Dynamics of Free Speech on Modern College Campuses

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Introduction

In March 2017, Charles Murray--a highly controversial author and academic--visited Vermont's Middlebury College. His visit was met with students protests; the protesters shouted Murray down, and, ultimately became violent, attacking Murray and injuring a Middlebury professor. The administration doled out discipline to 67 students.[1] Some felt the Middlebury Administration lost control of the situation, and their efforts to reign in the chaos amounted to little more than a semi-random disciplinary response that fell short of imparting societal values on students in need of such a lesson. A Middlebury political science professor, critical of the college's response stated: "[this] was an institutional failure...Students do not understand the value of free speech" (Saul 2017). After the penalties were handed down, Charles Murray criticized the leniency of the sanctions saying, "They will not deter anyone. They're a statement to students that if you shut down a lecture, nothing will happen to you."

Freedom of speech rights are a contemporary issue and source of anxiety on many college campuses. Recognizing tensions over freedom of speech as an opportunity for project-based learning, the College of Social Sciences and Humanities at Rowan University developed a Case Study Competition. Student volunteers were put in teams and presented with a hypothetical scenario. Acting as a student advisory board at the fictional Garden State University (GSU) in New Jersey, participants were tasked with 1) deciding whether to maintain or cancel a controversial speaker's invitation to campus, and 2) developing a standing policy for hosting controversial speakers to avoid what happened at Middlebury.

As student participants, this case allowed us to study free speech in an innovative way, and impressed on us the efficacy of discourse and the problems stemming from polarization. When people become entrenched in their beliefs and close themselves off to other views, space for productive conversation disappears. Despite the historical complexity of free speech issues on campus, each group in the competition, surprisingly, reached similar solutions. This outcome demonstrates how collaborative conversation can lead to compromise on even the toughest of issues.

Understanding Free Speech Through a Case Study

First Amendment rights have become a contentious issue, where emotions overtake logic and reason, across the United States. The discourse surrounding freedom of speech has sparked dangerous protests and much chaos on college campuses such as Middlebury College, the University of Missouri, and UC Berkeley (Wells 2018). Rowan University's administration developed a case study competition centered on free speech issues, believing it would be a valuable educational exercise for students (Assistant Dean Stephen Fleming, personal communication, April 19, 2018).

Case studies, among other things, help students better understand abstract concepts and arguments that cannot necessarily be conclusively proven (Ellet et al. 2016). In this case, students applied abstract theoretical concepts from their majors. By presenting a hypothetical situation to students, the Rowan administration was able to view and analyze the students' perceptions on the topic of free speech. The case study forced students to work towards the same goal by allowing team members time to discuss their differing opinions and reach a solution to the proposed problem. The administration intended to create a collaborative environment, allowing each student to learn from

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[1] The administration was unable to identify all students involved, and the 67 disciplined were only part of the overall protest.

the others and expand their worldview in the process (Assistant Dean Stephen Fleming, personal communication, April 19, 2018). By exchanging ideologies, participants with diverse backgrounds found a common solution to the hypothetical situation proposed in the case. A key takeaway from the competition was the value of interdisciplinary learning (Ellet et al. 2016). The mixing of different ideas helped synthesize individual major perspectives into well-rounded solutions.

The Case

Garden State University (GSU), an imagined New Jersey campus serving a majority minority student body, is slated to have a controversial speaker, Chris Skywalker, appear on campus.[2] Skywalker has been known to support far right ideological groups. Furthermore, Skywalker's discriminatory and bigoted beliefs run counter to the majority of the student population at GSU. Students reacted violently to the news of Skywalker's appearance, protesting and damaging university property. In addition to backlash from students, parents, and sponsors over Skywalker's proposed visit, GSU faced reciprocal pressure to bring the speaker to campus from members of its board of trustees.

Developing a Solution to the Problem

Participants in Rowan University's College of Humanities and Social Sciences Case Study Competition were charged with the task of resolving the free speech conflict depicted above. As participants, we drew on our understanding of theory from our respective academic majors to develop an approach to resolving both this specific issue and future free speech problems that might arise on the GSU campus.

Identifying Tensions

We began our analysis of the problem by acknowledging the dilemmas faced by GSU administrators. Should they acquiesce to the emotions of the majority of the students and cancel Skywalker's appearance? Should they stick to their word and let Skywalker's speech happen as planned? Our scenario is set only a few days before

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[2] Skywalker was modeled after real-life far right icon, Milo Yiannopoulos.

