty’s Anti-Free-Speech Demands” (Friedersdorf 2020).

Book-length treatments describe how free speech is under attack and provide various remedies (Ben-Porath 2017; Lukianoff and Haidt 2018; Whittington 2018). Reports by prominent think tanks conclude that freedom of expression is deeply

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imperiled on U.S. campuses. In fact, despite protestations to the contrary (often with statements like “we fully support the First Amendment, but . . .”), freedom of expression is clearly not, in practice, available on many campuses, including many public campuses that have First Amendment obligations (Villasenor 2017).

Even the U.S. Senate Judiciary Committee dedicated a hearing to the topic in June 2017, “The Assault on the First Amendment on College Campuses.” In his opening statement, committee chair Charles Grassley observed: “[O]n too many campuses today, free speech appears to be sacrificed at the altar of political correctness.” Testifying witnesses described restrictions on speech as “a serious threat to American liberty and democracy, as well as to excellence in education and research” (Russomanno 2018, 276).

Likely the most contested free-speech issue on campus today—and that which has garnered so much of the aforementioned attention—involves outside speakers (Healy 2019). A scheduled appearance by Milo Yiannopoulos on the University of California-Berkeley campus sparked a riot and the eventual cancellation of the event (Park and Lah 2017). When Charles Murray attempted to speak at Middlebury College on his book *Coming Apart*, protesters shouted him down, eventually forcing him and his campus host, professor Allison Stanger, to flee (Beinart 2017). Protesters found and physically attacked them. Manhattan Institute scholar Heather MacDonald had to be escorted off campus by police at Claremont McKenna College when she was scheduled to lecture on her book *The War on Cops* (McGurn 2017). When attempting to speak about the First Amendment at the College of William & Mary, Claire Guthrie Gastañaga, executive director of the ACLU in Virginia, saw her speech interrupted by protestors and eventually cancelled (Wright 2017). James B. Comey, former F.B.I. director, was shouted down by students at Howard University (Lepore 2017). Kevin McAleenan, then acting secretary of the Department of Homeland Security, was invited to speak about immigration at Georgetown Law School. Students shouted “hate is not normal” and “why are you listening to this crook” until McAleenan gave up and left the stage (Hesson 2019). In August 2020, Tulane University was set to hold a virtual event featuring Edward Ball, the award-winning author of books about the dangers of white supremacy. The day before the event, however, Tulane postponed it in response to the demands of students who labeled it “offensive and inappropriate” (Soave 2020). In its postponement announcement, the university wrote, “We understand . . . the event, as planned, has caused distress for many in our community, and we apologize” (Tulane University 2020).

In the attention that follows such incidents, a not-so-implicit message is the uniqueness of students’ willingness to silence controversial speech (Russomanno 2018). Lukianoff and Haidt (2015), for example, describe a generational divide in which young people more than older generations believe offensive speech should be censored. In their own students, Chermerinsky and Gillman (2016) describe how Millennials appear more supportive of censoring offensive statements and less amenable to being persuaded by countervailing arguments about the need to protect

hateful speech. By way of explanation, Pujol (2016) notes today's generation of students received a strong cultural formation of "protection" and "security" that started after September 11, 2001. He asserts they belong to a "culture of prevention" that overrides a belief in free speech that includes offensive speech.

Moreover, according to Chermerinsky and Gillman (2016), today's students find arguments about the value of free speech broadly defined to be abstract. They did not grow up at a time when the act of punishing speech was associated with hurting people and undermining values, and they know little about the history of free speech in the United States, particularly how it was used to help vulnerable political minorities. Consequently, today's students value the protection of others against hateful, discriminatory, or intolerant speech more than definitions of free speech that would include such negative speech. They are also more trusting of the government and other public institutions, including universities, to regulate speech to achieve that protection.

Thus, today's students appear to be a generation uniquely dedicated to transforming campuses into "safe spaces" where offensive speech is banned and political correctness is enforced. But according to Sachs (2018), "There's just one problem: This narrative is wrong." Instead, Sachs and other dissenters assert that incidents like those we have described are rare, certainly nothing approaching a crisis (Healy 2019; Sachs 2018). Even rarer, they purport, are violent protests, which tend to be exaggerated and blown out of proportion by the media (Magarian 2019).

Moreover, today's students may not be all that unique. In what he calls the "campus speech wars," Thomas Healy (2019) writes of campus protests of old—during efforts to root out communist professors, fights for racial equality and an end to the Vietnam War, and skirmishes during the rise of political correctness in the 1990s. Contemporary efforts to eliminate hateful and offensive speech and the response—labeling students as "snowflakes" dedicated to censorship and intimidation in place of intellectual inquiry and reasoned discussion—are just the current battle in a decades-long war.

Although compelling, Healy's analogy does not fit perfectly. Speech battles in the 1960s, for example, found students fighting for *more* speech, not less. In 1964, Mario Savio, a twenty-one-year-old Berkeley philosophy major, touched off the Free Speech Movement when he led a fight against a policy that prohibited political speech on campus, arguing a public university should be as open for political debate and assembly as a public square (Cohen 2015). It was only after the police arrested almost eight hundred protesters that the university acceded to the students' demands (Lepore 2017). The 2017 Berkeley riots mentioned earlier make for a sharp historical irony (Russomanno 2018).

The 1970s through to the 1990s saw what Jill Lepore (2017) calls the "flip flopping" on free speech, where those on the political left began opposing certain speech on the grounds that it is offensive, oppressive, and emotionally harmful (Pujol 2016; Russomanno 2018; Revers and Traunmüller 2019). Indeed, this may be one of the unique characteristics of today's campus speech war and the student combatants—the

demand for less speech, to avoid hurting the feelings of others (Pujol 2016), or as Healy (2019) describes it, a prohibition on speech that attacks or calls into question the basic humanity of others.

Such observations and interpretations seem to align with the events of the day, but how accurate are they? Is free speech on campuses in peril? Are today's students unique in their prioritization of "safe spaces" over the right to speak, even when the message is offensive?

