The Free Speech Movement @ 60:
Reflections on Campus Free Speech, 1964/2024

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1. Introduction

As the biographer of the Free Speech Movement (FSM)'s famed orator, Mario Savio, and editor of two books on this historic Berkeley student movement, I wanted to use the 60th anniversary of the FSM last year as an occasion to initiate some public free speech educational events, and to reflect both at these events as well as in writing on the state of campus free speech back in 1964 (the year of the FSM's birth) and in 2024. What quickly became evident was that though 60 years separate us from the Free Speech Movement, our campus world is in the midst of a free speech crisis similar to — but even more severe and geographically widespread than — that which led Berkeley students to stage mass sit-ins, other forms of civil disobedience, and a student strike in their battle for campus free speech. The major difference is that at Berkeley in 1964, the student protesters won their free speech battle, while last year, the anti-Gaza war student protesters lost their free speech battles, and so in 2024, free speech on campus declined dramatically.

Two of the articles linked below offer 1960s/2024 comparisons on campus free speech. My article in *Academe* (#1 below) shows that business interests and others on the right sought in 1964 to have UC Berkeley repress student activism in the hope of stopping the sit-ins against racially discriminatory employers in the Bay Area. This same impulse to shut down an unpopular and radical student movement could be seen as billionaire donors and allied politicians sought to shut down the unpopular anti-Gaza War student movement by threatening to withhold their university donations unless anti-Zionist organizing on campus ended. Savio and others in the FSM had warned that university administrators lacked the autonomy and integrity to resist such outside pressures to suppress dissident speech, warnings that seem prophetic in light of the suppression of the anti-Gaza war movement in 2024. This article also probes why these student activists in 2024 were so easily repressed, in contrast to the FSM, which overcame such attempts at suppression.

My LA Times article (#5 below) takes the 1960s/2024 comparison further by contrasting the arrests rate of student protesters in the Vietnam War era with the arrest rate last semester — which revealed a higher arrest rate in 2024 than in most of the Vietnam era, despite the fact that those earlier protests were much more disruptive. This is striking evidence of the decline of both free speech and toleration of unpopular student dissent on campus.

With Time, Place, and Manner regulations tightened to inhibit unpopular campus protests, I looked to the 1960s for models of dissident activism that would be less susceptible to repression. This led me to write an article for Inside Higher Education (see #3 below) on the anti-Vietnam War teach-in movement of 1965, whose 60th anniversary came in spring semester 2025. This was a faculty-initiated movement that had a national impact in educating the campuses and the public about the Vietnam War's dubious justifications, and accomplished this without violating a single university regulation. My hope was that this might lead to a campus politics that was more strategic and less performative, illustrating that one can be effective politically without engaging in rule-breaking or civil disobedience.

My last two historical publications this year were aimed at placing the most recent threats — in 2025 — to free speech and academic freedom into historical context. My Inside Higher Education interview (see #4 below) warned that the Trump administration's attempt to purge diversity and Black history from our educational institutions heralded a return to the kind of miseducation, racial ignorance, and bigotry that had afflicted many white southern university students in the Jim Crow era — who I had written about in my recent book, *Confronting Jim Crow: Race, Memory, and the University of Georgia in the 20th Century*. In my attached Presidential Panel address at the AERA, I traced President Trump's attack on university autonomy and freedom to the long-standing loathing of the liberal university by America's right wing — which regards the university as a cultural fifth column that must be purged. Such intolerance poses an existential threat to the already damaged campus traditions of free speech and academic freedom.

The public history free speech events I initiated as part of my free speech fellowship work centered on teacher workshops (see #6 and #7 below and my attached article, "Teaching the Free Speech Movement") on the Free Speech Movement and on recent campus free speech struggles. I also organized campus-wide events on the FSM and the recent free speech crisis at UC Berkeley (together with Berkeley students) and at my own university, NYU. All of these sessions were well attended, featured faculty, FSM veterans, and (at the NYU event included) the former chancellor of UC Berkeley, Carol Christ.

The one obstacle I encountered in this work was the NYU administration, which sought to censor my free speech session at NYU — demanding that I restrict the session to 1964 and not cover the suppression of the recent anti-Gaza War student movement. And when I refused this demand, our free speech session was banned from NYU's Bobst Library (see: https://nyunews.com/news/2024/10/24/free-speech-panel-relocated/), but I found an alternative location for the session.

This attempted censorship of a free speech session is itself ironic, and is a testament to the crisis of academic freedom and free speech that is ongoing, endangering the mission of universities to pursue truth by fostering the free exchange of ideas.

Robert Cohen, June 15, 2025

2. Articles & Resources

2.1 The Free Speech Movement at Sixty and Today's Unfree Universities

Can speech be free when billionaires buy influence on campus?
https://www.aaup.org/article/free-speech-movement-sixty-and-todays-unfree-universities

By Robert Cohen

Just over sixty years ago, Berkeley's Free Speech Movement (FSM) won a historic victory for student free speech rights after a semester of protest, including the most extensive use of civil disobedience on campus and the largest mass arrest (of more than seven hundred students) to that point in American history. It took a thirty-two-hour nonviolent blockade around a police car, multiple student sit-ins in the campus administration building, a strike by students and teaching assistants, mountains of leaflets, exhausting political organizing, and repeated attempts at negotiations to convince the faculty of the University of California, Berkeley, to endorse the principle that the university must stop restricting the content of speech or advocacy—after which freedom of speech on campus finally became official university policy.

The FSM's legacy on freedom of speech was visible last spring in the response of UC Berkeley's chancellor, Carol Christ, to the anti–Gaza war encampment on Sproul Plaza, long a hub of student activism on campus. Mindful of Berkeley's free speech tradition, Christ—who has a photo of Mario Savio, the FSM's famed orator, on her office wall—refused to use police force to evict or arrest the protesters. Instead, she ended the protest through negotiations, a path that few college presidents took.

It is sobering to reflect on the fact that Berkeley—along with Brown University, Northwestern University, San Francisco State University, and a handful of other campuses—was an outlier in respecting student free speech. Indeed, the eviction of protesters from encampments nationwide brought with it a campus arrest rate comparable to that found on college campuses at the height of the antiwar movement in the late 1960s and early 1970s. More than three thousand protesters were arrested in mostly nonviolent anti–Gaza war protests on more than one hundred campuses across the United States in April and May 2024.

This arrest rate is shocking when one considers that, at their peak in the Vietnam War era, campus protests were much more militant, disruptive, and violent than the protests last spring. During the spring of 1969, for example, there were more than eighty bombings, attempted bombings, and acts of arson on college campuses. Yet during the six months of that turbulent semester, the total number of arrests on campus nationally was just over four thousand. In fact, only the most violent month of

student protest in American history, May 1970, provoked by the explosion of anger over the Cambodia invasion and the massacres at Kent State University and Jackson State University, saw an arrest rate exceeding that of April and May 2024. But when one considers that more than four million students were involved in protest activity in May 1970, and that the arrest rate on campus peaked at about 3,600 that month, one's chances of being arrested even at these far more militant protests were much slighter than they were at the encampments last spring, which mobilized thousands, not millions, of students.

All of this suggests an erosion of support for free speech among university leaders. While college administrations in the Vietnam era used police force as a last resort in the face of major campus disruptions, this past spring administrators used police as a first resort to suppress student protests even when those protesters—encamped outdoors on campus plazas or lawns—did not commit major disruptions of the university and its educational functions.

Last spring's free speech crisis on campus shows that no victory for free speech, even one as famed as the FSM's, can be assumed to have had a permanent national impact. The pressures on university leaders to suppress dissent, especially when it is viewed as radical and unpopular—as is virtually always the case with leftist-led student movements—are often difficult for even the most principled campus leaders to resist. Compounding this problem is a deeper truth about the FSM and the larger student movement of the 1960s that is rarely discussed: Despite all their mass organizing and triumphs on specific demands, such as liberalizing campus regulations, diversifying the curriculum, and ending some connections between the university and the military-industrial complex, student movements have generally lacked the power to restructure and democratize university governance. Thus, to this day, students are largely disenfranchised when it comes to campus decision-making, and it is this lack of a voice or a vote on university policy that forces students to hold demonstrations, to build encampments, and even to engage in civil disobedience if they want to be heard on any major university policy.

This issue is at least as old as the FSM itself. Soon after the free speech dispute erupted at Berkeley at the start of the fall 1964 semester, FSM organizers became concerned about the undemocratic nature of the university and how such important policies as campus rules concerning political advocacy were determined unilaterally by campus administrators, who were influenced not by the university community, its students and faculty, so much as by outside forces, especially wealthy business leaders and powerful politicians. Student activists' awareness of this reality grew out of experience, as they had seen how criticism of their demonstrations and sit-ins targeting racially discriminatory employers in the Bay Area, especially criticism from conservative business leaders, media, and politicians, contributed to the administration's decision in September 1964 to close the university's free speech area at the main campus entrance—the action that ignited the Free Speech Movement.

Managed Autocracy

The most famous speech given by the movement's eloquent orator, Mario Savio, much like the "I have a dream" segment of Martin Luther King Jr.'s March on Washington speech, is remembered for its most moving lines: "There's a time when the operation of the machine becomes so odious, makes you so sick at heart, that you can't take part. You can't even passively take part. And you've got to put your bodies upon the gears and upon the wheels, upon the levers, upon all the apparatus, and you've got to make it stop. And you've got to indicate to the people who run it, to the people who own it, that unless you're free, the machine will be prevented from working at all." These lines from Savio's speech helped inspire more than a thousand students to join the FSM's culminating sit-in at the Berkeley administration building on December 2, 1964, and over the years have been quoted in numerous documentaries, feature films, protest songs, and history textbooks.

Less well remembered but equally important and relevant today are the words Savio spoke just before this dramatic call to resistance, where he explained the source of the oppression that he was urging students to resist: a tyrannical university administration and its corporate overlords. "We have," Savio said, "an autocracy which runs this university. It's managed!" He likened the university administration to a soulless corporation, whose president, Clark Kerr, was a tool of UC's reactionary board of regents.

We were told the following: "If President Kerr actually tried to get something more liberal out of the regents in his telephone conversation, why didn't he make some public statement to that effect?" And the answer we received, from a well-meaning liberal, was the following. He said, "Would you ever imagine the manager of a firm making a statement publicly in opposition to his board of directors?" That's the answer! Now, I ask you to consider: if this is a firm, and if the Board of Regents are the board of directors, and if President Kerr in fact is the manager, then I'll tell you something: the faculty are a bunch of employees, and we're the raw materials! But we're a bunch of raw materials that don't mean to have any process upon us, don't mean to be made into any product, don't mean to end up being bought by some clients of the university, be they the government, be they industry, be they anyone! We're human beings!

