

SHOULD FREE SPEECH BE ABSOLUTE ON COLLEGE CAMPUSES?

A Lesson for High School Students

by Robert Cohen

Objectives: After this lesson, students will be able to:

- Discuss the concept and importance of freedom of speech.
- Explain how freedom of speech has been challenged in the past and present.
- Assess whether it is possible to protect free speech and the people who might be harmed by it.
- Analyze whether freedom of speech should be absolute.

Materials:

- Graphic Organizer
- Tape/Rope
- Handout
- OK/ Not OK signs

Lesson Outline:

- 1) Ask students what free speech means to them and record their reactions on their grid. Solicit responses and record on a board or white board. Question prompts include:
 - How would you define “free speech”?
 - What might freedom of speech allow Americans to do or say?
 - Why do you think free speech is necessary in a democracy?
 - What statements or actions might be limited despite the right to free speech?

After students discuss their ideas and perception of free speech and their answers have been recorded, teacher may ask the following:

- What do all of your responses have in common?
- Based on this discussion, why do you think free speech is important? Why is this a right for which people are willing to fight?

- 2) Prepare the classroom with a rope or tape crossing the classroom with one part marked, ‘OK’ and the other part marked, ‘not OK.’ Introduce the activity, “Crossing the Line,” and establish guidelines for respect and civility as students physically demonstrate when free speech issues “cross the line.” Encourage students to be bold and honest in this activity. Call out a scenario, allow a few moments for students to think. Direct students to move to the part of the room that reflects their view: is the scenario ‘OK, or does it ‘cross the line’ and is not OK. Suggested prompts (as time allows):

- All people are entitled to freedom of speech.
- People have the right to express unpopular ideas.
- I am more willing to say something hurtful on social media or over text than in person.
- Freedom of speech includes the right to make hateful or cruel statements.
- Political speech should be protected to a greater extent than other forms of speech.
- “The only solution for hate speech is more speech.”
- People should be allowed to make statements that might lead to others’ physical or mental harm.

Invite students to return to their seats and debrief:

- How often did you cross the line? Was it more or less often than you thought at the beginning of the exercise? Why do you think you made those choices?
- To what extent did watching your classmates’ responses influence your own? How might others’ speech and expression influence an individual’s response to a situation?
- Why did you find some of the statements more palatable than others?
- To what extent did this exercise change or help you think more deeply about your ideas of free speech and what types of speech are acceptable?

3) Teacher will explain to the class that they will apply these ideas to an incident at Berkeley in 2017. Prior to evaluating this current event, students will briefly study the Free Speech Movement of 1964 for context. Instruct students to read distributed and/or projected information on the Free Speech Movement and instruct them to read it and answer the following questions in pairs on the grid provided.

- Based on the reading, why did Berkeley students believe the Free Speech Movement was necessary in 1964?
- Why did Mario Savio believe that the university is an appropriate site for protest (specifically the Free Speech Movement)?
- What conclusions can you draw about the purpose of the university from Savio's statement?

Divide class into jigsaw groups, assign roles, and direct students' attention to "Facts: Milo Yiannopoulos at Berkeley, 2017" (if necessary, modify for differentiation). Instruct each group to interpret "Facts:...." from their assigned viewpoint and prepare a short press release responding to the case. Press releases should include:

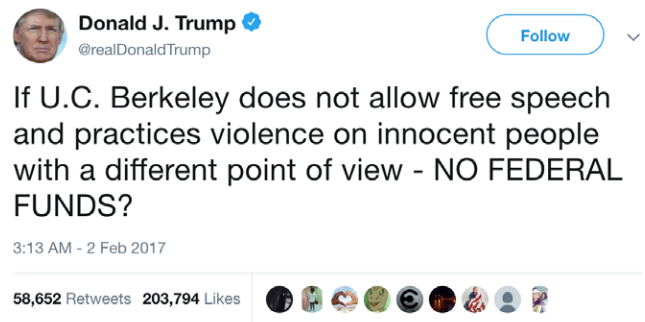
- events surrounding Yiannopoulos's speech at UC Berkeley in February 2017
- context for the chaos following Yiannopoulos' appearance
- a comment endorsing or criticizing Berkeley allowing Yiannopoulos' speech
- an articulation about the state of free speech at Berkeley, based on this incident
- a course of action for the university's future about free speech

Call on groups to present their press statements. Students should take notes on their graphic organizers.