In recent years, questions like these have garnered much attention in survey research. Some results have illustrated a paradox in beliefs about speech. A poll conducted by the Pew Research Center (Wike and Simmons 2015) asked respondents if they believed in the principle of free speech, to which the overwhelming majority of respondents answered yes. However, when more specific examples were given to respondents, such as instances of offensive hate speech, the percentage of people who said these forms of speech should be protected was substantially lower (Wike and Simmons 2015). The same type of paradox was apparent in a Knight Foundation (2020) report in which 78 percent of college students agreed that colleges should be able to restrict language containing slurs. At the same time, a strong majority of students also agreed the climate of their campus stifled free expression. When forced to choose, however, between free expression and protection of diversity and inclusion, a majority of students supported the latter over the former (Chokshi 2018).

Other studies have found what appears to be strong support for free speech, even when it is offensive. Another Knight Foundation (2018) report found 70 percent of students said they preferred their campus to be an "open learning environment" where they might be exposed to offensive speech, whereas only 29 percent said they preferred a "positive" environment where offensive speech is banned. And over a forty-year period, the General Social Survey (GSS) has consistently shown people aged eighteen to thirty-four are more likely to support free speech than every other age group (T. W. Smith, Son, and Schapiro 2015). The GSS also shows each generation of young people has been more tolerant of offensive speech than its predecessors.

In contrast, a number of studies have found students appear to find it acceptable to silence speakers they find offensive (Villasenor 2017). Soave (2017) reports on survey results indicating that 58 percent of students told pollsters they wanted to be part of a campus community free of "intolerant or offensive ideas," and 56 percent of students said it is sometimes appropriate for administrators to disinvite controversial speakers. Moreover, greater than half of respondents said hate speech is not protected by the First Amendment, a finding confirmed in a study the following year (Chokshi 2018). John Villasenor (2017) found 53 percent of students supported prohibiting certain speech or expression of viewpoints deemed offensive or biased against certain groups of people. Similarly, another study found 69 percent of students supported the establishment of policies to restrict slurs and other language deemed intentionally offensive to certain groups (Gallup/Knight Foundation/Newseum 2016). In stark illustration of students' distinction between intentionally offensive and

politically controversial speech, the study also found 72 percent of students rejected the idea that colleges should be able to restrict speech expressing political views that may upset members of certain groups.

Much of the related research has focused on students' views with only a subset examining whether those views are unique or shared among other age groups. The findings are inconclusive. Jacob Poushter's (2015) results, for example, indicate Gen Xers, Baby Boomers, and Silents were much less likely than Millennials to believe the government should be able to prevent speech deemed offensive to minorities. Conversely, Matthew Smith (2018) found no evidence that students in the United Kingdom were more hostile to free speech than the general population. Of course, the sample was from the United Kingdom, so results may differ from a sample from the United States.

To determine if that was so, we replicated Smith's (2018) study using a sample composed of students and members of the general public from the United States. It is important to do so because, for some observers, trends on university campuses are a clear indicator of the dire future for freedom of speech at the hands of intolerant students. Others regard such claims to be hyperbole. What unites both positions, however, is a relative lack of systematic empirical evidence to support claims that free speech is in peril or that students are uniquely intolerant.

There are at least two other reasons why a greater understanding of this topic is important (Villasenor 2017). First, intellectual debate should flourish on colleges and universities (Lukianoff and Haidt 2015), but this can only occur if viewpoint diversity proliferates and if the First Amendment is honored in practice and not just in theory. That practice is manifest in students; if a significant percentage of students believes views they find offensive should be silenced and they act on those beliefs, those views will, in fact, be silenced. Second, trends on campus often become trends in the greater society (Revers and Traunmüller 2019; Jiang 2020). Colleges and universities function as laboratories for new standards and norms of speech that eventually diffuse into the wider public (Revers and Traunmüller 2019). Students are the primary vehicle for this diffusion. Simply put, today's students are tomorrow's leaders. If today's students uniquely believe offensive speech should be silenced, it may be a harbinger of how the First Amendment is interpreted in the future.

Method

Our study was guided by three primary questions:

1. To what extent do students and the general public profess support of controversial speech on campus?
2. Is there a significant difference in professed support of controversial speech between college students and the general public?
3. Does support for controversial speech on campus differ based on how offensive respondents view the speech?

Data and Sample

Our data came from an online survey¹ of college/university students ($n = 1267$) and the general public ($n = 301$). The student subsample included those attending four-year (plus) degree-granting institutions. Data were gathered March and April 2020 by Technometrica, a national polling firm. Participants were offered an incentive of \$10. The data were collected specifically for the research described herein.

Technometrica drew the sample for the two study populations from standing panels of potential survey participants. Panels are created by soliciting participants through advertisements and promotions across various digital networks, membership referrals, social networks, online and mobile games, affiliate marketing, banner ads, offerwalls, television and radio ads, and offline recruitment with mail campaigns. Specific to this study, potential participants were recruited using the following qualifications:

- General Public: Adults aged eighteen and older. Regional quotas were used to obtain a regionally representative sample of the U.S. general population of adults.
- Students: Any student enrolled at a four-year nonprofit school, defined as any public institution or private institution (religious or nonsectarian) that operates as a 501c3. For-profit schools were not eligible for inclusion.

In the composition of the sample, students were, of course, younger than members from the general public (students' mean age = 22.7, standard deviation (SD) = 7.0; public mean age = 45.0; SD = 16.0). Students also reported being somewhat more ideologically liberal. On a ten-point scale, where 1 = very liberal and 10 = very conservative, students reported a mean of 4.7 (SD = 2.6), with the general public reporting a mean of 5.3 (SD = 2.9).