Savio punctured the myth of a university as an institution where freedom, political equality, and community prevailed. He urged students to assert their humanity and overcome their powerlessness through protest and solidarity—putting their bodies on the line by joining what would on that December day prove to be the FSM's most massive and successful sit-in on behalf of free speech.

This was, for Savio, not a new line of criticism of the university. He had offered scathing criticism of the regents and the UC administration's undemocratic nature from the early stages of the free speech controversy at Cal. During the movement's first free speech sit-in, back in late September, Savio debated historian Thomas Barnes, an assistant dean, who had sought to justify the closing of Cal's free speech area on the grounds that it helped preserve the university's political neutrality. Savio argued that Barnes's claims about UC's political neutrality were ludicrous. The board of regents, Savio

remarked, had "quite a bit of control over the university…We ought to ask who they are. …Who are the board of regents? Well, they are a pretty damned reactionary bunch of people!" The board of regents, far to the right of students and faculty, was unrepresentative of the university community; the board was also, in Savio's view, unrepresentative of the general population of California. "There are groups in this country, like laborers, for example, like Negroes—laborers usually…These people, see, I don't think they have a community of interests with the Bank of California," so they had no representative on the board. "On the board of regents, please note, the only academic representative—and it's questionable in what sense he's an academic representative—is President Clark Kerr. The only one. There are no representatives of the faculty." So, when you consider the conservatism and elitist composition of the board, the claim that it runs a university that is "neutral politically," Savio concluded, is "obviously false…It's the most politically unneutral organization that I've had personal contact with. It's really an organization that serves the interests and represents the establishment of the United States."

In this same debate with Barnes, Savio objected to the privatistic manner in which the university administration asserted its authority, despite the fact that Cal was supposedly a public institution. Savio, like most other activists involved in the free speech battle, noticed and was offended by the plaques embedded in the grounds of the entrances to the Berkeley campus, which read, "Property of the Regents of the University of California. Permission to enter or pass over is revocable at any time." It was this authority, this regental property right over the university grounds, that gave the board the power to impose even the most arbitrary restrictions on campus speech, such as the requirement that outside speakers wait seventy-two hours before they could be authorized to address a campus audience. Savio, in his debate with Barnes, cited this rule as being based on "a distinction between students and nonstudents that has no basis except harassment." Why seventy-two hours for nonstudents? With his recent experience in mind as a volunteer in Mississippi Freedom Summer, Savio explored the meaning of seventy-two hours for that freedom struggle: "Let's say, for example—and this touches me very deeply—in McComb, Mississippi, some children are killed in the bombing of a church…Let's say that we have someone that's come up from Mississippi …and he wanted to speak here, and he had to wait 72 hours in order to speak. And everybody will have forgotten about those children, because, you know when you're Black in Mississippi no one gives a damn. Seventy-two hours later and the whole issue would be dead." And in the nuclear age, having to wait 72 hours to hear a speaker criticizing the use of US military force abroad—in places like Vietnam—could, Savio insisted, prove fatal, because "by that time it is all over. You know, we could all be dead."

For Savio, then, a key part of the problem was that the regents looked upon the university as "a private organization run by a small group," a rich and powerful elite: "The regents have taken a position that they have virtually unlimited control over the private property which is the University of California." Savio urged that people "look at the university here not as the private property of [millionaire board of regents chair] Edward Carter. Let's say instead that we look upon it [democratically] as a little city." If they did so, the seventy-two-hour rule for nonstudent speakers, the barring of political advocacy on campus, and the closing of the free speech area would be clearly seen by all as unconstitutional

outrages. As Savio explained at the first FSM sit-in, using this democratic lens and the city of Berkeley as an example, "Let's say that the mayor of Berkeley announced that citizens of Berkeley could speak on any issue they wanted to, but placed the following restriction upon nonresidents from Berkeley: that they could not do so unless they obtained permission from the city of Berkeley and did so seventy-two hours before they wanted to speak. You know there'd be a huge hue and cry going up: 'Incredible violation of the First Amendment! Unbelievable violation of the Fourteenth!'... Anybody who wants to say anything on this campus, just like anybody on the city street, should have the right to do so... [enjoying] complete freedom of speech."

Though the Vietnam War had not escalated yet, and the 1960s mass student movement against the war had yet to emerge to demand an end to university complicity with that war, Savio, in this early FSM speech, was already criticizing the university's role in the US war machine. In fact, he cited the University of California's role in the nuclear arms race as proof that the university was politically both unneutral and undemocratic. As Savio put it, "Now note—extremely important—the University of California is directly involved in making newer and better atom bombs. Whether this is good or bad, don't you think...in the spirit of political neutrality, either they should not be involved or there should be some democratic control of the way they're being involved?"

Donor Rebellions

There is nothing outdated about Savio's critique of the undemocratic nature of university governance and the overweening influence of a rich and powerful elite in that governing structure. His insight that the university is managed like a hierarchical corporation rather than a city of free citizens is as relevant in the present academic year as it was in 1964. It was, after all, the billionaire donor class and super-wealthy university boards of trustees that used their wealth and power to pressure universities to suppress the protest movement against the war in Gaza. Most damaging in this regard was the role of billionaire investor Bill Ackman, a major donor to Harvard University, who soon after the start of the Gaza war expressed outrage that Harvard President Claudine Gay was failing to repress the campus antiwar movement, which he equated with antisemitism and terrorism. Ackman spearheaded a campaign, supported by "a growing list of frustrated Harvard donors," including billionaire Len Blavatnik, to force Gay from office. When President Gay—along with her counterparts from the University of Pennsylvania and the Massachusetts Institute of Technology—fared poorly in her December 2023 congressional testimony, her botched defense of free speech was misread as indifference to advocacy of anti-Jewish genocide and she resigned in January 2024. Prominent Harvard faculty had sought to save Gay, but they lacked the power to do so, since, as Savio would have put it, faculty members are "just a bunch of employees." As Harvard law professor Ben Adelson noted, "We can't function as a university if we're answerable to random rich guys and the mobs they mobilize over Twitter."

The same fate befell Penn President Liz Magill, whose ouster came even more quickly (four days after her congressional testimony) than Gay's. Magill's fall was engineered by a daunting coalition of the

rich and powerful. Wall Street CEO Ross Stevens threatened to revoke his $100 million donation to Penn unless Magill resigned. Magill, as The New York Times documented, "faced a rebellion" led by the board of Wharton, Penn's prestigious business school, and including "a growing coalition of donors, politicians, and business leaders" who demanded that she step down. As at Harvard, the faculty and the student body at Penn proved powerless to save their president.

To say that this plutocratic purge of Ivy League presidents had a chilling effect on free speech nationally is an understatement. The US higher education system is hierarchical, and Harvard is at the top in prestige and wealth. If the president of Harvard could lose her job for being insufficiently repressive of the anti–Gaza war protests, no college or university president could feel safe in tolerating a movement that was so abhorrent to the donor class and their allies in Congress. And so, few did. When the antiwar encampments spread to colleges and universities across the country last spring, administrators were usually quick to suppress them with evictions and arrests, even though most of the encampments were nonviolent and only minimally disruptive.

Leading the way was Columbia University, whose president, Minouche Shafik, was determined not to meet the same fate as her counterparts at Harvard and Penn. She gave congressional testimony in mid-April that was largely dismissive of free speech and academic freedom concerns and took a hard line against the antiwar protesters. The day after her testimony, she authorized the eviction of the encampment on a Columbia campus lawn, resulting in more than one hundred arrests. This action set a precedent followed by many other campus administrations, including mine at New York University, which called in two hundred riot police to evict and arrest more than a hundred nonviolent protesters on the plaza in front of our business school. Even such hard-line policies did not, however, end the pressure. After the mass arrests at Columbia, the right-wing speaker of the US House of Representatives and a congressional delegation came to the Columbia campus to demand that Shafik resign for supposedly not doing enough to quash a protest movement they denounced as hateful and antisemitic. This was followed by billionaire Robert Kraft's announcement that he would no longer donate funds to Columbia because of its failure to protect Jewish students from the antiwar movement's alleged antisemitism.

Donors and trustees also used their power and wealth to attack the few college presidents who chose negotiation over repression. For example, after Brown University President Christina Paxson ended the antiwar encampment on her campus by agreeing to have Brown's trustees consider the protesters' demand that the university cut its financial ties with Israel, real estate mogul Barry Sternlicht denounced her action. Sternlicht, who had donated $20 million to Brown, said he would no longer support the university financially. From a governance standpoint, Sternlicht's position attests to how profoundly undemocratic the donor mindset has become. After all, President Paxson had not agreed to divest. She merely agreed to give the students' divestment arguments a hearing. By Sternlicht's logic, students not only lack decision-making power but also must be barred even from meeting with university policymakers to present proposals regarding investment policy.

This is not to say that the donors' concerns about antisemitism were groundless. There were antisemitic incidents on campus, and the protest movement was often insensitive about how its anti-Zionist slogans could offend and upset Jewish students and faculty with deep emotional ties to Israel. The encampments on many campuses tended to be relatively small affairs with a few hundred students, isolated and unable to reach out effectively to the majority of students on their campuses. And the militants on the few campuses that did see some 1960s-style escalations into building occupations tended to do so without the kind of outreach needed to enlist mass student support, leaving the movement weaker and more isolated after the protests ended with arrests.

The FSM, by contrast, had been characterized by mass outreach, concerned itself with building majority student support for demands, adopted slogans that were unifying rather than divisive, and used civil disobedience in ways that mobilized masses of students. This contrast struck me with particular force on my campus, where, soon after the Gaza war started, the NYU administration closed the student union's enormous marble stairway—formerly a site for political rallies—to all protest events (and to any use at all). This action was very similar to the provocation at Berkeley in 1964, where the closing of the free speech area united students, from the socialists on the left to the Goldwater supporters on the right, who worked together to organize the FSM and win their right to political advocacy on campus. But since anti-Zionist and Zionist students today are engaged in political warfare with each other, they would not dream of uniting on behalf of free speech. And so that stairway at NYU remains closed, and campuses remain too divided to challenge the actions of their repressive administrations. Yet for all its flaws, the antiwar movement did—as President Joe Biden himself noted in his speech at Morehouse College—raise public awareness of the Gaza tragedy and press him to hear the voices of students outraged by the bloodshed.