4) After each group presents their press release the teacher will lead a full class discussion about the events at Berkeley and their implications for free speech at Berkeley and on other college campuses. Teachers will ask the following questions, debriefing the activity and connecting students' knowledge and conclusions to their earlier discussion about free speech.

- How did each group's press release differ based on their point of view? In what ways did the press releases confirm each other's account? In what ways were they contradictory?
- How might the existence of these one-sided accounts influence the way that Berkeley students and staff, and society at large, perceive these events?
- To what extent do different forms of media influence our concept of free speech in the 21st century?

Project or distribute President Trump's tweet.



Ask:

- How might this tweet from Donald Trump add to the controversy surrounding the events at Berkeley?
- Why might he threaten to withhold funding under these circumstances?
- To what extent might this tweet, or others related to this situation, further complicate the situation? How is this, in and of itself, an act of free speech?

Invite students to create a "real time" social media post about Berkeley, 2017 after having heard and evaluated the different perspectives on the situation. Call on a few students to share.

- How were your posts, which took into consideration multiple points of view, different than Donald Trump's?
- How does this reflect freedom of speech and its consequences?

- 5) Debrief by holding a class discussion or instructing students to return to their working groups. Suggested questions, if time allows:
- In your opinion, did Milo Yiannopoulos have a right to speak at Berkeley in February 2017? Why or why not?
 - To what extent does Berkeley's history as the site of the Free Speech Movement complicate or add to this situation?
 - Based on this case, to what extent is there a cost to "free" speech? Under what circumstances is that cost too much?
 - Under what circumstances is it acceptable to limit free speech?
 - How might the site of speech determine whether or not it can be limited?
 - Students attend college to learn in classrooms, but also to experience the myriad educational experiences that happen outside the classroom. To what extent does the purpose of the university contribute to the role of free speech on campus?

Summary:

Direct students to answer Essential Question—Should free speech be absolute on college campuses?—on their graphic organizer.

Assessment:

Students fill out on grid- "Free speech is..."

How is their answer now different from what they wrote in the beginning? How did this lesson inform that change?

Accompanying Documents and Information

The Free Speech Movement (1964)¹

The Free Speech Movement (FSM) was a college campus phenomenon inspired first by the struggle for civil rights and later fueled by opposition to the Vietnam War. The Free Speech Movement began in 1964, when students at the University of California, Berkeley protested a ban on on-campus political activities. The protest was led by several students, who also demanded their right to free speech and academic freedom. The FSM sparked an unprecedented wave of student activism and involvement. ...the center of the activity on the UC Berkeley campus was in Sproul Plaza.... In defiance of the ban on on-campus political activities, graduate student Jack Weinberg set up a table with political information and was arrested. But a group of approximately 3,000 students surrounded the police car in which he was held, preventing it from moving for 36 hours. Photographs show Weinberg in the car, both Mario Savio and Jack Weinberg on top of the surrounded car speaking to the crowd, and the car encircled by protesters and police.



Sproul Hall with FSM signs hanging over the balconies²

Through civil disobedience, knowingly violating campus rules, Berkeley students successfully challenged restrictions on student speech and gave rise to an era of vibrant student protest during the socially and politically turbulent era of the late 1960s and early 1970s.

Mario Savio, “An End To History,” December 2, 1964³

“Here is the real contradiction: the bureaucrats hold history as ended. As a result significant parts of the population both on campus and off are dispossessed, and these dispossessed are not about to accept this ahistorical point of view.... The university is the place where people begin seriously to question the conditions of their existence and raise the issue of whether they can be committed to the society they have been born into. After a long period of apathy during the fifties, students have begun not only to question but, having arrived at answers, to act on those answers. This is part of a growing understanding among many people in America that history has not ended, that a better society is possible, and that it is worth dying for.”