Table 1 includes sample descriptive statistics for the variables. On some characteristics, the student and general public groups were similar, such as on region and religion, but on others the groups differed noticeably. For example, a much greater percentage of the student group was female, although the percentage of female college students in the sample is a fairly close representation of the college student population (National Center for Education Statistics n.d.). Similarly, the racial/ethnic distribution among students was more diverse than the general population, but it was also a close representation of the college student population (Association of American Colleges & Universities 2019). Therefore, the distributions of students and general public differed on some of the variables, but the percentages were a truer representation of the respective populations.

1. Online surveys have become standard in the industry but are not without concern. Some researchers have compared samples and responses between telephone and online surveys and found systematic differences in the types of people who respond to online surveys and in their responses (Beck, Yan, and Wang 2009; Hollier et al. 2017). Others, however, have found online surveys can produce more reliable response estimates than telephone surveys (Braunsberger, Wybenga, and Gates 2007). This is likely due to technological changes in telephones, such as caller ID, voicemail, cell phones, and reduced use of land line phones (Kempf and Remington 2007).

Table 1
Characteristics of the Survey Groups' Means (in percentages)

	Student	General Public
Sex		
Male	35.8	50.2
Female	64.2	49.8
Religion		
Christian	55.8	66.2
Jewish	2.5	2.4
Muslim	2.6	1.4
Hindu	1.8	0.3
Other	7.1	6.8
no religion	30.1	23.0
Race/Ethnicity		
Hispanic	20.5	8.7
White	43.2	74.0
Black	19.8	12.0
Asian	12.8	3.3
other race	3.6	2.0
Region		
Northeast	20.4	18.0
Midwest	16.4	22.0
South	41.1	37.7
West	22.2	22.3

Survey

We based the survey on a poll administered in 2018 in the United Kingdom (M. Smith 2018). Our version was almost identical, with the only changes being the omission of a question about the royal family and changing “Britain” to the “United States” in question two. The survey included two modules of questions and a series of demographic items. The first module asked respondents to indicate the extent to which they believed certain types of speech should be allowed on campus. Respondents were first given a prompt:

For the following questions, please imagine that each of the following types of people had been invited to give a speech at your campus.² Do you think the speech should be allowed to go ahead or not?

2. Conceivably, survey responses might have been influenced by who extended the invitation—a student group, college administration, a faculty member, etc. By not specifying the source of the invitation, we avoided introducing such potential—and empirically unknown—biases into the prompt. Moreover, we were replicating an instrument used by Smith (2018), so we elected not to alter the instrument unless absolutely necessary (such as changing the country or removing questions about the royal family).

Then participants saw the following speech scenarios:

1. Someone who denies that the Holocaust ever took place
2. Someone who believes that terrorist attacks in the United States can be justified
3. Someone who wanted to see all illegal immigrants sent back to their countries of origin
4. Someone who believes that transgender women are not “real” women
5. Someone who believes that climate change is not caused by human actions
6. Someone who wants all religions to be banned
7. Someone who believes the Bible’s claim that God created the universe in six days to be literally true
8. Someone who claims that vaccinations cause autism

Participants responded to each using the same scale:

- Definitely should not be allowed to go ahead = 1
- Probably should not be allowed to go ahead = 2
- Probably should be allowed to go ahead = 3
- Definitely should be allowed to go ahead = 4

The next module on the survey asked respondents to indicate how offensive they found each of the speech topics above using the following scale:

- Not at all offensive = 1
- Not very offensive = 2
- Fairly offensive = 3
- Very offensive = 4

The survey’s demographic questions were used primarily as control variables and included the following:

- Age: continuous scale
- Ideology: 1= very liberal to 10 = very conservative
- Sex: male, female
- Race/ethnicity: Hispanic, White, Black, Asian, Other
- Religious identification: Christian, Jewish, Muslim, Hindu, Other religion, Nonreligious
- Region: Northeast, Midwest, South, West

Ideology represented a particularly important control variable based on prior research on student views of free speech. Some studies have found liberals are more likely to tolerate disliked speech than conservatives (McClosky and Brill-Scheuer 1983; Davis and Silver 2004; Lindner and Nosek 2009), whereas others have found the opposite (Hooper 2018). Specific to students and offensive speech, Villasenor (2017) found

Republicans and Independents were less likely than Democrats to prefer an environment in which the institution sheltered students from offensive views. Democrats more than Republicans and Independents were also more likely to support shouting down a speaker known to make offensive statements. Soave (2017) reported on poll results showing 63 percent of very liberal students agreed it is important to be part of a campus community where they were not exposed to intolerant or offensive ideas, whereas only 45 percent of very conservative students agreed with the idea.

Analysis

Data were analyzed using descriptive (frequencies, means, SD) and inferential statistics. We used OLS regression to analyze conditional differences between students and the general public for each of the survey questions. The formal model took the form:

$$Y = \beta_0 + \beta_1(\text{student}) + \beta_2(\text{offensive}) + \beta_3(\text{ideology}) + \beta_4(\text{sex}) + \beta_5(\text{race/ethnicity}) + \beta_6(\text{religion}) + \beta_7(\text{region}) + \beta_8(\text{age}) + e$$

where

Y = responses for each of the eight speech topics

Student = 0 if general public, 1 if student

Offensive, ideology, age, and sex as defined above

Race/ethnicity, religion, and region dummy coded with White, Christian, and Northeast as references respectively

Results

We begin by comparing support for speech between students and the general public. The results are generally twofold. First, college students and the general public alike express low levels of support for controversial speech on college campuses. Second, statistical testing indicates no consistent significant difference between students and the general public in their level of support for speech.

Table 2 illustrates the average responses for each question disaggregated by students and the public. Students did not believe even one of the speeches should probably, let alone definitely be allowed to go ahead. Support for speech about the Biblical view of creation approached but did not reach a level of probably being allowed.

For their part, responses by the public showed only slightly more support for controversial speech, but as with students the public did not believe any of the speeches should probably or definitely be allowed to go ahead.