On the issue of free speech itself, one heard precious little from the donors (or the campus administrators) who were so eager to silence the protesters last spring. They seemed to assume that, based on their wealth and past donations, they ought to be able to play the role of censors on campus. They also seem unaware of how one-sided their viewpoints are. The donors never mentioned Islamophobic incidents on campus or incidents like the violent assault on an antiwar encampment at the University of California, Los Angeles, by self-proclaimed Zionists. Though properly critical of the movement's failure to acknowledge Hamas's war crimes, the donors were silent when it came to the massive civilian deaths and suffering inflicted on Palestinians in Gaza by Israeli bombings. It is easy, but not accurate, to assume that criticism of the war-making of the Jewish state is inherently antisemitic, since in Israel itself such criticism and mass protest have been ongoing—and Jewish students have been prominent in the antiwar movement on American campuses. Whether it comes from the Left or the Right, from Zionists or anti-Zionists, calls to repress political speech as hateful can endanger the free exchange of ideas. As divided as many campuses are over the Gaza war, the university communities themselves are better qualified to promote dialogue and healing, to the extent that it is possible, than are donors with their one-sided political agenda.

Tests for Free Speech

Despite their many differences, the FSM and the anti–Gaza war movement, like virtually all student movements in American history, share at least one thing: unpopularity with the general public. When it comes to generational relations, students can't catch a break because their elders, bound by an enduring cultural conservatism, expect them to play their prescribed role, doing their academic work, obeying the rules, respecting authority. The public's response to student activism often amounts to telling students to "shut up and study." The Free Speech Movement, despite its commitment to the bedrock constitutional value of freedom of speech and to nonviolence, was often depicted as subversive and riotous, and so was opposed by the majority of the California electorate. And the anti–Gaza war movement, though sparked by humanitarian concern about the massive civilian casualties in Gaza and mostly nonviolent, is often depicted as antisemitic and supportive of terrorism. And on several campuses, radicals in the antiwar movement, wedded to Palestinian nationalism and romanticizing resistance to Israeli oppression, further alienated the public by coming across as un-American when they took down the stars and stripes and hoisted in its place the Palestinian flag.

Student movements are thus a kind of canary in the coal mine for the right to freedom of speech, because the true test of free speech rests with our treatment not of popular ideas but of ideas and movements that are unpopular, that raise difficult questions, that challenge the status quo. And whether it is the Berkeley student activists who mounted protests against racially discriminatory employers in 1964, using what much of the conservative American public viewed as frighteningly anarchistic civil disobedience tactics in both that struggle and in their campus crusade for free speech rights, or the anti–Gaza war movement in 2024, such questions and challenges can provoke disdain and repression. Viewed side by side, both the FSM and today's antiwar movement also reveal that, as Savio pointed out long ago, the undemocratic mode of university governance endures. It is as dysfunctional today as it was in 1964. And it remains set up in such a way that, in the halls of power on campus, money talks, but students do not—which is why in 2024 they were on the march again, out in the campus plazas and on the lawns raising their voices, demonstrating, demanding to be heard.

Postscript

The conditions for free speech and academic freedom have deteriorated further since this essay was written last summer, with sweeping bans on campus encampments imposed; time, place, and manner regulations tightened; and disciplinary actions initiated that have effectively suppressed the anti–Gaza war movement on most campuses. In fact, a session the author organized on the campus free speech crises of 1964 and 2024, planned for fall 2024 in commemoration of the FSM's sixtieth anniversary, was banned from New York University's Bobst Library by the NYU administration.

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2.2 AERA Presidential Panel Paper: "Land of the Free (not so much), Home of the Brave? Free Speech, Student Movements, and Repression in the US"

As I began working on this AERA presentation on free speech movements, social movements and administrative response in education, the Trump administration was conducting its major assault on free speech aimed against campus critics of the Gaza war, supporters of DEI, and LGBTQ+ rights. The latest depressing developments were at Columbia university. First Columbia's shameful silence on the ICE raid that led to the arrest and attempted deportation of Mahmoud Khalil, a recent Columbia graduate who had been a prominent non-violent activist in that campus' anti-Gaza War protests. This was followed by Columbia's abject surrender to the Trump administration's threat to cut off $400 million in federal funding unless it took a number of steps to further repress free speech on campus and trample academic freedom by placing its Middle Eastern Studies program into receivership.

As is almost always the case with Trump, bad faith, hypocrisy, and reactionary authoritarianism were evident in this latest abuse of power. Bad faith? He and the far right hate the liberal university as a cultural fifth column, and purveyor of "wokeness," so for years have been eager to damage it — or in the words of one former high ranking UC Berkeley administrator — "to throw shit at the university." Trump just grabbed whatever pretext he could find for this latest offensive. The reality is that last spring Columbia called in police to make mass arrests of antiwar protesters, and this semester had, along with Barnard, handed out suspensions and expulsions, and so needed no further prodding from Trump to suppress this unpopular antiwar movement. The same was true nationally, where the more than 3,000 arrests in response to the mostly non-violent campus antiwar encampments last spring, followed up by a tightening of campus speech regulations that, by last fall, caused the movement and free speech on campus to decline dramatically. So Trump's claim to be acting this semester to safeguard law and order is absurd, since campus administration repression had long since imposed order by suffocating the movement. This concern with legality was, of course, hypocritical since the US's felonious president had come into office pardoning his J6 rioters, including those who assaulted and injured more than 100 police officers in the mob attack he incited on the US Capitol. It was equally hypocritical for him to claim his intervention against campus dissent was motivated by concern about antisemitism, given his own record of antisemitic comments, the most of recent of which occurred earlier this month when he asserted that Senate Minority Leader Chuck Schumer was no longer Jewish but was Palestinian, a remark that combined anti-Jewish and anti-Palestinian bigotry. If Trump really wanted to act against anti-Semitism the place to start was not at Columbia, but with his own foul mouth – which my late mother would have said, ought to be washed out with soap.

As I reflected further on the disturbing events at Columbia and the Trump administration assaults on free speech and academic freedom, especially the attempt of a Justice Department official to police the Georgetown Law School curriculum for any mention of racial diversity, I began thinking historically, about the precedents for such governmental repression of dissent at universities by

reactionary government officials. What first came to mind was a conversation I had with the late SNCC veteran, Freedom Rider, and Congressional leader John Lewis, when he visited my MLK seminar at NYU back in 2016. This was at a time when Trump, with his shockingly racist, xenophobic presidential campaign, was sweeping the Republican primaries. I asked Representative Lewis if he had ever, as a 1960s movement leader, thought a president would be as illiberal, intolerant of dissent, and racist as Trump. He said "no," but that Trump's brand of demagoguery, grounded in white grievance politics was quite familiar to him, from his movement experience. Such figures were common at the state level in the Jim Crow South – George Wallace for example, but their crude reactionary politics and racism had prevented them from getting much traction in their presidential runs.

Applied to the free speech question on campus, Lewis had a good point. Certainly there were, in the Jim Crow South, numerous times when segregationist state officials in the 1960s threatened to cut off funds to historically black colleges and universities unless they suppressed anti-racist student protest. This occurred, for example, at Southern University, the largest HBCU, where, as discussed in D'Army Bailey's memoir – The Education of a Black Radical – that university's president, facing just such a threat from the governor of Louisiana – expelled Bailey and other African American students for sitting in, attempting to integrate lunch counters in downtown Baton Rouge. This is why the state-funded HBCUs tended to be more repressive than the private HBCUs. Such was the case, for example, when anti-racist student protesters at Albany State in Georgia were expelled but were then accepted by Spelman College – even though Spelman had its fill of free speech violations, having taken away student scholarships from activists throughout the early 1960s, and firing Howard Zinn in 1963 for his role as key faculty mentor of the Black student movement. Even on the white side of the color line, repression of dissent helped to uphold the Jim Crow system, as when threats from the state legislature forced out of office one of the very few University of Georgia student newspaper editors who dared to urge the racial integration of the university, and left a new censorship process in place for UGA's student newspaper.

State repression and attempted suppression of campus dissent was not confined, of course, to the Jim Crow South. Across the US, anti-radical state legislative investigating committees threatened and harassed both student and faculty radicals throughout the first half of the 20th century. In the Depression decade, for example, one such investigation was launched due to the death of Don Henry, a religious University of Kansas student, who was radicalized in his college years and lost his life as a volunteer in the Abraham Lincoln Brigade during the Spanish Civil War. Rather than feel pride in his son for sacrificing his life fighting fascism, his father's outrage at Don Henry's radical politics led him to file complaints that yielded a state probe into Communist subversion at the University of Kansas. Far more lasting damage to free speech was caused by fear of right wing attacks from California's state legislature, which led the University of California to impose a ban on Communist speakers during the Bay Area red scare of 1934, a ban that endured for almost three decades. Plus, a similar ban on any and all on campus political advocacy posed obstacles to student activism at UC. Fear of the California state legislature's un-American Activities Committee led the UC administration to impose a disastrous

anti-radical loyalty oath, yielding the largest purge of dissenting faculty in Cold War/McCarthy-era America. And when in 1964 Berkeley student activists finally revolted in their Free Speech Movement against such repression, and won an end to the campus ban on political advocacy, conservatives in the state legislature got back at them by eliminating a half million dollar budget line that funded graduate student TAs. Vengeful local prosecutors – ignoring the fact that the protesters engaged in civil disobedience as a last resort, and won a historic free speech victory – sentenced Free Speech Movement leader Mario Savio to a three month jail sentence, and jailed other movement leaders for their role in the non-violent Sproul Hall sit-in that made that FSM's First Amendment victory possible.

While Presidents Nixon and Trump have been by far the most hostile to Left student activism, the role of the federal officials has, especially during times of mass protest, tended to be hostile to student protest. In 1927, former President William Howard Taft, then Chief Justice of the United States, and Chairman of the Hampton Institute's Board of Trustees, urged Hampton's principal to temporarily close this Virginia historically black college rather than submit to the demands of students protesting poor conditions and racist faculty. Taft fretted that the Hampton administration lacked the "ruthlessness" needed to end the unrest. Decades later out in California, we find equally ugly examples of federal anti-student movement intervention. The US House Committee on Un-American Activities (HUAC) produced and widely distributed "Operation Abolition," a misleading, red-baiting documentary film seeking to discredit Bay Area students who had picketed HUAC at San Francisco's City Hall in 1960s, calling for the abolition of this red hunting committee. The FBI piled on here too, producing and printing thousands of copies of a report its director knew to be dishonest, "Communist Target: Youth," that depicted these non-violent protests as lawless and subversive. Four years late the FBI spread misleading and red-baiting information designed to discredit the Free Speech Movement, and did the same with the antiwar movement of the mid- and late-1960s. The FBI made parallel moves against the student wing of the Black Power movement across the US. And the CIA infiltrated the National Student Association as part of its global Cold War offensive.

