

Is Free Speech Really Free? Reframing Free speech on Campus

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Abstract

Academic libraries have always stood for freedom of expression, but today's campus climate seems different. In a number of recent high profile incidents, speakers on campus have been shouted down or had their speech suppressed by political opponents. Some see intimidation and violence as moving too far away from the core of civil discourse. Others interpret these actions as the politics of social justice where protesters respond to discrimination rooted in institutional and cultural biases. How should academic librarians respond to this polarized and highly controversial climate? In this session, two librarians and a library administrator facilitated a group discussion using Kahoot, a game-based learning platform. Participants used Kahoot to share how they would handle different scenarios that were presented, and the panelists responded with how libraries might or should respond. Included in the presentation were questions related to the difference between hate speech and protected speech; the role of the university in the community; the possibility of a moral stance by the university; how to engage the community without provoking violent actions; the role of librarians in the free speech debate; and the question of the dynamics of power. The final question that the speakers attempted to answer in this presentation was this: how can librarians provide the campus with different perspectives on all sides of an issue; encourage peaceful protest; and avoid censorship on campuses?

Short Biographies

Susanna Eng-Ziskin, Chair of the Research, Instruction, & Outreach Services Department at California State University, Northridge's Oviatt Library, received her MLIS from the University of Pittsburgh in 2000. She has worked at CSUN since 2006.

Jennie Quinonez-Skinner has worked for more than ten years as a reference and instruction librarian at California State University, Northridge (CSUN). She is currently the coordinator of Reference Services at CSUN. She started her career at UCLA as a library student intern in several special libraries - Los Angeles County Natural History Museum's Seaver Center, U.S. Civil Rights Commission, UCLA's Chicana/o Studies Research Center, and the non-profit homeless service agency Shelter Partnership. A lifelong Californian, she graduated from the University of California, San Diego with a degree in ethnic studies, and received her master's degree in library science from University of California, Los Angeles.

Mark Stover has been Dean of the Oviatt Library at California State University, Northridge since 2011, where he leads a staff of 90 staff members and librarians. He previously held a variety of faculty and administrative positions at San Diego State University as well as other academic institutions. At CSUN, he has overseen several multi-million dollar renovations, and provided leadership for the first campus Open Access Policy in the CSU. He received a Master of Library Science (M.L.S.) from UCLA and a Ph.D. in information science from Nova Southeastern University.

Summary of Contributions

Susanna Eng-Ziskin's contribution to the presentation discussed on how University campuses are often at the nexus of free speech debates, and students are sometimes portrayed as "snowflakes" who need "safe spaces" where free speech is not tolerated. But according to a recent Knight Foundation report, college students are slightly more likely than all adults to believe that colleges should "strive to create an open learning environment that exposes students to all types of speech and viewpoints, even some that are biased or offensive towards certain groups of people." In the same report, two thirds of students say that colleges should be given the freedom to create rules and policies to restrict racial slurs and the wearing of certain costumes. But overall they do not believe that speech that expresses potentially offensive political views should be curtailed or restricted (Knight Foundation, 2016).

Recent incidents at California State University, Northridge (CSUN), Middlebury College, and Claremont McKenna College were introduced and discussed, after which we polled the audience for feedback. At all three institutions, controversial authors were invited to speak, but were unable to do so as planned due to protesters.

To generate discussion among the members of the audience, we asked the following questions in relation to the three incidents:

- Do you think the students should have been disciplined for violating student code of conduct that forbids “willful, material, and substantial disruption or obstruction of a University related activity or any on campus activity?”
- Do you believe that college is a place where students should be able to learn how to freely express themselves, and what role the university faculty, staff, and administration play in this?
- Can you have civil discourse when you feel like your safety or your identity as a human being is being threatened?
- Are college campuses neutral spaces? Should they be?

Knight Foundation, 2016. Free Expression on Campus: A Survey of U.S. College Students and U.S. Adults, 4 Apr. 2016, www.knightfoundation.org/media/uploads/publication_pdfs/FreeSpeech_campus.pdf.

Jennie Quinonez-Skinner's contribution to the presentation focused on how marginalized communities experience a right (free speech) that is fundamental to our national identity but that can often be less than fair. There are members of our community who do not experience the right to free speech equally because of their race, social class, gender identification, or sexuality. Our discussions about the first amendment often end in a conversation where the right to speech is oversimplified because not all speech is protected.

Individuals without papers can't share political ideas freely and risk their opinions being used against them later (Burnett, 2018). An immigrant with documentation applying for citizenship will likely avoid a peaceful protest because at some point in the future they might be connected to a communist party via photographs at the rally. An African American teenager shot on the way home from school for wearing a type of clothing that someone else deemed a threat, a hoodie (Gye and Gayle, 2012). Women often self-censor online because they fear being harassed or threatened (Datta, 2016).

We often forget that courts have limited free speech when it becomes libel, incites a riot, threatens an elected official, or conspires to monopolize industries. If we think about existing limits on free speech, there needs to be more discussion about what happens when speech is not just harmful, but also when it dehumanizes another individual.

While hate speech is painful, it is more about the institutions that replicate inequalities. The heart of this question is this: how do we deal with "conflicting rules with freedom of speech on one side, and human dignity on the other?" (Scott and Delcker, 2018) We are balancing rights against each other.

Burnett, J. (March 15, 2018). Activists: 1st Amendment Rights Of Undocumented Immigrants Are Often Violated. National Public Radio, <https://www.npr.org/2018/03/15/593812830/activists-1st-amendment-rights-of-undocumented-immigrants-are-often-violated>

Datta, B. (August 30, 2016). Belling the trolls: free expression, online abuse and gender. *Open Democracy*. <https://www.opendemocracy.net/bishakha-datta/belling-trolls-free-expression-online-abuse-and-gender>

Gye, H. and Gayle, D. (March 8, 2012). Unarmed black teenager 'shot dead by Neighborhood Watch' as he went to buy candy for his brother in gated community. *Daily Mail*. <http://www.dailymail.co.uk/news/article-2112385/Family-black-teenager-shot-dead-Neighborhood-Watch-went-buy-candy-brother-demands-justice.html>

Scott, M. and Delcker, J. (January 4, 2018). Free speech vs. censorship in Germany: New rules on online hate speech cause problems for internet giants. *Politico*. <https://www.politico.eu/article/germany-hate-speech-netzdg-facebook-youtube-google-twitter-free-speech/>

Mark Stover's contribution to the presentation centered on his perspective that ethical rules of librarianship compel us to tolerate almost all speech, even that which is full of hate, or perceived as such. The Heckler's Veto is not an option for us as a response to offensive speech.

But academic librarians **can** participate in protesting offensive or hateful speaker on campus, providing critical responses that still maintain our integrity as the guardians of intellectual freedom.

First, if we know that a speaker is coming who will be offensive, we can try our best to provide alternatives or counterpoints that not only speak truth to power but do it in a civil manner. Some of these alternatives include another speaker with a different viewpoint, a panel discussion, or postings on social media.

Second, we can ask strong, probing questions of the speaker that expose their hate and reveal the intellectual dishonesty behind their awful ideas.

Third, we can encourage silent protest, such as standing up and turning our backs on the speaker, and then after five minutes or so, leaving the room.

Fourth, we can provide balanced, informative, and scholarly information resources in our libraries or on our websites (or on social media) that provide our students with the ammunition they will need to answer the lies that charlatans, haters, and blowhards often tell.

Shutting up an offensive speaker with loud protests, violence, or intimidating behavior is not the answer. But we do have other options to condemn hate speech.