Low levels of support for speech are even more pronounced when we consider only the responses of conviction—“definitely should not be allowed to go ahead” and “definitely should be allowed to go ahead.” As table 3 illustrates, only one of the

Table 2
Support for Controversial Speech on Campus, Students and the General Public

Someone who...	General Population		Student	
	Mean	sd	Mean	sd
denies that the Holocaust ever took place	1.95	1.15	1.58	0.90
believes that terrorist attacks in the United States can be justified	2.02	1.18	1.74	0.96
wants to see all illegal immigrants sent back to their countries of origin	2.44	1.14	1.91	0.99
believes that transgender women are not 'real' women	2.38	1.11	2.00	1.05
believes that climate change is not caused by human actions	2.55	1.11	2.19	1.00
wants all religions to be banned	2.07	1.18	1.72	0.97
believes the Bible's claim that God created the universe in six days to be literally true	2.80	1.08	2.58	1.00
claims that vaccinations cause autism	2.31	1.12	1.91	0.97
Mean support across all questions	2.32	0.85	1.95	0.66

Note: Participants responded using a four-point scale, where 1 = Definitely should not be allowed to go ahead, 2 = Probably should not be allowed to go ahead, 3 = Probably should be allowed to go ahead, and 4 = Definitely should be allowed to go ahead.

Table 3
Percent of Respondents with Strong Convictions

Someone who...	Definitely should not be allowed to speak		Definitely should be allowed to speak	
	public	student	public	student
denies that the Holocaust ever took place	52%	64%	16%	6%
believes that terrorist attacks in the United States can be justified	50%	54%	19%	8%
wants to see all illegal immigrants sent back to their countries of origin	29%	44%	23%	9%
believes that transgender women are not 'real' women	29%	42%	20%	13%
believes that climate change is not caused by human actions	25%	31%	24%	12%
wants all religions to be banned	47%	57%	19%	8%
believes the Bible's claim that God created the universe in six days to be literally true	18%	18%	32%	21%
claims that vaccinations cause autism	33%	44%	18%	8%

speech types was definitively supported by more than 20 percent of respondents—the Biblical view of creation. The remainder saw low double-digit percentages in agreement, and among students many of those were single-digit percentages.

Conversely, “Definitely Should Not” shows that three of the eight speech types saw more than 50 percent of respondents say the respective speeches definitely should not be allowed on campus. Another three saw between 40 percent and 50 percent of respondents agree with an absolute prohibition.

Tables 2 and 3 show some apparent differences in support between students and the general public, with the general public tending to show greater support for certain types of speech on campus. But when subjected to statistical testing with the aforementioned controls, those apparent differences almost entirely disappear.

We used OLS regression to analyze statistical differences between students and the general public after controlling for age, ideology, sex, race/ethnicity, religious identification, and region. Table 4 presents the results for each question. For conciseness we do not include all of the covariate results, but the full results are available from the authors. On only two questions are the differences significant: Holocaust denial and vaccinations causing autism. For both questions, students expressed less

Table 4
Statistical Differences in Responses between Students and the General Public

someone who...	b	se	p
denies that the Holocaust ever took place	-0.210	0.087	0.016
believes that terrorist attacks in the United States can be justified	-0.167	0.089	0.060
wants to see all illegal immigrants sent back to their countries of origin	-0.163	0.088	0.064
believes that transgender women are not ‘real’ women	-0.130	0.090	0.152
believes that climate change is not caused by human actions	-0.108	0.090	0.228
wants all religions to be banned	-0.127	0.091	0.164
believes the Bible’s claim that God created the universe in six days to be literally true	-0.088	0.089	0.326
claims that vaccinations cause autism	-0.184	0.087	0.035
average support	-0.147	0.063	0.020

Notes: b = unstandardized regression coefficient showing the difference in responses between students and the general public. Since student is coded as 1 and the general public as 0 in the data, the negative signs indicate students expressed less support. The magnitudes of the coefficients indicate the numerical differences between students and the general public on the survey scale (1 to 4). A coefficient of -.21, for example, indicates student support was .21 points less than the general public on the four-point scale, holding other variables constant. The numbers in the se column represent standard error, a measure of variance in the responses. Statistical significance is indicated in the p column. We use a standard convention of $p < .05$ to indicate statistical significance, or a difference greater than random chance or error.

support for such speech than the general public. For Holocaust denial, the coefficient of $-.21$ indicates student support was $.21$ points less than the general public on the four-point scale, holding other variables constant. Specific to vaccinations causing autism, the student support was $.18$ points less than the general public. When responses across all items were combined (“average support” in the table), results indicate students expressed significantly less support for speech overall. Student support was approximately $.15$ points less than the general public.

Although the differences between students and the general public are most often not significant, the perceived offensiveness of a topic and ideology are consistently significant predictors of support for speech, and the effects are the same across the questions:

- The more offensive people find a topic, the less likely they are to support that speech on campus.
- Those who identify as more liberal are less likely to support controversial speech.

Moreover, topic offensiveness is consistently a stronger predictor of support for speech than the student/public difference, and ideology almost always is. Topic offensiveness is always the strongest predictor of speech, followed in almost all cases by ideology (specific regression results are available from the authors).

It is, of course, possible the effects of topic offensiveness and ideology are even more pronounced in one group than another. That is, for a topic where there is no difference between students and the public, topic offensiveness may compel students to express significantly less support. We tested for this possibility by including interaction terms between offensiveness and student/public and between ideology and student/public. Results showed almost none of the interactions were significant. Similarly, findings by Zell and Bernstein (2014) about the leftward political orientation of younger adults suggest we might see differences by age, but regression results showed few and inconsistent differences by age across the topics we surveyed. One subgroup analysis did, however, show significant and consistent differences—sex. Across all the topics we asked about, females were consistently and significantly less likely to support controversial speech, which is consistent with findings by Revers and Traunmüller (2019). Yet, when we included interaction terms to examine whether females on campus differed in support from females in the general public, results showed only a few differences were significant.³

Therefore, whether someone is a student or a member of the general public does not tell us much about support for speech—other than there is low support in

3. Statistical interactions test whether the effect of a variable is moderated by another variable, otherwise known as differential effects. For example, we find females as compared to males show less support for controversial speech, but is that effect present in females on campus *and* in the general public, or is it the case that females in one group (e.g., on campus) express less support than females in the other group (e.g., the general public)? Interactions enable us to measure such differential effects.

both groups—but perceived offensiveness and ideology do. Those who find speech offensive or identify as ideologically liberal are, on average, less likely to support controversial speech on campus.