Up until Trump, the President most hostile to Leftist-led student protest was Richard Nixon. As president, Nixon, an old hand at red-baiting, an art he had practiced in Congress during the early Cold War years, specialized in demonizing student antiwar protesters, as did his mean spirited vice president, Spiro Agnew. Rather than displaying sorrow that his invasion of Cambodia in 1970 sparked the largest national wave of mass student protest in American history – with students appalled by his dishonesty in promising to end the Vietnam war and then expanding it into Cambodia. – Nixon denounced the student protesters as "bums burning up the campuses." This signaled to Nixon's ally, Governor James Rhodes of Ohio, that it was OK to vilify the protesters. And so Rhodes pronounced them worse than Nazi Brown shirts. Rhodes then sent in the National Guard to Kent State, where they opened fire on unarmed students, killing four in May 1970. Nixon next undermined the Scranton Commission on Campus Unrest's efforts to offer recommendations to avoid another such tragedy. Racist state officials would authorize deadly violence against Black student protesters at South Carolina state, Orangeburg (1968) and Jackson State, Mississippi (1970). This meant that students in this time of extreme polarization were literally putting their lives at risk by protesting against war and racism.

Trump's demonization of the anti-Gaza War protesters as allies of Hamas and radical lunatics echoes Nixon and Rhodes. Indeed, Trump praised both the invasion of Columbia by police dressed in riot gear, and the mass arrest of protesters there last spring as "a beautiful thing," articulating a Nazi-like aesthetic. Trump was working from Nixon's playbook in his de-funding assault on Columbia. Nixon had sought to punish MIT by cancelling all its defense contracts due to his anger at that campus' antiwar movement. The only difference was that as a lawyer Nixon recognized the illegality of this vindictive act, so he attempted to do it covertly rather than publicly and shamelessly as Trump would. Note too that in Nixon's day there were still Republicans in his administration who would balk at implementing such illegal orders, so in his case the de-funding order was never implemented, whereas Trump's sycophants wouldn't dream of offering or acting on such ethical objections.

In retrospect, this huge disconnect between US student movements and the state and federal governments that worked so hard to suppress them may seem difficult to understand. Why would these officials be so opposed to movements that were mostly idealistic, committed to democracy, equality, social justice, and peace? Here one needs to take into account the depth, strength, and persistence of American political and social conservatism, that left majorities of Americans opposed to the sit-ins and freedom rides against racism, the Free Speech Movement, the antiwar movement of the Vietnam War era, and the anti-Gaza War movements. Each of these student movements opposed long standing traditions, hierarchies, and prejudices, and thus threatened the status quo. The protests often used civil disobedience tactics that were non-violent but which the media depicted as either riotous or provoking a violent response, and so they seemed anarchistic, lawless, and unacceptable to much of the public.

Equally powerful was the socially conservative assumption that the proper role for youth in school was to attend to school work and respect their elders – which meant heeding campus regulations, obeying campus officials, and the law. It is a similar mindset to the way many Americans responded to professional athletes who took egalitarian political positions: "shut up and play." With students, it is "shut up and study." Since such generational hostility and condescension are so widespread, right wing demagogues like Trump know they will find enthusiastic audiences when they smear as pro-terrorist the thousands of students whose activism against the Gaza war was actually motivated by horror over the masses of Palestinian civilians killed with US bombs and weaponry. Just as it was why as California governor Ronald Reagan could get a standing ovation from an audience of California farmers when, in voicing his opposition to Berkeley student militancy in 1970, he asserted "If it takes a bloodbath, let's get it over with. No more appeasement."

If there is any lesson from the repressive campus administration responses to the anti-Gaza war encampment movement, the evictions and mass arrests last spring, it is that very few college or university presidents will stand up for the free speech rights of protesters who are unpopular with donors, Congress, alumni, and the mass media. These officials act more like corporate CEOs, too concerned with the bottom line to worry much about free speech principle. Indeed, if you had listened to them last spring or observed the way they tightened campus rules against encampments over the

past summer, you would think that encampments were unlawful, a pestilence, and nothing but a danger to the university community. This view is not only self-serving and illiberal in valuing order over liberty, but it is ahistorical. The anti-poverty encampments of the Bonus Army of US veterans in 1932, the Resurrection City encampment initiated by MLK's Poor People's Campaign in 1968, and the Occupy Wall Street encampment of 2011, all made major contributions to American political thought and social criticism.

In light of this repression, and the Columbia administration's capitulation to the Trump administration, it is impossible to be optimistic about the prospects that college and university officials will demonstrate the courage to stand up to Trump's authoritarian attack on the university and its freedoms. Here we would do well to remember the words of the great Polish poet, Czeslaw Milosz, back in 1949 warning us what it means to face an authoritarian threat in your own society:

> At a sad, historical crossroads
> Where a vampire invites you as a guest
> The precious virtue of freedom remains
> And it needs to be won every day.
>
> Thousands put on their own shackles…
>
> Just remember: each day will tell
> Who of us ceases to be free.

To student activists, in this authoritarian moment, some advice. Don't be afraid of activism. But let your activism be strategic rather than performative or merely expressive. That means considering how your actions look off campus and how they come off to non-activists on campus rather than just if they feel good to you. So if slogans like "From the River to the Sea" offend your classmates and the public, find a less divisive alternative, And since university governance is so undemocratic and often excludes a student voice, yes, civil disobedience seems a necessary way to articulate demands. But at this time of maximal punishment it seems more effective to reach out to faculty and community allies, to seek coalitions that enhance your voice and impact without absorbing the pain of suspensions, expulsions and arrests that come with CD.

It is the same lesson March on Washington organizer Bayard Rustin learned back in 1963: that if your coalition is big enough, you do not need CD to be politically effective.

And finally to my faculty colleagues, I want to leave you with two of the most important insights from Mario Savio, the FSM leader who I came to know, and whose biography I later wrote. These concern the university and freedom. The first centers on governance, democracy, and the nature of the university. Mario believed that the educational community, the faculty and students, teachers and leaners, constituted the heart of the university. The administration was there not to rule but to serve this community, to maintain the facilities and keep the school functioning. But the administration was, as Mario stressed, too subject to outside influences – with their self-interest, corruption, and intolerance – to be entrusted to make unilateral decisions regarding university policy. So it is up to us, and our students, we who are less subject to the coercion of the power elite, to preserve our most precious values and ideals, most notably free speech and academic freedom – freedoms that too many campus administrations seem ready to discard, as Trump demands, without even a fight.

Yes, Columbia had 400 little reasons ($$$) for caving. We on the other hand have, as Mario Savio reminds us something far more valuable and worthy of protection: freedom. As Savio explains,

> "Diogenes said 'the most beautiful thing in the world is the freedom of speech.' And those words are.., burned in my soul, because for me free speech was not a tactic, not something to win for political [advantage]...To me freedom of speech is something that represents the very dignity of what a human being is. That's what marks us off from the stones and the stars. You can speak freely. It is almost impossible for me to describe. It is the thing that marks us as just below the angels."

Mario was right: free speech is worth battling for on the basis of high principle, since speech is so central to our humanity. But it is also crucial to preserving what is best in the university, since students have used whatever limited freedom they have had both on campus and off to innovate and promote democracy in higher education and American society: pushing the university to enrich its curriculum, with Black studies, Feminist and LGBTQ+ studies, Native American studies, peace and conflict studies, student-initiated courses, and so much more. They have promoted more democratic representation in college and university faculty hiring and student admissions, for work-study programs to assist low income students, for unions to improve working conditions for student workers, including TAs, for student representation on university boards of regents and trustees, for pass-fail grading options, and student evaluations of teachers. And their off campus campaigns helped to end Jim Crow and the Vietnam War, and win the Voting Rights Act, and the 18 year old vote via the 26th Amendment, stopped university investments in apartheid South Africa, and at least raised public awareness of the Gaza tragedy. To lose this university voice for democratic rights, educational innovation and social criticism would be tragic in light of this history, and would shut down a vital source of dissent that our increasingly autocratic nation cannot afford to lose if it is to remain a constitutional republic.

2.3 A Way to Honor the Teach-in Movement at 60

Inside Higher Ed op-ed on The Teach-in Movement's 60th anniversary
https://www.insidehighered.com/opinion/views/2025/03/21/way-honor-teach-movement-60-opinion

This month marks the 60th anniversary of the teach-in movement against the U.S. war in Vietnam. The first teach-in was held at the University of Michigan, March 24–25, 1965; by the end of the spring semester, teach-ins had spread to college and university campuses across the nation, educating tens of thousands of students, faculty and community members about the moral, political and strategic reasons why the escalating Vietnam War was doomed to failure.

The teach-ins were sparked by the Johnson administration's launch of the Rolling Thunder bombing campaign against North Vietnam in late February 1965. But it is less its antiwar ideas than its strategic and tactical brilliance that makes the teach-in movement so relevant today, offering a valuable model for resisting the threat that the Trump administration's authoritarianism and hatred of the liberal university poses to academic freedom and free speech on campus, the university's funding of scientific research, the college and university's role in battling racial and sexual discrimination, and higher education's cosmopolitanism and international character.

Though we tend to think of the campus antiwar movement as led by radical students who used militant tactics, breaking university regulations and the law in their protests, the teach-in movement was initiated by faculty, not students, and it did not break any such regulations or the law. Its only tools were education—offered by knowledgeable speakers—and effective publicity and outreach. In fact, the very idea of a teach-in was the result of a tactical retreat.

Initially, Michigan's Faculty Committee to Stop the War in Vietnam had envisioned a work moratorium, a day when faculty did not teach their regular academic classes so that the whole university could focus on the Vietnam War. But this moratorium idea proved immensely controversial, drawing all kinds of denunciations, especially from the state's war-hawk politicians, who labeled it an anarchist hijacking of the university that denied students access to their classes. Seeing that this controversy was distracting people from the war itself, the faculty shrewdly changed course. Instead of a work moratorium, they came up with the idea of an antiwar teach-in that would begin after classes ended and go on through the night (from 8 p.m. to 8 a.m.).