Skywalker is supposed to come to GSU. What if Skywalker comes as planned, and students react aggressively, as Middlebury students did? GSU seems to be in a lose-lose situation. If they backtrack on Skywalker, some would say they suppress free speech. Yet, if they allow Skywalker they will offend a large portion of the student body. Those students could decide that they do not want to attend GSU in the future.

Freedom of speech is one of the bedrocks of the American identity, but in this scenario, it is also a source of anxiety for the entire GSU campus. University officials across the country are confronted with similar issues. In what follows we present individual applications of our majors before explaining our overarching solution to this problem, which we believe can serve as a model for institutions and organizations managing opposing interests around complex, sensitive issues.

Balancing Wants and Needs With Reality: An Economic Perspective

How do supply and demand relate to free speech? Two core theories within economics-- classical economics and Keynesian economics-- offer insight. Proponents of classical economics believe in a free market, where there is little to no regulation and the market is free of artificial controls. Classical economists believe when a government steps in to aid a struggling economy, it leads to inefficiencies and a dependency on the government to always solve these problems, which then undermines the benefits of the free market (McConnell, Brue, and Flynn 2014). A free market should be able to go through ebbs and flows, and naturally correct course (McConnell, Brue, and Flynn 2014). Once a market receives some kind of artificial aid, it can become dependent on these controls. (McConnell, Brue, and Flynn 2014)

Keynesian economics challenges the classical way of thought. While Keynesian economists still predominantly rely on a private sector economy, they realize that demand will not always be equal to productive capacity, leading to inefficient outcomes (McConnell, Brue, and Flynn 2014). A Keynesian economist would support policy change and government action in times of recession or depression. This school of thought argues there are times regulation and institutional aid will benefit an economy (McConnell, Brue, and

Flynn 2014). A market is always going to be volatile, and sometimes demand will not align with supply, which can lead to issues such as recession. When supply and demand are mismatched, regulation becomes key to dealing with this inefficiency. This can come in various forms of policy, such as government spending or manipulating interests rates to control inflation (McConnell, Brue, and Flynn 2014).

I viewed the issue of free speech and how to regulate it at GSU, similar to how a government would regulate an inefficient/struggling economy. I began to see this situation as one where GSU administration could effectively function as a government aiding its struggling economy. The student body and community of GSU represents the free market. In this scenario, I saw that administrative aid would be needed to improve the situation. The dangers presented by this situation, such as rioting, and student anxiety, call for a response from those in a position to create change.

I chose these theories as the basis for my argument for the case because it felt like the most applicable theory. Economics is heavily concerned with the ways people think and behave. Why do they make the decisions they do? These decisions can be reactions to the environment around them. If a speaker has ideas that are hateful to your essence as a person, you would probably want to protest or ban that speaker. That said, the speaker has an integral right to free speech. So how do you accommodate these conflicting viewpoints? By drawing parallels of the administration to a government and the school community as the economy, in a space with no regulation where it is now, this is an issue that can be aided with Keynesian economic theory.

In my view, the GSU administration needs to become involved. The people, left to their own devices, would have only led the situation to devolve further, into something like Middlebury, where people could get injured or the perception of GSU students becomes one of combative, malcontents, scared to expand their world view. The prestige/reputation of the school could suffer, where people decide they do not want to attend such a university. GSU should put systems into place to best aid their community to deal with this situation, and to set a precedent to deal with further incidents that may arise in the future. This is the right course

to set. While proponents of classical economics argue that this kind of administrative/government intervention would hurt the free market long term, Keynesian economists argue that when it is needed, a government (in this case the administration) needs to step in and regulate the economy (in this case the GSU campus community), to prevent it from falling apart. This way, the GSU community will not be dependent on the administration always taking future actions. Instead, there would be new and permanent systems put in place to moderate any future conflicts.