Discussion and Conclusion

In light of such results, scholars who support free expression on campus—specifically which includes offensive speech—appear to run counter to prevailing sentiment, both among students and the general public. Included among such scholars and university leaders are Erwin Chemerinsky, dean of the University of California-Berkeley School of Law, and Howard Gillman, chancellor at University of California-Irvine. In their treatise on campus speech, Chemerinsky and Gillman write, “all ideas and views should be able to be expressed on college campuses, no matter how offensive or how uncomfortable they make people feel” (2017, 19). They also argue all members of the academic community must have the freedom “to use campus grounds for the broad expression of ideas, even if those ideas are expressed in ways that run contrary to the norms of professional conduct” (76). Specific to the topic of this research, they oppose attempts to block or disinvite controversial speakers, insisting on “a spirit of tolerance” (70) and a “willingness . . . to embrace and defend the unfettered exchange of ideas” (69).

More than just an ethical or a moral norm for college campuses, offensive speech is also protected by the First Amendment, even if some feel harassed by such speech. The First Amendment right to exercise free speech is not, of course, unlimited (Healy 2019), but as Chemerinsky (2017) notes, no court would ever find a hateful message expressed by a campus speaker enough to meet the test for harassing speech such that it would be unprotected by the First Amendment. This is an important point, given the belief of some that offensive speech equates to harassment and therefore is not entitled to First Amendment protection, a belief that is not limited just to undergraduates. Chris Cuomo, formerly of CNN and a graduate of Fordham Law School, drew widespread scholarly disagreement for his assertion that “hate speech is excluded from protection” under the First Amendment (Taub 2015; Carroll 2020).

Yet, as Stephen Ceci and Wendy Williams observe, “Almost any speech act is offensive to some group: talks on abortion, gay marriage, affirmative action, sex differences in spatial ability, Black Lives Matter (BLM), the origin of the universe, immigrants, fetal stem cells, drilling in the Arctic, White privilege, and so forth, offend the moral sensibilities of some groups and can be sources of genuine stress and discomfort” (2018, 311).

Courts at all levels, including the U.S. Supreme Court, have consistently protected the right to engage in provocative speech and even offensive speech on a college campus, which is regarded as a unique marketplace for ideas (Gill 1991; Ceci and Williams 2018; LoMonte 2019). Moreover, as Justice Oliver Wendell Holmes wrote, the Constitution calls for the principle of free thought, “[N]ot free thought

for those who agree with us but freedom for the thought that we hate” (*United States v. Schwimmer*, 1929). As recently as 2017, a U.S. Supreme Court ruling characterized this as an essential First Amendment principle: “Speech may not be banned on the ground that it expresses ideas that offend” (*Matal v. Tam*, 2017).

Instead, the court has emphasized the responsibility of those offended by certain speech to ignore it, move away from it, or divert their eyes from the speaker, program, or message (*Cohen v. California*, 1971). This was the reason a lower court (*Padgett v. Auburn University*, 2017), for example, required Auburn University to reverse its cancellation of a speech by Richard Spencer, a prominent white nationalist. Auburn was also required to provide sufficient security and ensure the speech was not interrupted. The president of the University of Florida followed suit by allowing Richard Spencer to speak on that campus, despite the cost of over a half-million dollars for security arrangements (Bauer-Wolf 2017).

Of course, unlike Auburn, the University of Florida, or other public universities, private universities do not necessarily operate under the same legal obligations, and a lecture hall even in a state university is not a public forum, but there are still nonlegal principles guiding the protection of speech on campuses of all types, even speech people find offensive. In 1992, a committee of the American Association of University Professors opposed “civility” codes that threatened students with punishment for speech perceived as racist, sexist, or otherwise offensive: “Freedom of expression requires toleration of ‘ideas we hate,’ as Justice Holmes put it. The underlying principle does not change because the demand is to silence a hateful speaker, or because it comes from within the academy. Free speech is not simply an aspect of the educational enterprise to be weighed against other desirable ends. It is the very precondition of the academic enterprise itself” (American Association of University Professors 1994).

The ACLU (2020) similarly argued “[Speech] restrictions deprive students of their right to invite speech they wish to hear, debate speech with which they disagree, and protest speech they find bigoted or offensive. An open society depends on liberal education, and the whole enterprise of liberal education is founded on the principle of free speech.”

Indeed, central to the debate about free speech on campus is how one understands the purposes of higher education. In 1974, the Woodward Report defined free speech as central to the university’s mission:

The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary not only within its walls but with the world beyond as well. It follows that the university must do everything possible to ensure within it the fullest degree of intellectual freedom. The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. To curtail free expression

strikes twice at intellectual freedom, for whoever deprives another of the right to state unpopular views necessarily also deprives others of the right to listen to those views. (Woodward 1974)

More than forty years later, the same principles were affirmed in the 2015 Report of the Committee on Freedom of Expression at the University of Chicago (Stone 2015). The committee noted,

[E]ducation should not be intended to make people comfortable, it is meant to make them think. . . . It is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

“Closing off discussion of ideas” fails to prepare young adults “to thrive in a world full of words and ideas that they cannot control” (Lukianoff and Haidt 2015). Open discourse, particularly about ideas deemed uncomfortable or offensive, increases students’ critical thinking skills and their ability to form strong arguments (Shibley 2018). Moreover, a desirable consequence of education is modesty with respect to one’s opinions and openness to the views of those with whom we disagree. A free-flowing marketplace of ideas helps students—and faculty, for that matter—sift valid from invalid arguments (Ceci and Williams 2018).