Some on the left saw this tactical shift as unfortunate, even cowardly, and feared that few students would attend such an evening event. But they were wrong. This first teach-in drew some 3,000 students, faculty and community members. It was, in the words of one its speakers, Carl Oglesby, "like a transfigured night. It was amazing: classroom after classroom bulging with people hanging on every word of those who had something to say about Vietnam." Michigan's antiwar faculty then helped raise

funds for more teach-ins in May, which connected with faculty and student activists on more than 100 campuses, with the movement reaching its peak at a University of California, Berkeley, weekend teach-in that drew some 30,000 participants. All this provided a major boost to the peace movement and helped make the campuses a center of antiwar activism.

In our own era, college and university administrations have tightened campus regulations to restrict mass protest and have been quick to have even nonviolent anti-Gaza war student protesters arrested for the most minor campus rule violations. In fact, last spring there were more than 3,000 arrests nationally, for campus antiwar encampments that were quite tame compared to the disruptive student protests that erupted in the Vietnam era's most turbulent years.

The decline of free speech on campus since the 1960s is also evident when one reflects back on the famous case of Marxist historian Eugene Genovese. At a Rutgers University teach-in, Genovese, in 1965, provoked a huge right-wing backlash by saying that he did "not fear or regret the impending Vietcong victory in Vietnam. I welcome it." Despite calls for Genovese's firing from many supporters of the war, including then-former Vice President Richard Nixon, Rutgers' administration, while disdaining Genovese's pro-Vietcong views, defended his right to free speech and refused to fire him—though two years later, Genovese, tired of the death threats and political pressure, opted to leave Rutgers. One hears no such campus administration defense of free speech today as Trump, who pardoned his J6 rioters, pursues arrests and deportations of anti-war student protestors, including the arrest and detention of recent Columbia University graduate and Green Card holder Mahmoud Khalil.

All this repression has struck fear into the hearts of student activists. So, while direct action and civil disobedience have their place in campus protest, they are, understandably, not in vogue at this authoritarian moment. This is a time when important news outlets, such as The Washington Post and The Los Angeles Times, the business community, the U.S. Senate minority leader, and campus administrators cower in fear of the Trump administration. This seems like a good time for faculty to act boldly yet strategically, taking the lead, showing that their campuses can, without rule-breaking or civil disobedience, become major centers of education about Trump's authoritarianism, his embarrassingly illiberal and predatory foreign policy, and his crude attacks on education, the courts, the press, the First Amendment and federal agencies. Faculty should use their skills as teachers and scholars, as their predecessors did in 1965, but this time help teach America about the threat Trumpism poses to democracy and education, in a new national wave of teach-ins that would honor our past and offer hope for the future.

2.4 A Historical View of Trump's Anti-DEI Crusade

https://www.insidehighered.com/news/diversity/race-ethnicity/2025/03/25/historian-discusses-dei-bans-through-historical-lens

Historian Robert Cohen, whose most recent book focuses on integration at the University of Georgia, explains what we stand to lose now that anti-DEI attacks extend to the classroom.

By Johanna Alonso

In 1961, shortly after the University of Georgia admitted its first two Black students, a math instructor asked a group of white students to write down their feelings about the integration—and the segregationist riots that followed. Decades later, Robert Cohen, a professor of history and social studies at New York University and a senior fellow at the University of California National Center for Free Speech and Civic Engagement, became the first historian to analyze those writings in an attempt to better understand the racial ideas of university students in the South at the time.

He found that many students' views were rooted in their lack of knowledge about America's history of slavery and racism; they received no education on those topics in Georgia's K-12 schools, nor at UGA itself. His findings, featured in his book "Confronting Jim Crow: Race, Memory, and the University of Georgia in the Twentieth Century (University of North Carolina Press, 2024)," are especially relevant today, as conservative politicians and lobbyists push for restrictions on what they often refer to as diversity, equity and inclusion–related curricula in higher education. Colleges in Florida, for example, recently struck from their general education requirement options hundreds of classes related to race, gender and sexuality. And the University of North Carolina system, in response to President Donald Trump's anti-DEI executive orders, announced that its institutions will no longer require students to take diversity courses to graduate, nor will they be requirements of any individual majors.

Inside Higher Ed asked Cohen, who is now working on a book about Martin Luther King Jr.'s commentary on the "triple evils" of society—racism, militarism and extreme materialism—five questions about what the Jim Crow era and the Civil Rights movement can teach us about the current crusade against DEI in higher education. His answers, sent via email and lightly edited for clarity and style, are below.

1. **Right now, some students, alumni and faculty are upset at their universities for staying quiet in the face of the Trump administration's attacks on DEI and higher ed broadly. Where does this tactic and the concept of institutional neutrality fit into the history of how universities have responded to social inequality?**

   The whole concept of "institutional neutrality" is problematic. Currently this argument is made to stop campus administrators, especially college and university presidents, from taking positions on controversial issues. But even a college president who avoids commenting on the Gaza war may still be a member of his campus's Board of Trustees that invests in companies

that supply the Israeli military. No matter how you view those investments, they certainly are not neutral. So I find this singular focus on administration statements quite misleading. The idea of institutional neutrality becomes simply a mask for political cowardice if it means not defending the university from the Trump administration's attempts to defund your university and gag its dissenters. If you want to be neutral in the face of an authoritarian, antiscience, anti–free speech, anti-intellectual and xenophobic White House that is directly attacking the university, you have no business in a university leadership position. You are being paid to lead, and today that means defending your university, so do your job.

There has been a dismal history of such cowardice and "neutrality" at the university. In fact, this was the administration mindset that led UC Berkeley to bar political advocacy on campus—a ban designed to appease right wingers in the State Legislature and business community—that sparked the Free Speech Movement in 1964.

2. **As part of the push against DEI in higher ed, Republicans have argued students shouldn't be "forced" to learn about topics like race and gender, and some lawmakers have pushed to remove general education requirements centered on diversity. What do we know about the impacts of required diversity education?**

First, let me say that this push against teaching about racism (and gender) is made primarily by reactionaries who neither understand nor care about history and who seem to think we can escape our racist past if we pretend both that it never existed and has no relevance to 21st-century America. My recent book, Confronting Jim Crow, documents the dangers of this kind of ignorance, which was bred in an educational system that ignored racism and its harmful impact on American society.

In Georgia during the Jim Crow era, the state's white majority learned nothing in school about the history of racial discrimination, so it was quite ignorant of how unjust its state's political, court, economic and educational systems were in relegating African Americans to second-class citizenship. The schools did nothing to challenge white Georgian students' harmful prejudices and absurd and demeaning stereotypes about Blacks that reinforced bigoted assumptions about Black inferiority. As late in the Jim Crow era as 1961, even the elite college students coming out of those schools, who attended the University of Georgia and whose essays I discuss in my book, often displayed the most bigoted assumptions about Black criminality, immorality and intelligence. Do we really want to return to that kind of miseducation?

It was with this kind of racial miseducation in mind that Martin Luther King Jr. argued that there was a critically important "job in the educational realm: destroying the myths and half-truths that have constantly been disseminated about Negroes all over the country and which lead to many of these racist attitudes." Such educational intervention would, King argued, play a pivotal role in "getting rid once and for all of the notion of white supremacy." And if you

think MLK's words here—which came in March 1968, in the last interview of his life—are no longer relevant in 21st-century America, just ponder the recent rise of white nationalism as a political force in the U.S. and the fact that Trump could get re-elected president even after he had, in a presidential debate, aired the hideous racist slander about Black immigrants from Haiti stealing and eating pet dogs and cats.

On the impact on education, well, it seems obvious at the higher ed level that in my field, American history, there have now been generations of pathbreaking works in African American, women's, Native American, Asian American, Chicano and LGBT+ history that have enriched our understanding of the American past. I'm old enough to remember and can personally attest that in high school before this history made its way below the college level, we learned very little about women's history, and that means we came out of school ignorant about the historical experience of half the population. Even worse, my generation learned nothing at all in high school about what we would today call LGBTQ+ history, and as a result of this gay students were regarded as pariahs and mistreated as such.

3. **A commonly cited reason over the last five years or so as to why it's inappropriate to teach about structural racism is because it makes white students "feel bad for being white," to quote Condoleezza Rice. More recently, I've heard some people argue that learning about inequality is irrelevant and a waste of money for, say, an engineering student. What is your response to these arguments against including lessons about race and inequality in higher ed curricula?**

This is total nonsense. I have been teaching American history for more than 40 years and have never encountered a student who complained of feeling "bad for being white" after reading about the history of racism. And even if they did, so what? That would be a teachable moment when you can explore such feelings and relate them to the history of those in the American past, like white abolitionists who transformed such bad feelings about whiteness and slavery into antislavery activism. To act as if teachers should cower in fear when their teaching touches student emotions is a prescription for cowardly and ineffective teaching.

At the higher ed level, whether you are training to be an engineer or anything else, you are also a citizen who belongs to a diverse society, and your advanced education should prepare you for your role as a citizen, not merely offer you vocational training.

4. **The Trump administration is moving toward shutting down the Department of Education, including, of course, the Office for Civil Rights. What are your thoughts on what the impact of those cuts will be?**

   These cuts reflect this administration's hostility to public education. It is linked to the Trumpists' obsessive devotion to right-wing ideology that leads them to loathe teachers and their unions as the liberal enemy, much as they despise professors as left-wing purveyors of "wokeness." And so they see these educators, along with the low-income students the Department of Education aids, as targets for budget cuts to make room for the tax breaks Trump wants to fund for the wealthiest Americans. Robin Hood in reverse.

5. **Moving forward, are there any lessons higher ed leaders today can take away from the civil rights movement when it comes to how to approach the Trump administration's attacks on higher education?**

   Yes, there are some valuable lessons. First, we need to be more vocal, as MLK was (as seen in the quote above), in making the case that antiracist education is a positive good that can make our society more democratic and humane. The civil rights movement was also quite candid in calling out the racism of its foes. For example, in his "I Have a Dream" speech, MLK denounced Alabama's "vicious racists," including its governor, whose lips King said were "dripping with the words of interposition and nullification" in opposition to the Brown [v. Board of Education] decision. One sees little of such candor today, when discussing a president who has helped make DEI into a code word suggesting—as segregationists did in the Jim Crow era—that Blacks lacked competence for professional jobs. This failure to call Trump out for his racism has resulted in a kind of amnesia about the ugly, racist presidential campaign he ran—arguably the most racist in American history. All this has just empowered Trump and his administration to assault diversity in education without being called out for their implicit racism.

