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# THREATS TO FREE SPEECH: CENSORSHIP ON CAMPUS

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**Segment Length: 7:23 minutes**

## **Lesson Description:**

What is going on at colleges across America? These institutions of higher education were once bastions of free speech, where different views and ideas could be discussed openly. Now, many students want to silence those with whom they disagree by claiming they are offended. Are they really just sensitive people? This segment looks at the debate over censorship on college campuses.

## **Vocabulary:**

*Indulgent*—(adj.) overly lenient or compassionate; permissive; yielding. Often used pejoratively.

*Provocative*—(adj.) tending to provoke; causing discussion, thought, or argument; stirring feelings or creating controversy.

## **Concepts & Key Terms:**

*Heckler's Veto*—Preventing the free exercise of speech to prevent a potentially violent reaction, by refusing permits, limiting the location a person may speak, assessing burdensome security fees for the speaker or speaker's sponsor, or some other official action.

## **Objectives:**

Students will be able to:

- explain how rules that are enacted with good intentions can have negative consequences.
- discuss the pros and cons of free speech.
- explain the importance of free speech in a democratic society.
- evaluate the choices between having free speech and feeling "safe."
- assess the potential consequences—intended and unintended—of prohibiting speech that some people find offensive.

## **Preview Activity and Questions:**

What does free speech mean to you?

**OR**

Do some people have ideas that bother you? What should you do?

Use Think, Pair, Share to have students answer the preview question(s). After a few minutes, poll the students. Ask the students to explain their answers.

## **Viewing Guide:**

It is recommended that teachers show the video segment twice: once to allow students to view the video and focus on the issues presented, and once to allow them time to complete the

viewing guide. After they complete the viewing guide, allow students a few minutes to work in pairs sharing and verifying answers.

### **Answers to Viewing Guide:**

1. heard
2. intolerance
3. discomfort
4. harassing
5. free speech
6. country

Name \_\_\_\_\_ Date \_\_\_\_\_

Class \_\_\_\_\_ Period \_\_\_\_\_ Teacher \_\_\_\_\_

## Threats to Free Speech: Censorship on Campus Viewing Guide

**Directions: As you watch the video, fill in the blanks with the correct words.**

1. Some campus leftists say some viewpoints must never be \_\_\_\_\_.
2. Offensive speech on campuses is having a non-liberal view and a real \_\_\_\_\_ of being able to hear from other people.
3. We take it that they're fully formed adults when it comes to having sex of any particular variety they want to have. But, somehow, they're not allowed to be exposed to a speaker who might \_\_\_\_\_ them a little?
4. She shouldn't have had to see this and so therefore she was justified in \_\_\_\_\_ the students. She cut the sign up and in the process, attacked a 16-year-old pro-life demonstrator who was trying to get the sign back.
5. The heckler's veto even hit Bill Maher. He was invited to speak on the anniversary of the \_\_\_\_\_ movement at Berkeley, but some students tried to ban him because he's criticized Islam.
6. You don't get to decide what other people are going to say or what other people are going to hear. That is not the way this \_\_\_\_\_ operates and it certainly shouldn't be how campuses operate.

**Now, take a few moments to reflect on the video and answer the question below:**

What are your initial reactions to the video segment you just watched \_\_\_\_\_

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"If we don't believe in freedom of expression for people we despise, we don't believe in it at all." Do you agree or disagree? Explain. \_\_\_\_\_

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## Discussion and Analysis:

1. What does it mean that we have “free speech”?
2. Should people be allowed to say whatever they want, even if it offends others?
3. How do we determine what is offensive and what isn’t? How can we have rules based on feelings?
4. Are some people too sensitive? Are you? How do you react if someone says something about your mother? How should you react?
5. If you don’t like what someone is saying, what can you do? What should people do if they are offended?
6. Should people who are offended by certain views be able to stop others from expressing those views? What else could they do?
7. Bill Maher said “I guess they don’t teach irony in college anymore,” because students protested his invitation to speak on the anniversary of the free speech movement. Why “irony”?
8. Do you think Kirsten Powers is right, that these protestors are really trying to intimidate others to shut them up?
9. What do you think about safe spaces? Should colleges be providing cookies, coloring books, and stuffed animals to make college students feel comfortable?
10. Can people really be harmed by what they hear?
11. Do people have a right to feel comfortable? Can you find that in the Constitution? Does the desire to feel comfortable override people’s right to free speech?
12. Can colleges limit people’s free speech to certain areas? Is this un-American? Explain.
13. Are free speech zones a good idea?
14. What if free speech zones are set apart from where most students go, as in the case of Dixie State University?
15. What does the existence of free speech zones say about the remaining areas?
16. If you support free speech zones, should people be allowed to criticize other people, such as politicians, outside free speech zones? Explain.
17. If stealing people’s signs or shouting down opposing views is acceptable, how will that affect discussion and debate of important cultural, economic, or political debates?
18. If offensive speech is limited to certain areas, how will we criticize our elected officials—our government? How would anyone be able to run for office, if some of their ideas can be deemed “offensive” and thus prohibited?
19. What unintended consequences might occur if colleges prohibit speech that is deemed offensive or hurtful?
20. In the “old days, children were taught the nursery rhyme: “Sticks and stones may break my bones, but names will never hurt me.” What does that mean? Is it true? How has society changed?
21. What would you say about a college that banned racial, ethnic, or sexuality-related jokes?
22. “Sunlight is said to be the best of disinfectants,” wrote U.S. Supreme Court Justice Louis Brandeis. How could that quote apply to the issue of speech codes on college campuses?