To facilitate such a marketplace, some have called for affirmative action for conservative faculty (and presumably students) on campus, since the academy is typically dominated by those on the political left (Duarte et al. 2015). Our research indicates those on the right tend to be more open to controversial speech, so presumably the effect of such affirmative action would be greater openness to pluralistic speech. But why stop there? As Matt Motyl and Ravi Iyer (2015) observe, various groups are underrepresented in faculty ranks, such as people from faith communities and political libertarians. For the idea to work, conservatives and people from other backgrounds must be willing to self-disclose, but doing so may threaten their careers. Consequently, Jim Everett (2015) argues it is incumbent upon the academy to pursue structural change to support conservatives and others and reduce the costs of disclosure. Yoel Inbar and Joris Lammers (2015) provide specific ideas for what forms such efforts would take. Yet, as David Funder (2015) observes, conservative scholars are in short supply compared to those on the left, and because, as John Hibbing, Kevin Smith, and John Alford (2015) argue, conservatives tend to be suspicious of the academy and reluctant to pursue academic careers, affirmative action at a scale to create substantive change would not be quickly achieved. That means in the short run it falls to the prevailing academic population to alter course and support more diverse speech environments.

After all, pluralistic democracy requires diversity, not just diversity defined by social groups but also the free exchange of political opinions and viewpoints (Revers and Traunmüller 2019), even those we hate. As the results of this research indicate, it is an idea that too many have forgotten, if they ever considered it. It is naïve to assume the social benefits of broad free-speech protections will be inherently recognized or the relevant history will be remembered. Indeed, history has taught us there is no natural or inevitable instinct to support speech many people consider disruptive, offensive, or even hateful. If anything, the country has a longer history of suppressing unpopular speakers than protecting them (Chemerinsky and Gillman 2016).

Finally, despite belief by some that students are unique in their distorted view of free speech, our results indicate Healey's (2019) description of the idea as a "myth" may be apt. The rise in recent years of cancel culture illustrates how weak support is for viewpoint pluralism off-campus as well. According to Meredith Clark (2020), cancel culture began as withdrawing attention from those viewed as offensive, but it has devolved into a tool used to silence through public shaming, resulting in censorship and the promotion of ideological conformity (Mueller, forthcoming; Norris forthcoming). Moreover, as Yascha Mounk (2020) describes and Dave Gilbert (2020) catalogues, the effects now reach past social ostracization and include even economic loss to those terminated from employment for holding "incorrect" views. "Cancel' was at one time the act of ostracizing another, while now it can become the destruction of one's future" (Mueller forthcoming, 12).

On campus, it may be tempting to describe the phenomenon as a vocal minority of students consuming outsized attention, but those students appear to be the voice of a silent majority tacitly in agreement. After the 2017 Middlebury College incident, during which she was injured, Professor Stanger wrote of what seems to be two competing views on the purpose of universities. "One side sees the free exchange of ideas as fundamental and nonnegotiable. The other side sees inclusivity and social justice as the supreme value" (Stanger 2017). Yet, she notes, these goals are not mutually exclusive, but, in fact, intertwined: "Freedom of speech and assembly protect everyone, especially minority opinion. The struggle for equality before the law, safeguarded by the Constitution, has been a means to greater inclusivity and social justice. Yes, there is still so much to be done. But shutting down speech will not get us there."

As Stanger astutely observed, "The growth that liberal education inspires is never comfortable, and learning is a lifelong process. All of us can benefit from civil engagement with those with whom we disagree."

References

- ACLU. 2020. Speech on Campus. At <https://www.aclu.org/other/speech-campus>.
- American Association of University Professors. 1994. On Freedom of Expression and Campus Speech Codes. At <https://www.aaup.org/report/freedom-expression-and-campus-speech-codes>.

- Association of American Colleges & Universities. 2019. College Students Are More Diverse than Ever. Faculty and Administrators Are Not. Accessed May 30. At <https://www.aacu.org/aacu-news/newsletter/2019/march/facts-figures>.
- Bauer-Wolf, Jeremy. 2017. Speakers Stress University Pocketbooks. At <https://www.insidehighered.com/news/2017/10/13/colleges-searchanswer-high-spending-controversial-speakers>.
- Beck, Kenneth H., Alice F. Yan, and Min Qi Wang. 2009. A Comparison of Web-Based and Telephone Surveys for Assessing Traffic Safety Concerns, Beliefs, and Behaviors. *Journal of Safety Research* 40 (5): 377–81.
- Beinart, Peter. 2017. A Violent Attack on Free Speech at Middlebury. *Atlantic*, March. At <https://www.theatlantic.com/politics/archive/2017/03/middlebury-free-speech-violence/518667/>.
- Ben-Porath, Sigal. 2017. *Free Speech on Campus*. Philadelphia: University of Pennsylvania Press.
- Braunsberger, Karin, Hans Wybenga, and Roger Gates. 2007. A Comparison of Reliability between Telephone and Web-Based Surveys. *Journal of Business Research* 60 (7): 758–64.
- Carroll, Lauren. 2020. CNN’s Chris Cuomo: First Amendment Doesn’t Cover Hate Speech. At <https://www.politifact.com/factchecks/2015/may/07/chris-cuomo/cnns-chris-cuomo-first-amendment-doesnt-cover-hate/>.
- Ceci, Stephen J., and Wendy M. Williams. 2018. Who Decides What Is Acceptable Speech on Campus? Why Restricting Free Speech Is Not the Answer. *Perspectives on Psychological Science* 13 (3): 299–323.
- Chemerinsky, Erwin. 2017. Free Speech on Campus. *CornellCast*, November 20. At <http://www.cornell.edu/video/erwin-chemerinsky-free-speech-on-campus>.
- Chemerinsky, Erwin, and Howard Gillman. 2016. What Students Think about Free Speech. *Chronicle of Higher Education*, April 8, B4–B6.
- . 2017. *Free Speech on Campus*. New Haven, Conn.: Yale University Press.
- Chokshi, Niraj. 2018. What College Students Really Think about Free Speech. *New York Times*, March 13. At <https://www.nytimes.com/2018/03/12/us/college-students-free-speech.html>.
- Clark, Meredith D. 2020. DRAG THEM: A Brief Etymology of So-Called “Cancel Culture.” *Communication and the Public* 5, no. 3–4: 88–92.
- Cohen, Robert. 2015. Teaching about the Berkeley Free Speech Movement: Civil Disobedience and Mass Protest in the 1960s. *Social Education* 79 (5): 301–8.
- Cohen v. California*, 403 U.S. 15. (1971).
- Davis, D. W., and Brian D. Silver. 2004. Civil Liberties vs. Security: Public Opinion in the Context of the Terrorist Attacks on America. *American Journal of Political Science* 48 (1): 28–46.
- Duarte, José L., Jarret T. Crawford, Charlotta Stern, Jonathan Haidt, Lee Jussim, and Philip E. Tetlock. 2015. Political Diversity Will Improve Social Psychological Science. *Behavioral and Brain Sciences* 38: 1–13.
- Everett, Jim A. C. 2015. “Wait—You’re a Conservative?” Political Diversity and the Dilemma of Disclosure. *Behavioral and Brain Sciences* 38: 24–25.
- Friedersdorf, Conor. 2015. The New Intolerance of Student Activism. *Atlantic*, November. At <https://www.theatlantic.com/politics/archive/2015/11/the-new-intolerance-of-student-activism-at-yale/414810/>.