   It is also important for the American people to recognize the dishonesty of the claim President Trump made in his inaugural address about his dedication to realizing MLK's dream. Trump's attacks on DEI are totally at odds with Martin Luther King's advocacy of federal programs that can assist in eliminating anti-Black racial discrimination. I have just finished writing a book on MLK's social criticism, centering on his desire to free America of what he termed America's "triple evils of racism, militarism and, extreme materialism," all of which placed King and his compassionate vision for America on the opposite end of the political spectrum from Trump and his crude politics of white grievance, bellicose nationalism and billionaire dominance.

2.5 Today's protests are tamer than the campus unrest of the 1960s. So why the harsh response?

https://www.latimes.com/opinion/story/2024-05-14/college-israel-war-campus-protests

May 14, 2024

By Robert Cohen

Critics of the recent student protests have often erred by comparing them to the mass demonstrations against the Vietnam War that rocked U.S. college campuses more than half a century ago. In terms of size and disruptiveness, there is really no comparison. Today's student movement against the Gaza War is far smaller and much less disruptive than the campus antiwar protests of the 1960s. So why has it drawn such an aggressive response?

College presidents who witnessed the massive, fiery student demonstrations of May 1970 — the peak month of antiwar protest in the Vietnam era — would have thanked their lucky stars if the protests on their campuses back then had been as nonviolent and tactically tame as they have most often been this semester.

College presidents who witnessed the massive, fiery student demonstrations of May 1970 — the peak month of antiwar protest in the Vietnam era — would have thanked their lucky stars if the protests on their campuses back then had been as nonviolent and tactically tame as they have most often been this semester.

Sparked by student fury at President Nixon's announcement expanding the war by invading Cambodia, in early May 1970 30 ROTC buildings were torched or bombed. By the end of the month, militants had engaged in 95 acts of arson and bombing on campus. The National Guard had been called out to quell student protests in 16 states, one of which was Ohio, yielding the Kent State massacre, in which guardsmen killed four unarmed students and wounded nine others at an antiwar protest. Major antiwar demonstrations spread to more than 1,300 campuses, mobilizing an estimated 4 million students, more than half the American college student population. This included 350 student boycotts of classes and shut down some 500 colleges and universities.

By contrast, the protests this semester have, according to recent counts, involved more than 50 campuses, generally mobilizing student protesters in the hundreds rather than the thousands. There has been only a handful of building takeovers, limited use of civil disobedience and an absence of bombings, arson and student strikes.

Yet police have been called in to suppress nonviolent encampments on such campuses as USC, New York University, the University of Virginia, the University of Texas and Columbia University, with more than 2,600 arrests nationally. While in the 1960s it usually took the takeover of university buildings,

major property damage or violence to call in riot-clad police, in 2024 students have been arrested for minimally disruptive acts such as occupying outdoor campus spaces, including lawns and plazas.

The contrast makes it impossible to escape the conclusion that the U.S. and some of its most influential college and university leaders today are less respectful of student free speech rights and much quicker to use police force to suppress student protests than they were in the Vietnam War era. What happened?

Student protest movements have always been unpopular with the American public, owing to our society's cultural conservatism — its notion that students should respect their elders, shut up and study. The anti-Gaza war student movement's romantic embrace of Palestinian nationalism makes it especially easy to demonize as pro-Hamas, antisemitic and championing intifada violence against Israel.

So the movement has been immensely unpopular with cagey university administrators, trustees, some wealthy donors and politicians, many of whom have used their wealth and power not just to advocate but also to enforce the suppression of the movement. Toward the end of last year, amid campus tensions over the war in Gaza, pressure from billionaire donors and Congress cost the presidents of Harvard and the University of Pennsylvania their jobs, sending a brash message about who gets to dictate university environments.

While the suppression of radical or youth-led movements is not new, current efforts have an unprecedented heavy-handed, public and shameless quality. As California's governor, Ronald Reagan did use disgraceful rhetoric against the student movement of the 1960s, as when he said "If it takes a bloodbath, let's get it over with. No more appeasement."

But Reagan acknowledged the norms of university autonomy enough to engineer the firing of liberal UC president Clark Kerr in private, in an attempt not to publicly politicize the issue. Compare that with Speaker of the House Mike Johnson's recent trip to Columbia University to urge its president to resign for not doing enough to suppress the movement against war in Gaza, even after her eviction order had led to the arrest of more than 100 student protesters.

If the trend is for administrators to call the police as a first rather than last resort, this tendency is reinforced by the increasingly hierarchical, centralized, undemocratic nature of university governance and decision-making.

On my campus, and many others, faculty are not typically consulted in presidential decisions to arrest protesters. Students have little to no meaningful role in shaping university policy and often lack even a token representative on the board of trustees, leaving them disenfranchised. It's no wonder many find demonstrations the only way to make their views heard. And their university president tends to

be a remote figure most students have not met; when a president orders mass student arrests, she's imposing them on virtual strangers.

Police helmets and zip ties are never going to convince students to moderate their rhetoric and build a more inclusive antiwar movement. Such rethinking can only come from dialogue, trust and community building, all of which are short-circuited by college presidents, donors and politicians when they treat some of their campus' most idealistic, politically engaged students — who on my campus slept outside in the rain to protest the Gaza war — as if they were criminals.

Robert Cohen is a professor of history and social studies at New York University.

2.6 Free Speech Movement Teacher Workshop — Zinn Education Project

https://www.zinnedproject.org/news/free-speech-movement-teacher-workshop/

May 22, 2025

On May 21, Rethinking Schools editor Jesse Hagopian spoke with activist scholars Bettina Aptheker, author of "Intimate Politics: How I Grew Up Red, Fought for Free Speech, and Became a Feminist Rebel," and Robert Cohen, editor of "The Essential Mario Savio: Speeches and Writings that Changed America." The workshop was co-sponsored by the University of California National Center for Free Speech and Civic Engagement and the NYU Department of Teaching and Learning.

Aptheker described her involvement with the Free Speech Movement (FSM) and Cohen traced the roots of the FSM back to the Black Freedom Struggle in Mississippi. Both addressed the legacy of the Free Speech Movement and the current free speech crisis on campuses and other public institutions.

Event Recording Linked Here.

2.7 From the Free Speech Movement Teacher Session

From the Free Speech Movement teacher session I did in October 2024: the lesson, the student facing materials, and the slides.

These I co-designed with Ryan Mills (social studies teacher and vice principal at Edward R. Murrow High School in Brooklyn) and Stacie Bresilver Berman (veteran high school teacher who is currently my colleague in social studies at NYU). I have also attached an article I wrote back on the Free Speech Movement's 50th anniversary because it provides teachers with a concise overview of the FSM, which many will need since they tend not to know the history of this student movement.

2.7.1 Lesson

Free Speech Movement 1964
Introduction: This lesson prompts students to interrogate UC Berkeley students' rationale for protesting restrictions on free speech and campus political activity at UC Berkeley in 1964 and consider how they might apply the lessons from the Free Speech Movement in the present.

As stated on the UC Berkeley Free Speech web page, "The Free Speech Movement began in 1964 when UC Berkeley students protested the university's restrictions on political activities on campus. Small sit-ins and demonstrations escalated into a series of large-scale rallies and protests demanding full constitutional rights on campus. This led to the university overturning policies that would restrict the content of speech or advocacy. Today, the Movement stands as a symbol of the importance of protecting and preserving free speech and academic freedom."1

Over the past year, students on campuses across the country have clashed with administrators and, in some cases, the police as they gathered to protest the Israel-Hamas war, the United States' policies regarding the war, and universities' role in the Middle East. These protests, universities' reactions to them, and the implications for students involved on all sides, brought up new questions about academic freedom, students' rights on campus, and the extent to which free speech is guaranteed.

In this two day lesson, students will use letters submitted to Judge Crittenden to evaluate Berkeley students' reasons for protesting in 1964 and determine whether they believe the Berkeley students were justified. Equipped with this information, students will make connections between the past and the present, considering the justifications for student protests in 2024.
###

Note to Teachers: We understand that everyone's circumstances are different and that the materials and activities in this lesson might need to be modified to meet your students' needs and align with your school's structures. We encourage you to make any modifications or adjustments you need in order to effectively use this lesson in your class. That might include adjusting the pacing/timeline, adding/revising questions or instructions, adding/removing documents and/or images, etc. These materials are yours to use as you need! We hope you'll let us know how it goes if you have the opportunity to use all or part of these materials with your students.

1 "Free Speech," UC Berkeley, accessed October 13, 2024, https://www.berkeley.edu/free-speech/.

2.7.2 Lesson Plan

Essential Question: To what extent should students have unrestricted rights to protest on college campuses?

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

1. *Explain* the Free Speech Movement of 1964, including the timeline of events and reasons for the protest.
2. *Evaluate* Berkeley students' reasons for participating in the Free Speech Movement and determine the extent to which those reasons are justified, using evidence from primary sources to support their claims.
3. *Assess* the extent to which student protesters' actions in 2024 were justified, based on their analysis of rationales from the past.

2.7.3 Standards

Content:
12.G2 CIVIL RIGHTS and CIVIL LIBERTIES: The United States Constitution aims to protect individual freedoms and rights that have been extended to more groups of people over time. These rights and freedoms continue to be debated, extended to additional people, and defined through judicial interpretation. In engaging in issues of civic debate, citizens act with an appreciation of differences and are able to participate in constructive dialogue with those who hold different perspectives.

- **12.G2b** The Constitution aims to protect, among other freedoms, individual and group rights to freedom of speech, freedom of the press, freedom of assembly, freedom of petition, and freedom of religion. The extent to which these ideals exist in practice and how these protections should be applied in a changing world continues to be an issue of ongoing civic debate.
- **12.G2e** Rights are not absolute; they vary with legal status, with location (as in schools and workplaces), and with circumstance. The different statuses of United States residency bring with them specific protections, rights, and responsibilities. Minors have specific rights in school, in the workplace, in the community, and in the family. The extension of rights across location, circumstance, age, and legal status is a subject of civic discourse.

Skills:

Key Ideas and Details:

- 11-12.1: Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.
- 11-12.2: Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.
- 11-12.3: Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

Integration of Knowledge and Ideas:

- 11-12.7: Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.
- 11-12.8: Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.
- 11-12.9: Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

Motivation: Protest Images

Show students a series of images of campus protests (images on slides). Teachers can decide if they prefer to show images from recent student protests at Columbia or student protests from Berkeley in 1964. For each image, ask students the following:

- Should students have the right to protest in the manner depicted in this image on a college campus?
- What additional information would you want to have to fully make that determination?

After reviewing the images, ask students:

- Based on these images, what types of protest should universities permit? When might it be acceptable for universities to restrict student speech/protest?