## Discuss These Lines from the Video:

1. You should have an argument with them. But you shouldn't silence them by saying 'you can't come because... I'm too sensitive.'
2. Oh, the little snowflakes, they can't handle it. And what I always say is like, no, these are not fragile snowflakes. These people are intimidators.
3. If you want to send your kid to a place where they are protected from reality, then you send them to a daycare center.
4. The safe space is where cultures go to die.
5. She's harming them by expressing a different view.
6. They treat disagreement as an assault against them, and they are justified in silencing people and even in one case attacking someone.
7. Provocative speech must be limited to this small "free speech zone."
8. The country is a free speech zone.
9. You don't get to decide what other people are going to say or what other people are going to hear. That is not the way this country operates and it certainly shouldn't be how campuses operate.

## Quotes for Discussion:

*The First Amendment was designed to protect offensive speech, because nobody ever tries to ban the other kind.*

– Mike Godwin

*[T]here is also no question that the free speech clause protects a wide variety of speech that listeners may consider deeply offensive, including statements that impugn another's race or national origin or that denigrate religious beliefs.*

– Justice Samuel Alito

*The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.*

– Justice Oliver Wendell Holmes, Jr., in *Schenck v. United States*, 1919

*[The] First Amendment does not recognize exceptions for bigotry, racism, and religious intolerance or matters some deem trivial, vulgar, or profane.*

– United States District Court for the Eastern District of Virginia

*Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die...*

– United States District Court for the District of New Hampshire

*The only valid censorship of ideas is the right of people not to listen.*

– Tommy Smothers

*If large numbers of people believe in freedom of speech, there will be freedom of speech, even if the law forbids it. But if public opinion is sluggish, inconvenient minorities will be persecuted, even if laws exist to protect them.*

– George Orwell

*If men are to be precluded from offering their sentiments on a matter which may involve the most serious and alarming consequences that can invite the consideration of mankind, reason is of no use to us; the freedom of speech may be taken away, and dumb and silent we may be led, like sheep to the slaughter.*

– **George Washington**

*If all mankind minus one were of one opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind.*

– **John Stuart Mill, On Liberty, 1859**

*A function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger.*

– **Justice William O. Douglas, in Terminiello v. City of Chicago, 1949**

*It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.*

– **Justice Abe Fortas, in Tinker v. Des Moines, 1969**

*Restriction of free thought and free speech is the most dangerous of all subversions. It is the one un-American act that could most easily defeat us.*

– **William O. Douglas**

*Fear of serious injury alone cannot justify oppression of free speech and assembly. Men feared witches and burnt women. It is the function of speech to free men from the bondage of irrational fears.*

– **Louis D. Brandeis**

*If we don't believe in freedom of expression for people we despise, we don't believe in it at all.*

– **Noam Chomsky**

*An objective law protects a country's freedom; only a non-objective law can give a statist the chance he seeks: a chance to impose his arbitrary will – his policies, his decisions, his interpretations, his enforcement, his punishment or favor – on disarmed, defenseless victims. He does not have to exercise his power too frequently nor too openly; he merely has to have it and let his victims know that he has it; fear will do the rest.*

– **Ayn Rand, "Antitrust: The Rule of Unreason," The Voice of Reason**

*Free speech is intended to protect the controversial and even outrageous word; and not just comforting platitudes too mundane to need protection.*

– **Colin Powell**

## **Activities:**

1. Have students complete the Pro-Con graphic organizer (page 15).
2. Use the internet to research college speech codes, safe spaces, or free speech zones. Select one college, and report on policies in place at that college.
3. Conduct a classroom debate over the issue of campus free speech zones. (See links in the Resources section for help in conducting classroom debates.)
4. Write a letter to a college president, explaining whether you'd be more likely or less likely to attend that college if it had free speech zones.
5. Research the gender-neutral word movement and the gender neutral words they advocate. Create a slideshow to present your findings to the class. (See links in the Resources section for help in preparing effective slideshows.)