- . 2016. The Glaring Evidence That Free Speech Is Threatened on Campus. *Atlantic*, March. At <https://www.theatlantic.com/politics/archive/2016/03/the-glaring-evidence-that-free-speech-is-threatened-on-campus/471825/>.
- . 2020. The Princeton Faculty's Anti-Free-Speech Demands. *Atlantic*, August. At <https://www.theatlantic.com/ideas/archive/2020/08/what-princeton-professors-really-think-about-defining-racism/614911/>.
- Funder, David C. 2015. Towards a De-Biased Social Psychology: The Effects of Ideological Perspective Go Beyond Politics. *Behavioral and Brain Sciences* 38: 25–26.
- Gallup/Knight Foundation/Newseum. 2016. Free Expression on Campus: A Survey of U.S. College Students and U.S. Adults. At https://kf-site-production.s3.amazonaws.com/publications/pdfs/000/000/184/original/FreeSpeech_campus.pdf.
- Gill, Ann M. 1991. Renewed Concern for Free Speech on Campus. *ACA Bulletin* (January): 24–31.
- Gilbert, Dave. 2020. Cancel Culture: A Partial List. At <https://www.linkedin.com/pulse/cancel-culture-partial-list-dave-gilbert>.
- Healy, Thomas. 2019. Return of the Campus Speech Wars. *Michigan Law Review* 117: 1063–83.
- Hesson, Ted. 2019. McAleenan Shouted Offstage by Pro-Immigrant Protesters. *Politico*, October 7. At <https://www.politico.com/news/2019/10/07/kevin-mcaleenan-pro-immigrant-protesters-037239>.
- Hibbing, John R., Kevin B. Smith, and John R. Alford. 2015. Liberals and Conservatives: Non-Convertible Currencies. *Behavioral and Brain Sciences* 38: 27–28.
- Hollier, L. P., S. Pettigrew, T. Slevin, M. Strickland, and C. Minto. 2017. Comparing Online and Telephone Survey Results in the Context of a Skin Cancer Prevention Campaign Evaluation. *Journal of Public Health* 39 (1): 193–201.
- Hooper, Martin. 2018. Freedom of Speech on College Campuses. *Susquehanna University Political Review* 9, no. 1.
- Inbar, Yoel, and Joris Lammers. 2015. Increasing Ideological Tolerance in Social Psychology. *Behavioral and Brain Sciences* 38: 29–30.
- Jiang, John. 2020. Free Speech Slips Further on Campuses: Students Believe First Amendment Is Threatened but Support More Speech Restrictions Anyway. *States News Service*, May 13.
- Kempf, Angela M., and Patrick L. Remington. 2007. New Challenges for Telephone Survey Research in the Twenty-First Century. *Annual Review of Public Health* 28: 113–26.
- Knight Foundation. 2018. Free Expression on Campus: What College Students Think about First Amendment Issues. At https://knightfoundation.org/wp-content/uploads/2020/01/Knight_Foundation_Free_Expression_on_Campus_2017.pdf.
- . 2020. The First Amendment on Campus 2020 Report: College Students' Views of Free Expression. At <https://knightfoundation.org/wp-content/uploads/2020/05/First-Amendment-on-Campus-2020.pdf>.
- Lepore, Jill. 2017. Flip-Flopping on Free Speech. *New Yorker*, October 9.
- Lindner, Nicole M., and Brian A. Nosek. 2009. Alienable Speech: Ideological Variations in the Application of Free-Speech Principles. *Political Psychology* 30, no. 1: 67–92.