Finding a Light in Literature: Applying an English Major Perspective to Free Speech

In 1885 Mark Twain's progressive piece, Huckleberry Finn, was banned only months after being printed (Lombardi 2017). By banning the book, American society discredited Twain's attempt at defending and humanizing African slaves in America. As students we can empathize with of our fellow classmates' feelings of discomfort regarding Skywalker's visit. In order to find a solution that benefits the community as a whole, it is essential that the administration works with its students. As an English major, I would be concerned with this specific limitation of speech influencing the limitation of literature. Historically literature has been deployed to motivate political and social reform by criticising or glorifying some aspect of a society. For instance, Malvina Reynolds poem "It Isn't Nice" was recited by students at Berkeley in 1964 while protesting the limitation of speech on their campus (Slater 2016).

Today, students still express the same dissatisfaction with their university's policies regarding the limitation of speech. If we allowed for the limitation of free speech at GSU we would be encouraging the same regressive attitude that delayed the views of writers such as the brilliant Mark Twain. Literature aided in providing the insight of past writers in similar situations and their reactions and perceptions of free speech. The ultimate goal of our solution was to transform Skywalker's visit into an event that would neither obstruct free speech nor silence the voices of students, as writers' voices and ideas of reformation were silenced by banned books.

A Collaborative Solution through the Logic of Collective Action: An Approach Rooted in Political Science Theory

The problem presented to us depicted a university facing a free speech conflict; the two parties' expression of ideas failed to coexist, leading to protests and threats of censorship. Realistically, people will always want to exercise their free speech rights. Situating this problem in the collective action framework offers an opportunity for a utilitarian resolution.

In his work, *The Logic of Collective Action: Public Goods and the Theory of Groups,* Mancur Olson, Jr. (1965) claims it's essential for individuals within a group to cooperate and compromise to reach an optimal outcome. He argues, however, that cohesive collaboration often requires an incentive beyond the promise of such an outcome (Olson 1965). The incentive ensures everyone contributes to the collective effort and prevents freeriding.

The Theory of Collective Action is at the foundation of how government operates. In order for a government to function, representatives acting on behalf of constituents with diverse interest, must cooperate and compromise to benefit the whole society. Collective Action Theory addresses the problem of diverse ideas working against each other through rules and a general governing structure, or government. A government can induce or coerce behavior, countering self-interest to produce utilitarian outcomes.

Viewing the case study through Olson's theory, it became clear that the root of the problem stemmed from two self-interested groups and a lack of compromise. By using Collective Action Theory as a policy tool, we can bridge the gap between the student groups and the administration. Specifically, enacting measurements that incorporate the voices of all parties and providing a governing structure to combat the self interest of everyone involved by maximizing the benefits of compromise. In the end, as Olson suggests, rules and incentives provide improved representation, increased safety, and more satisfaction for the largest possible group.

Applying the Process of Diplomacy: Another Political Science Application

Political scientists strive to understand, compare, and contrast all sides of an issue to create a compromise that will maximize positive outcomes for everyone involved (Collier 1993). Although Political Scientists may have their own views on certain topics, when reflecting on the views of others, they recognize, appreciate, and listen to them in order to come to understanding of the other person's point of view. Doing so usually creates a sense of partnership and accomplishment for the parties involved. Our case study competition group was presented with the task of finding a solution to the issue of the controversial speaker "Mr. Skywalker" coming to GSU. When creating our solution, we looked at both sides of this argument. On one side, most of the students would rather Mr. Skywalker not step foot on their campus because they do not agree with his controversial views and some students even felt as though their safety would be affected if he attended. The students also may protest if he speaks at their school. Not allowing the speaker to come to GSU would prevent this and make most GSU students happy. On the other hand, not allowing the speaker to come infringes on his right to free speech and will affect the students that actually want to listen to the speaker. The other issue is that the speaker also threatened to do his own protests if he was not allowed to attend the school and give the speech. My case study group and I found this very difficult at first. We all had our own ideas of what to do and no one was ever silent while expressing them. We sat down, listened to one another, gathered our own research on the topic, partnered together, and came up with a feasible solution that all members were happy with. All present members of our group sat together and not only listened to one another's perspectives, but also constructed an understanding of both sides of the problem. We then came together and created a solution: add another speaker.