Materials:

- Slide Deck
- Student Facing Materials
- Berkeley Students' Statements to Judge Crittenden (Typed PDFs)/(Website)

Procedures:

1. Free Speech Movement Context

   1.1 Students will watch "Free Speech Movement: 50 Years" from the San Francisco Chronicle, which will provide them with context on the Free Speech Movement. After the video, the class will discuss the following questions (students will take notes in their packets):

      a. What actions led to the Free Speech Movement at UC Berkeley?

      b. What was the result of the Free Speech Movement? Why did students involved consider it a victory?

      c. Why might students in the 1960s have considered speech a right that needed to be protected?

   1.2 The teacher will introduce Mario Savio and his role in the Free Speech Movement. Students will read excerpts/quotes from Savio to learn more about the movement's goals and ideas about Free Speech. Students will discuss the following questions as a full class, in small groups, or through a turn and talk:

      a. How does Mario Savio describe the importance of Free Speech?

      b. What conclusions can you draw about the Free Speech Movement based on the ideas that Savio expressed?

      c. To what extent do you agree with Savio's ideas about Free Speech? Explain your answer.

   1.3 The class will discuss the significance of the Free Speech Movement and the ways in which it was a product of its time and supported protests in its aftermath.

2. Group work (student statements):

   2.1 Divide students into groups of four. Before students begin working, provide the following context on the students' statements:

      a. In 1967, three years after the Free Speech Movement protests on Berkeley's campus, the 800 students who were arrested for unlawful assembly and trespass when they occupied Sproul Hall during the 1964 protest came to trial. Judge Rupert Crittenden, who presided over the first trial, requested that the students write letters explaining their involvement in the Free Speech Movement and the occupation. Crittenden expected the students to write apology letters, but many used the opportunity to explain and justify their actions. These letters now serve as a record of the students' experiences and rationale for participating in the Free Speech Movement.

   2.2 Each student will read a statement from a different Berkeley student, from a collection written by the 800 students arrested for occupying Sproul Hall in 1964.

   2.3 After each student reads their letter, they will decide on a rating from 1-5 regarding the extent to which they think the Berkeley student's actions were justified and explain their rating based on the primary sources and information about the FSM.

2.4 Within the group, each student will share their ratings and rationale for the individual Berkeley student whose statement they read. The group will discuss their individual reactions and then collectively come up with a written statement defending/condemning the protesters with supporting evidence for their positions. They will present this statement to the class.

3. Presentations: Mock Disciplinary Hearing

3.1 The teacher will explain to students that they're holding a mock disciplinary hearing where the students will serve as both "lawyers" and the board determining whether or not the students' actions were justified. Each group will share their statement with the class. As students speak, the teacher will keep notes on the reasons that the protesters were or were not justified; students should also keep track of these reasons in their packets.

3.2 After all groups present students will determine whether or not the Berkeley students' actions were justified, considering all of the evidence and the ways that their classmates presented the cases (students can consult the list generated by the statements each group shared to inform their decision making). They will then come to consensus as a class about whether or not the FSM protesters were justified in their actions.

a. Teachers will prompt students: You are the disciplinary board deciding whether or not the Berkeley students' actions were justified. Based on your group work, all of the information that your group and your classmates shared, and the list we generated as a class, what is your final ruling on the students actions? (Student volunteers/call on students to respond).

b. Following this discussion, in their packets, students will independently write their reasons for their decision. Some students will share their explanation with the class.

4. Debrief/Discussion

4.1 Student protests on campus are not isolated to the Free Speech Movement or the 1960s. Based on students' study of the Free Speech Movement, the teacher will lead a full class discussion applying what students learn to the larger concept of free speech on campuses. Students will respond to the following questions:

a. Which forms of expression should be protected by 'free speech' on campus?

b. To what extent should the context of the protest impact whether it is protected or not? (War, race, hate, etc.)

c. What should be the most important consideration for a University: freedom of thought/expression or maintaining a safe learning environment?

d. Do the benefits of limiting free speech in an educational setting outweigh the implications?

Assessment Options:
Choose one option:

a. Write your own "justification letter" supporting protesters as if you are a Columbia protester OR

b. Write your own statement as the President of Columbia University to limit the protesters.

In your response, please include

1. Your position on the extent to which you believe that any university should protect the freedom of speech on college campuses in the US.
2. Articulate the circumstances and reasoning that you believe student expression should and/or should not be protected.
3. Include a counterargument to what you believe the opposing side might argue.
4. Include specific references to information from the resources or class discussion in your letter or statement.

NOTE: This letter or statement is about the role of free speech and university policy, not the details of the conflict that has inspired the spotlight to focus on Columbia University today.

1. Civic Literacy Essay

Extension Activity:
In the wake of the Free Speech Movement at UC Berkeley and student protests at Columbia, both universities issued new policies on student protests on campus. Students will review both of these policies and determine if they think the policies are an effective response to the protests and the universities' reactions to the protest. Students will also have the opportunity to edit both policies, applying their ideas about campus activism, to address any ways in which they think the policies do not effectively establish guidelines for campus protest.

1. Teachers will divide students into pairs or small groups. Half of the students will read the Berkeley policy and half will read the Columbia policy.
2. Students will share the key points and main ideas from the document that they read with the rest of the group.
3. In their pairs/groups, students will discuss the following prompt:
    - 3.1 To what extent does each policy effectively respond to the respective campus protests and circumstances surrounding those protests?
    - 3.2 To what extent does this policy protect students' rights?
4. Based on their answers, students will edit the policies (if there are time constraints, they can choose to edit one policy) to make them more effective and better support students' right to peaceful protest and the university's responsibilities to its students.

5. In their pairs/groups, students will discuss:
   - 5.1 What are the differences between the original policy and your edited policy?
   - 5.2 How might your edited policy preserve students' rights and/or ensure that all students' needs are met (including those who don't participate in protests)?

Civic Literacy Essay
Historical Context: Freedom of Speech

Throughout United States history, many constitutional and civic issues have been debated by Americans. These debates have resulted in efforts by individuals, groups, and governments to address these issues. These efforts have achieved varying degrees of success. One of these constitutional and civic issues is freedom of speech.

Task: Read and analyze the documents. Using information from the documents and your knowledge of United States history, write an essay in which you

- Describe the historical circumstances surrounding this constitutional or civic issue
- Explain efforts to address this constitutional or civic issue by individuals, groups, and/or governments
- Discuss the impact of the efforts on the United States and/or American society

Describe means "to illustrate something in words or tell about it"

Explain means "to make plain or understandable; to give reasons for or causes of; to show the logical development or relationship of"

Discuss means "to make observations about something using facts, reasoning, and argument; to present in some detail"

Document 1

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.
>
> Source: First Amendment to the Constitution of the United States, 1789

1. Based on this document, identify ***one*** freedom guaranteed by the First Amendment to the Constitution of the United States. [1]

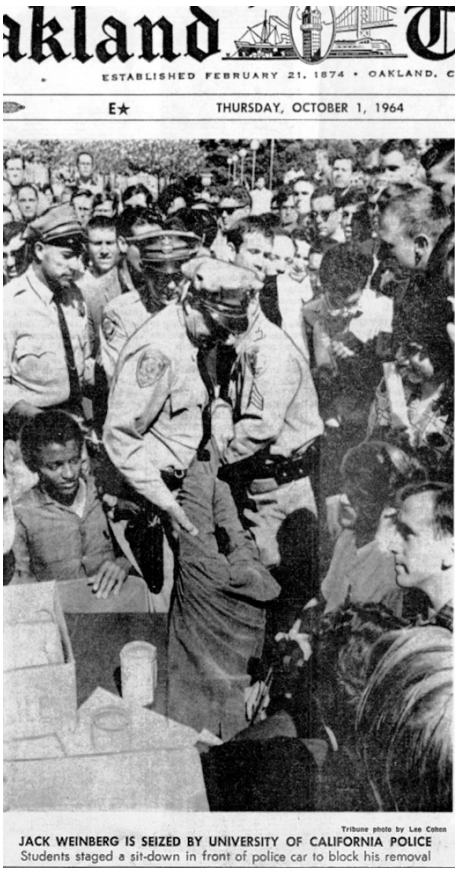
Score _____

Document 2a

In 1964, the Free Speech Movement erupted at the University of California, Berkeley, igniting a fierce struggle for civil liberties and academic freedom that reflected the broader social upheaval of the era. Born from frustrations over restrictive campus policies prohibiting political activities, the movement galvanized students, inspired by the civil rights movement and driven by a desire to challenge the conformity of the Cold War climate. Initial protests began with a sit-in at the administration building in September, escalating dramatically after the police arrested student leader Mario Savio. Thousands joined the cause, demanding the right to engage in political discourse on campus. This burgeoning activism not only reshaped Berkeley but also laid the foundation for future student movements across the nation, emphasizing the crucial role of young voices in the fight for free expression and social change.

Source: Smith, Jane. Voices of Change: The Free Speech Movement at Berkeley, 1964. Academic Press, 2023.

Document 2b


akland T
ESTABLISHED FEBRUARY 21, 1874 • OAKLAND, C
E★ THURSDAY, OCTOBER 1, 1964
Tribune photo by Lee Cohen
JACK WEINBERG IS SEIZED BY UNIVERSITY OF CALIFORNIA POLICE
Students staged a sit-down in front of police car to block his removal

Source: Oakland Times, October 1st, 1964

2. Based on these documents, what is one historical circumstance that led to the restriction of individual rights during the 1960s? [1]

Score _____

Document 3

Berkeley Students Stage Sit-In To Protest Curb on Free Speech

BERKELEY, Calif., Dec. 2—Demonstrating students took possession of the University of California administration building today.About 1,000 supporters of the Free Speech. Movement moved into the corridors of Sproul Hall about noon. Some were still there late tonight. Many slept and others read while still others sang. There was no attempt by the campus police,to remove them.

The doors to Sproul Hall were locked at 7 P.M., Pacific standard time (10 P.M., Eastern standard time), as is customary, with many of the demonstrators still inside. Guards at the doors permitted those who wanted to to leave, and a steady stream of departures joined a crowd of about 1,000 outside.

"The time has come for us to put our bodies on the machine and stop it," said Mario Savio, a student leader, in a speech on the steps of the building as the demonstration began. "We will stay until the police remove us."

Mr. Savio, a philosophy major and a frequent speaker in the several months of demonstrations, rejected the plea of the student body's president, Charles Powell, not to demonstrate further. Mr. Powell had pleaded with a crowd of several thousand gathered in the plaza by the modernistic Students' Union Building "do not do this thing."

Joan Baez, the folk singer, helped draw the crowd, as she has at other demonstrations on the campus.