6. Read one of the articles in the Resources section and either write a summary of it or take Cornell Notes as you read the article. (See links in the Resources section for help in taking Cornell Notes.)
7. Research and write a biography of Kirsten Powers or Mark Steyn. (See links in the Resources section for help in writing a biography.)
8. Use the Foundation for Individual Rights in Education website to research colleges with free speech zones. Compile maps of several of the campuses and indicate the location of the free speech zone for each. Then present the maps to the class on poster board or in a slideshow.
9. What is the heckler's veto? Research and write a summary of your findings.
10. In a five-paragraph persuasive essay, argue in favor of or against college free speech zones. Make sure to include your thesis statement in your introduction, and in one of your body paragraphs, explore the opposition's argument and the reasons you think they are wrong. (See links in the Resources section for help in writing persuasive essays.)
11. The heckler's veto has been used to stop speakers on college campuses. Research the heckler's veto and write an essay about it.
12. Just because we might be allowed to be offensive, does not mean we should be. Draw a poster advocating – but not mandating – inoffensive speech. Be sure to clearly specify what inoffensive speech is, and why people should try to be inoffensive in their communications with others.
13. Create a political cartoon about the debate over free speech zones on college campuses.
14. Produce a “man-on-the-street” video in which you ask people what they know about safe spaces and free speech zones on college campuses. (See links in the Resources section for help in producing man-on-the-street videos.)
15. Read one of the books in the Resources section and write a book report. (See link in the Resources section for help in writing a book report.)
16. FIRE, Foundation for Individual Rights in Education, was established to defend and sustain individual rights at America's colleges and universities. Research FIRE and what it has done to combat limitations to free speech on college campuses.
17. Draw a poster about people exercising their free speech or about people trying to limit offensive speech, or both.
18. Read the First Amendment. Then, research the reasons it was included in the Constitution. Is it still relevant today? Does it apply to all college campuses? To some? Why / Why not?

## Resources:

A good explanation of K-W-L, with a sample chart, and a chart for downloading:

<http://www.readingquest.org/strat/kwl.html>

Also helpful for K-W-L:

<https://www.teachingchannel.org/videos/think-pair-share-lesson-idea>

For suggestions about preparing effective slideshow presentations:

[http://www.slideshare.net/satyajeet\\_02/how-to-make-effective-presentation](http://www.slideshare.net/satyajeet_02/how-to-make-effective-presentation)

<https://support.office.com/en-us/article/Tips-for-creating-and-delivering-an-effective-presentation-f43156b0-20d2-4c51-8345-0c337cefb88b>

<http://smallbiztrends.com/2016/07/effective-powerpoint-presentations.html>

For help in conducting classroom debates:

<http://712educators.about.com/cs/lessonsss/ht/htdebate.htm>

[http://www.edu.gov.mb.ca/k12/cur/socstud/frame\\_found\\_sr2/tns/tn-13.pdf](http://www.edu.gov.mb.ca/k12/cur/socstud/frame_found_sr2/tns/tn-13.pdf)

<http://busyteacher.org/7245-conducting-class-debate-essential-tips.html>

How to write a biography:

<http://www.infoplease.com/homework/wsbiography.html>

<http://homeworktips.about.com/od/biography/a/bio.htm>

How to write a book report:

<http://www.infoplease.com/homework/wsbookreporths.html>

How to write a persuasive essay:

[https://www.scribendi.com/advice/how\\_to\\_write\\_a\\_persuasive\\_essay.en.html](https://www.scribendi.com/advice/how_to_write_a_persuasive_essay.en.html)

<http://www.infoplease.com/homework/writingskills7.html>

How to produce a man-on-the-street interview:

<http://onemarketmedia.com/2009/02/16/seven-ideas-to-help-get-the-most-out-of-a-man-on-the-street-interview/>

<http://watchdogwire.com/blog/2014/08/25/man-on-the-street-interview-tipsheet/>

For a clear, simple explanation of the Cornell note-taking system:

<http://coe.jmu.edu/learningtoolbox/cornellnotes.html>

<http://www.bucks.edu/~specpop/Cornl-ex.htm>

## Articles

“College Students Can’t Say ‘Sissies’ Anymore? Yale Goes for Old-Timey Censorship Against F. Scott Fitzgerald Quote”

[http://www.huffingtonpost.com/greg-lukianoff/font-size5college-student\\_b\\_399372.html](http://www.huffingtonpost.com/greg-lukianoff/font-size5college-student_b_399372.html)

“Colleges Are Paralyzed by the ‘Heckler’s Veto’” by Anne Neal

<http://www.nytimes.com/roomfordebate/2014/05/19/restraint-of-expression-on-college-campuses/colleges-are-paralyzed-by-the-hecklers-veto>