Our Collaborative Solution

The solution we proposed to university officials addressed both the current conflict over Skywalker's pending appearance, and the possibility that future free speech issues would arise at GSU. We formed a solution in light of our consensus that the freedom of speech of all

members of the GSU campus must be respected and protected. To that end, the first prong of our two part proposal addresses Skywalker's visit. Rather than just having Skywalker speak on campus, we proposed inviting an additional speaker, decided amongst students, to balance Skywalker's perspective and create a healthy debate. Although the proposal refrained from identifying a second speaker, we welcomed the possibility of students advocating for a prominent voice, whether it be a student or professor, in their academic community to speak at the event. To further increased student participation in the democratic process, we proposed a Q&A session to conclude the event and allow for students be a part of the conversation of politics and ideas. This creates a healthy democracy within the campus community. Shifting the event's focus from a single speaker to a regulated debate helps ease tensions between the student body, the university officials, and the speaker(s) while keeping the event educational.

The second element of our solution develops bureaucratic and democratic processes that prevent future free speech conflicts. We propose delegating the responsibility of event planning from the administration to student organizations. In order to host future events on campus, including protests, students and organizations must submit an event planning form. The form requires students to describe event details, proposed location(s) and an anticipated budget (See Appendix A). Students can also use the form to request funding for the event, if necessary. The form ensures that campus safety is maintained and that campus remains a place where freedom of speech can flourish. The bureaucratic and democratic processes established have the capability to restore GSU's reputation and set a prestigious standard of student representation by embedding democratic values into the college experience.

Conclusion

Free speech rights are a pertinent contemporary issue, presenting a source of anxiety for many, stemming from issues of censorship and what can be considered fair or offensive to subjects of free speech. Rowan University's College of Humanities and Social Sciences used a case study competition centered on a free speech issue to provide students an opportunity to learn about free speech through a dynamic, project-based approach.

As participants in the competition, we developed a solution that not only provides GSU with a resolution to their immediate dilemma surrounding Skywalker's scheduled visit, but also provides a framework for addressing future issues that may arise. English theories motivated us to act to protect free speech, while an understanding of political science provided the tools for a productive dialogue and a standard (that of the utilitarian outcome) by which to measure potential solutions. Economics provided a perspective to aid efficiency and efficacy to create a solution, while trying to understand the motivations of all affected parties. We cannot conclusively prove our solution was the best, but with difficult subjects such as this one, there must be a starting point. With such a polarizing topic, it can be complicated to affect progress because people lapse into "us vs them" mentalities, ceasing to understand the opposing side and rendering solutions unattainable. We believe that through our collaboration and application of our majors and studies to the project, we achieved a solution that considers the students' and the University's best interests.

So why do a case study? Collaborative conversation helps foster new ideas about difficult issues. Each group participating in the competition ultimately believed the University should bring the controversial speaker to campus, albeit they incorporated various degrees of safeguarding and ideological counterbalancing. The fact that autonomous groups reached relatively uniform conclusions about a controversial issue that continually plagues college campuses and society speaks volumes to the process promoted by the competition. The details of our solution relied heavily on the administration to regulate and facilitate future controversial situations. To be fair, we do not know how this would play out in real life amidst both the idiosyncrasies of an institutional bureaucracy and the emotions of a controversial issue. Nonetheless, thoroughly discussing issues and collaboratively examining them from diverse perspectives maximizes the possibility of attaining these kinds of universally beneficial outcomes. As students, we sought to achieve a fair and balanced, education-centered resolution to this issue. To educators looking for an effective method to incorporate teamwork, interdisciplinary studies, and atypical research, we would recommend a case study. We would also recommend it to students who are seeking to participate in a case study to do so.

Free speech issues have become emotionally charged and continue to divide communities. People often approach these issues with narrow minds, entrenching themselves in their predetermined positions. Creating productive discourse in a hostile environment is a challenge. Our system places power with the students, so that they may decide how they are heard, and create healthier, educational discourse for this event and others to come.

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Appendix A

Garden State University

APPLICATION FOR EVENT PERMIT

Date of Event: _____   Event Type: _____

Approximate Size: _____   Location Requested: _____

Funding Amount Requested: _____   Security Requested: _____

1. Describe the schedule and purpose of the event.

2. What are the extra or co-curricular benefits of the event? How does the event help achieve GSU's mission?

3. What are the associated costs of your event? If your event requires university funding, including funding for security costs or space/equipment rentals, please attach a budget proposal form.

FOR OFFICIAL USE ONLY	
Approved? • Yes • No	If no, provide rationale for denial here:
Funding Allocated • Yes • No	Amount: _____
Signature: _____	Date: _____