- LoMonte, Frank D. 2019. The Legislative Response to a Perceived “Free Speech Crisis” on Campus. *Communications Lawyer* 34, no. 2: 7–11.
- Lukianoff, Greg, and Jonathan Haidt. 2015. The Coddling of the American Mind. *Atlantic*, September. At <https://www.theatlantic.com/magazine/archive/2015/09/the-coddling-of-the-american-mind/399356/>.
- . 2018. *The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting Up a Generation for Failure*. London: Penguin Press.
- Magarian, Gregory P. 2019. When Audiences Object: Free Speech and Campus Speaker Protests. *University of Colorado Law Review* 90: 551–92.
- Matal v. Tam*, 137 S. Ct. 1744, 1751 (2017).
- McClosky, Herbert, and Alida Brill-Scheuer. 1983. *The Dimensions of Tolerance: What Americans Believe about Civil Liberties*. New York: Russell Sage Foundation.
- McGurn, William. 2017. The Silencing of Heather MacDonald. *Wall Street Journal*, April 11. At <https://www.wsj.com/articles/the-silencing-of-heather-mac-donald-1491866320>.
- Motyl, Matt, and Ravi Iyer. 2015. Diverse Crowds Using Diverse Methods Improves the Scientific Dialectic. *Behavioral and Brain Sciences* 38: 33–34.
- Mounk, Yascha. 2020. Stop Firing the Innocent. *Atlantic*, June. At <https://www.theatlantic.com/ideas/archive/2020/06/stop-firing-innocent/613615/>.
- Mueller, Thomas S. Forthcoming. Blame, Then Shame? Psychological Predictors in Cancel Culture Behavior. *Social Science Journal*.
- Myers, Nick. 2018. Campus Speech Should Be Free Speech. At <https://sites.psu.edu/njm5611/2018/03/15/campus-speech-should-be-free-speech/>.
- National Center for Education Statistics. n.d. Enrollment. U.S. Department of Education. Accessed May 30. At <https://nces.ed.gov/fastfacts/display.asp?id=98>.
- Norris, Pippa. Forthcoming. Cancel Culture: Myth or Reality? *Political Studies*.
- Padgett v. Auburn University*, Case No. 3:17 CV-231-WKW-WC at *4 (M.D. Ala. 2017).
- Park, Madison, and Kyung Lah. 2017. Berkeley Protests of Yiannopoulos Caused \$100,000 in Damage. CNN. At <https://www.cnn.com/2017/02/01/us/milo-yiannopoulos-berkeley/index.html>.
- Poushter, Jacob. 2015. 40% of Millennials OK with limiting speech offensive to minorities. At <https://www.pewresearch.org/fact-tank/2015/11/20/40-of-millennials-ok-with-limiting-speech-offensive-to-minorities/>.
- Pujol, Jordi. 2016. The United States Safe Space Campus Controversy and the Paradox of Freedom of Speech. *Church, Communication, and Culture* 1, no. 1: 240–54.
- Revers, Matthias, and Richard Traunmüller. 2019. Is Free Speech in Danger on University Campus? Evidence from a Most Likely Case. At <https://osf.io/preprints/socarxiv/b537k/download>.
- Russomanno, Joseph. 2018. Speech on Campus: How America’s Crisis in Confidence Is Eroding Free Speech Values. *Hastings Constitutional Law Quarterly* 45: 273–300.
- Sachs, Jeffrey Adam. 2018. The “Campus Free Speech Crisis” Is a Myth. Here Are the Facts. At <https://www.washingtonpost.com/news/monkey-cage/wp/2018/03/16/the-campus-free-speech-crisis-is-a-myth-here-are-the-facts/>.

- Shibley, Robert. 2018. Current Threats to Free Speech on Campus. *First Amendment Law Review* 14, no. 2: 239–66.
- Smith, Matthew. 2018. Are Students Really More Hostile to Free Speech? At <https://yougov.co.uk/topics/politics/articles-reports/2018/06/27/are-students-really-more-hostile-free-speech>.
- Smith, Tom W., Jaesok Son, and Benjamin Schapiro. 2015. *Trends in Public Attitudes about Civil Liberties, 1972–2014*. Chicago: National Opinion Research Center.
- Soave, Robby. 2017. Survey: 58% of Students Want a Campus Where They Are Not Exposed to “Intolerant or Offensive Ideas.” At <https://reason.com/2017/10/11/survey-58-of-students-want-a-campus-wher/>.
- . 2020. Tulane Canceled a Talk by the Author of an Acclaimed Anti-Racism Book after Students Said the Event Was “Violent.” At <https://reason.com/2020/08/06/tulane-cancels-life-of-a-klansman-edward-ball-students-racist/>.
- Stanger, Allison. 2017. Middlebury, My Divided Campus. *New York Times*, April 3, ED22.
- Stone, Geoffrey R. 2015. Free Speech on Campus: A Report from the University Faculty Committee. At <https://www.law.uchicago.edu/news/free-speech-campus-report-university-faculty-committee>.
- Taub, Amanda. 2015. No, Chris Cuomo, the Constitution Doesn’t Let the Government Ban Hate Speech, May 6. At <https://www.vox.com/2015/5/6/8561707/chaplinsky-free-speech>.
- Tulane University. 2020. Postponed: Life of a Klansman: A Family History in White Supremacy. At <https://events.tulane.edu/content/postponed-life-klansman-family-history-white-supremacy>.
- United States v. Schwimmer*, 279 U.S. 644, 655 (1929) (Holmes, J., dissenting).
- Villasenor, John. 2017. Views among College Students regarding the First Amendment: Results from a New Survey. Brookings Institution. At <https://www.brookings.edu/blog/fixgov/2017/09/18/views-among-college-students-regarding-the-first-amendment-results-from-a-new-survey/>.
- Whittington, Keith. 2018. *Speak Freely: Why Universities Must Defend Free Speech*. Princeton, N.J.: Princeton University Press.
- Wike, Richard, and Katie Simmons. 2015. Global Support for Principle of Free Expression, but Opposition to Some Forms of Speech. Pew Research Center. At <https://www.pewresearch.org/global/2015/11/18/global-support-for-principle-of-free-expression-but-opposition-to-some-forms-of-speech/>.
- Woodward, C. Vann. 1974. Report of the Committee on Freedom of Expression at Yale. At <https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale>.
- Wright, Wesley. 2017. William and Mary Students Protest ACLU Speaker, White Supremacy. *Virginia Gazette*, October 6. At <https://www.dailypress.com/virginiagazette/news/va-vg-aclu-protest-1007-story.html>.
- Zell, Ethan, and Michael J. Bernstein. 2014. You May Think You’re Right...Young Adults Are More Liberal Than They Realize. *Social Psychological and Personality Science* 5, no. 3: 326–33.

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