“Heckler’s Veto” by Ronald B. Standler

<http://www.rbs2.com/heckler.htm>

“The Heckler’s Veto” by Laura Liswood

[http://www.huffingtonpost.com/laura-liswood/the-hecklers-veto\\_b\\_731476.html](http://www.huffingtonpost.com/laura-liswood/the-hecklers-veto_b_731476.html)

“How Liberals Ruined College” by Kirsten Powers

<http://www.thedailybeast.com/articles/2015/05/11/how-liberals-have-ruined-college.html>

“How Much Free Speech Will Your Child Have at College?” by Virginia Postrel

<https://www.bloomberg.com/view/articles/2014-04-22/free-speech-zones-and-other-college-lies>

“In College and Hiding From Scary Ideas” by Judith Shulevitz

<http://www.nytimes.com/2015/03/22/opinion/sunday/judith-shulevitz-hiding-from-scary-ideas.html>

“Ninth Circuit Guts Student Free Speech, Upholds ‘Heckler’s Veto’ of the American Flag” by David French

<http://www.nationalreview.com/corner/388181/ninth-circuit-guts-student-free-speech-upholds-hecklers-veto-american-flag-david>

“Offensive Speech and the Danger of Granting the Heckler’s Veto” by Conor Friedersdorf

<http://www.theatlantic.com/politics/archive/2012/09/offensive-speech-and-the-danger-of-granting-the-hecklers-veto/262434/>



“Should Courts Allow a Heckler’s Veto over Student Speech?” by Matt Giffin

<http://harvardcrcl.org/should-courts-allow-a-hecklers-veto-over-student-speech/>

“Speech Codes: The Biggest Scandal On College Campuses Today” by Greg Lukianoff

<http://www.forbes.com/sites/realspin/2012/12/19/speech-codes-the-biggest-scandal-on-college-campuses-today/#774b11f14096>

“The Troubling Resurgence of the ‘Heckler’s Veto’”

<https://www.thefire.org/the-troubling-resurgence-of-the-hecklers-veto/>

“Universities Are Right – and Within Their Rights – to Crack Down on Speech and Behavior” by Eric Posner

[http://www.slate.com/articles/news\\_and\\_politics/view\\_from\\_chicago/2015/02/university\\_speech\\_codes\\_students\\_are\\_children\\_who\\_must\\_be\\_protected.html](http://www.slate.com/articles/news_and_politics/view_from_chicago/2015/02/university_speech_codes_students_are_children_who_must_be_protected.html)

“‘Welcome to college – now be quiet!’ Many campuses maintain militant speech codes” by Kate Hardiman

<http://www.thecollegefix.com/post/23862/>

“What’s a ‘safe space’? A look at the phrase’s 50-year history” by Malcolm Harris

<http://fusion.net/story/231089/safe-space-history/>

“When free speech is harassed on college campuses” by Charles Lipson

[http://articles.chicagotribune.com/2014-03-25/opinion/ct-oped-speech-0325-20140325\\_1\\_free-speech-college-campuses-swarthmore](http://articles.chicagotribune.com/2014-03-25/opinion/ct-oped-speech-0325-20140325_1_free-speech-college-campuses-swarthmore)

## Video

Indoctrinate U directed by Evan Coyne Maloney

<http://www.thempi.org/films/indoctrinateu.html>

Milo Yiannopoulos, DePaul University, and the Heckler’s Veto (David Wood)

<https://www.youtube.com/watch?v=DoD9NaFoZ3c>

## Books

*Fighting Words: The Politics of Hate Speech* by Laurence R. Marcus

*FIRE’s Guide to Free Speech on Campus* by Harvey A. Silverglate, David A. French, and Greg Lukianoff

*Hate Speech On Campus: Cases, Case Studies, and Commentary* by Milton Heumann and Thomas W. Church

## Organizations

Alliance Defense Fund

<http://adflegal.org/>

American Civil Liberties Union

<https://www.aclu.org/hate-speech-campus>

Campus Reform

<http://www.campusreform.org/>

Foundation for Individual Rights in Education

<http://thefire.org/>

First Amendment Center

<http://www.firstamendmentcenter.org>

National Coalition Against Censorship

<http://www.ncac.org/>

Student Press Law Center

<http://www.splc.org/knowyourrights/legalresearch.asp?id=78>

Name \_\_\_\_\_ Date \_\_\_\_\_

Class \_\_\_\_\_ Period \_\_\_\_\_ Teacher \_\_\_\_\_

## **Threats to Free Speech: Censorship on Campus Pros & Cons Table**

**Directions:** After reviewing the video and discussing it in class, complete the chart below.

<b>CHOICE</b>	<b>PROS</b>	<b>CONS</b>
Maximize free speech by allowing offensive speech.		
Minimize hurt feelings by prohibiting offensive speech.		

Which of the two choices above is more important? In a brief paragraph, explain why.

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