1 “The Free Speech Movement,” Calisphere, University of California, accessed February 13, 2019, <https://calisphere.org/exhibitions/43/the-free-speech-movement/#overview>.

2 “Image / Sproul Hall with FSM signs hanging over the balconies. A student holds...,” Calisphere, University of California, accessed February 13, 2019, <https://calisphere.org/item/ark:/13030/tf0f59n4hb/>.

3 Mario Savio, “An End To History,” Voices of Democracy: The US Oratory Project, December 2, 1964, accessed February 13, 2019, <http://voicesofdemocracy.umd.edu/mario-savio-an-end-to-history-december-2-1964-speech-text/>.

Facts: Milo Yiannopoulos at Berkeley, 2017

Berkeley College Republicans (BCR) invited Milo Yiannopoulos, an alt-right, bigoted, provocateur to speak in early February 2017. This invitation was extended after a polarizing election that candidate Trump kicked off by suggesting that many Mexicans immigrating to the US are rapists and criminals and where he won the Electoral College but not the popular vote. This invitation also came on the heels of Executive Order 13769—more commonly called the “travel ban”—a realization of Trump’s campaign promise to ban Muslim immigration to the US and after the historic Women’s March on Washington in protest of President Trump’s inauguration. Milo Yiannopoulos was beloved by the alt-right for his nasty and dangerous comments about women, immigrants, and the LGBTQ community: perhaps a sizeable proportion of Berkeley’s student body.

When Yiannopoulos, who was hosted by the university, arrived on campus in February, 2017, violence ensued. The speech was canceled as \$100,000 of campus property was damaged when 150 people rioted in protest of Yiannopoulos (only one or two Berkeley students were identified among the rioters), and student and faculty safety was compromised. The BCR claimed that Free Speech was under threat at Berkeley and sued the university; media outlets and pundits endlessly discussed and debated the events at Berkeley.

Viewpoints on Events Surrounding Milo Yiannopoulos at Berkeley

Chancellor

Berkeley is world-renowned as the site of the Free Speech Movement. You want to uphold the tenets of free speech and give all viewpoints time and space, but you also understand that some of your students might feel threatened by certain comments. Moreover, you’re working with a tight budget and question the resources the university can devote to securing this event. Do you prioritize free speech, or student security?

Berkeley College Republican (BCR)

You feel alienated on a campus where your views differ from the largely liberal student population and you’re angry that BCR events garner little attention. You hope that speakers like Yiannopoulos will spark debate and dialogue on campus. You believe that your group are the “real thinkers” on campus because you have the courage to introduce unpopular points of view. You believe that free speech is more important than students’ vulnerability or reactions to that speech.

Berkeley Faculty Member

You worry that accommodating speakers like Yiannopoulos will disrupt the academic function of the university and concerned that outsiders will cause violence and chaos on campus. You fear for your students’ safety under these conditions. You wonder about the extent to which the university should prioritize free speech over student and campus safety, and whether accommodating this speech should be allowed to disrupt education.

Berkeley Student

You are uncomfortable with Yiannopoulos’s rhetoric; you see it as bullying and you’ve learned to resist bullies. You support free speech and believe that multiple viewpoints should be expressed and heard, even if they are offensive, but you don’t want speakers and events to disrupt your campus and prevent learning opportunities. Additionally, you worry for classmates who might feel compromised based on speakers’ statements and reputations.

Free Speech is...

The Free Speech Movement (1964):

Reactions to Milo Yiannopoulos (2017):

Chancellor:

Berkeley College Republicans:

Berkeley Faculty Member:

Berkeley Student:

Berkeley Alumni, Free Speech Movement Participant:

Conservative Journalist:

Tweet about this event to your followers:

Should freedom of speech be absolute on college campuses?

Free speech is... (Part 2):