Source: New York Times, December 3rd, 1964

3. Based on this document, what is one effort made by the students to raise awareness of the freedom of speech. [1]

_____

_____

_____

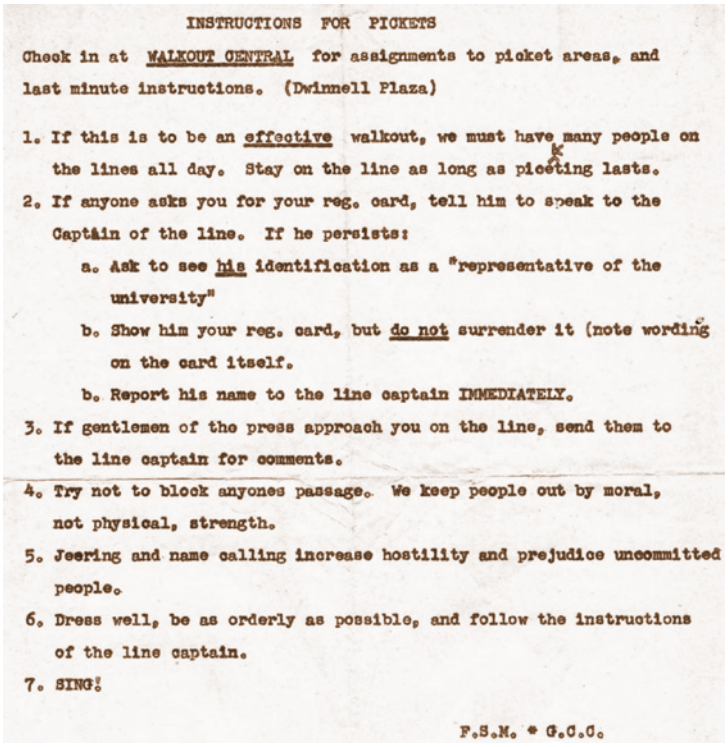
Score _____

Document 4a

"We organized sit-ins, rallies, and teach-ins, using every creative method we could think of to get our message across. It wasn't just about protesting; we held discussions, wrote flyers, and even created art to express our beliefs. Each action brought more students together, and we realized our collective voices could make a real impact. We were challenging the system, and it felt powerful."

Source: David Chen, Free Speech Movement Participant, 1964

Document 4b



INSTRUCTIONS FOR PICKETS

Check in at WALKOUT CENTRAL for assignments to picket areas, and last minute instructions. (Dwinnell Plaza)

1. If this is to be an effective walkout, we must have many people on the lines all day. Stay on the line as long as picketing lasts.
2. If anyone asks you for your reg. card, tell him to speak to the Captain of the line. If he persists:
   a. Ask to see his identification as a "representative of the university"
   b. Show him your reg. card, but do not surrender it (note wording on the card itself.
   b. Report his name to the line captain IMMEDIATELY.
3. If gentlemen of the press approach you on the line, send them to the line captain for comments.
4. Try not to block anyones passage. We keep people out by moral, not physical, strength.
5. Jeering and name calling increase hostility and prejudice uncommitted people.
6. Dress well, be as orderly as possible, and follow the instructions of the line captain.
7. SING!

F.S.M. * G.C.C.

Source: Instructions for Pickets, unsigned. Undated (probably December 4 or 5),

4. Based on this document, what is **one effort** made by the students to raise awareness of the freedom of speech. [1]

Score _____

Document 5

The "People of the State of California v. Mario Savio" (1965) case arose from the events at UC Berkeley, where Savio was a prominent leader in the FSM.

In this case, the California Supreme Court ultimately upheld the students' right to engage in free speech on campus, reinforcing the idea that universities could not impose overly restrictive regulations on political activities. The court recognized the importance of academic freedom and the necessity for students to express their views and engage in political discourse.

Source: Johnson, Emily. The Free Speech Movement: A Legal Perspective. University Press, 2022.

5. How did the decision in "People of the State of California v. Mario Savio" impact individual rights? [1]

Score _____

Document 6

The Free Speech Movement (FSM) established a powerful legacy of civil disobedience that has influenced countless social movements since the 1960s. Activists, inspired by the tactics used during the FSM, employed nonviolent resistance strategies such as sit-ins, marches, and protests to challenge authority and advocate for their rights. These methods highlighted the effectiveness of collective action in drawing attention to injustices and mobilizing public support. The FSM demonstrated that peaceful yet determined resistance could disrupt the status quo and lead to meaningful change. This approach not only galvanized students across the nation but also set a precedent for future movements, including the anti-war protests, the women's rights movement, and LGBTQ+ activism. By showcasing the power of grassroots organizing and nonviolent protest, the FSM reinforced the idea that individuals could challenge oppressive systems and advocate for social justice through collective, peaceful action.

Source: Anderson, Michael. *Protest and Progress: The Legacy of the Free Speech Movement*. Social Justice Press, 2021.

6. According to Michael Anderson, what is **one** impact of the efforts of the Free Speech Movement? [1]

Score _____

2.7.4 Student Facing Materials

The Free Speech Movement and Campus Speech in the 21st Century

1. **Background Information: The Free Speech Movement (1964)**



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. 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.

(Source: "The Free Speech Movement," Calisphere, University of California, accessed February 13, 2019, https://calisphere.org/exhibitions/43/the-free-speech-movement/#overview.)

Questions:

1. What actions led to the Free Speech Movement at UC Berkeley?

2. What was the result of the Free Speech Movement? Why did students involved consider it a victory?

3. Why might students in the 1960s have considered speech a right that needed to be protected?

2. **Mario Savio: Quotes on Free Speech**

"We are asking that there be no, no restrictions on the content of speech save those provided by the courts… And people can say things in that area of freedom which are not responsible… we've finally gotten into a position where we have to consider being responsible, because we now have the freedom within which to be irresponsible. And I'd like to say at this time…I'm confident that the students and the faculty of the University of California will exercise their freedom with the same responsibility they've shown in winning their freedom."

(Source: Robert Cohen, "What Might Mario Savio Have Said About the Milo Protest at Berkeley?," *The Nation*, February 7, 2017.)

"We will never intentionally bring disgrace upon this our university. By our words and actions we will endeavor to honor the ideals of those who have come before us, and to deepen and strengthen this community in which we are privileged to speak."

(Source: Robert Cohen, "The Berkeley Rebellion," Cal Alumni Association, UC Berkeley, March 18, 2010.)

"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."

(Source: Mario Savio, "An End To History," Voices of Democracy: The US Oratory Project, December 2, 1964, accessed February 13, 2019.)

"The most beautiful thing in the world is the freedom of speech… those words are…burned into my soul, because for me free speech was not a tactic, not something to win for political [advantage]…. To me freedom of speech is something that represents the very dignity of what a human being is…. It is the thing that marks us as just below the angels. I don't want to push this beyond where it should be pushed, but I feel it."

(Source: Robert Cohen, "What Might Mario Savio Have Said About the Milo Protest at Berkeley?," *The Nation*, February 7, 2017.)

Discuss and respond to the following questions:

- How does Mario Savio describe the importance of Free Speech?
- What conclusions can you draw about the Free Speech Movement based on the ideas that Savio expressed?
- To what extent do you agree with Savio's ideas about Free Speech? Explain your answer.

3. Group Work: Berkeley Student Testimony

In 1967, three years after the Free Speech Movement protests on Berkeley's campus, the 800 students who were arrested for unlawful assembly and trespass when they occupied Sproul Hall during the 1964 protest came to trial. Judge Rupert Crittenden, who presided over the first trial, requested that the students write letters explaining their involvement in the Free Speech Movement and the occupation. Crittenden expected the students to write apology letters, but many used the opportunity to explain and justify their actions. In this activity, you will read a selection of the students' letters and decide, based on their explanations, whether you think their actions were justified.

Step 1: **Individual Work**

Each member of the group will be responsible for reading one Berkeley student letter. After you read the letter, on a scale of 1-5 (1= Not at all justified; 5= Extremely justified) rate the extent to which you believe the student's actions during the Free Speech Movement were justified. Use the space below to explain your rating, including evidence from the letter and your knowledge of the Free Speech Movement and the protests of the 1960s.



1	2	3	4	5
Not at all justified		Neutral		Extremely justified

Explain your rating, including evidence from the letter and information on the Free Speech Movement:

Step 2: Collaborative Work

Each member of the group will share their individual rating and reasons for that rating. Considering the explanations and decisions of every member of the group, discuss your positions on whether or not the Berkeley student protesters were justified and come to consensus on your group's decision. You might decide that the actions were completely justified or not at all justified, or you might be in the middle, believing that the students' actions were justified in some ways but not others. This is not a yes/no question! Your group's statement should represent where you stand as authentically as possible. Once you arrive at consensus, create a statement that represents your decision and share it in the box below. Include at least one piece of evidence from each of the letters you read.

Group statement on Berkeley students' Sproul Hall takeover:

We believe that the Berkeley students were/were not justified because...

Selection of Student Letters

Letter 1:

Your Honor: This letter is in reply to your request for a short statement regarding my reasons for actions I took leading to my arrest on December 2-3, 1964. My reasons for participating in non-violent civil disobedience were basically three. Primary among them was my great concern for the Civil Rights movement in the bay area. Next was my sincere belief that the formal protests lodged by the students in their attempt to insure the right of free speech and to protect individuals from being singled out for representing us all, were being totally and arbitrarily ignored by the administration. The third reason for my decision to disobey the law in favor of a higher law, is my concern for the rights of individuals under the Constitution of the United States. I felt that the right of the individual was being overlooked and in this case it was most important that it not be.

I would like to impress upon you the fact that my decision to break the law was not an easy one, and I am well aware that I must now face whatever retributive action is taken. Breaking the law is not a thing of which I am proud. On the contrary, I regret that I was put in a position where the choice was necessary. However, regardless of the consequences, I felt then, and still do feel that what I did was necessary. I hope that you will accept my apologies, but understand that I was trying, just as were the forces which arrested me, to uphold the laws of my country which are very dear to me.

In case it might make any difference in your decision concerning my sentence, I would like to bring to your attention that I have been accepted into the VISTA program and I shall enter it as soon as I know when I shall be available.

Letter 2:

I participated in civil disobedience in Sproul Hall in early December of 1964 because I felt that the Administration of the University of California had left open no other path. I believed that negotiations should come first — and they were attempted. Yet the Administration constantly showed such intransigence throughout the semester in relation to the question of student freedoms and political rights that the negotiations were never successful. I would not have supported any violent action, and none was over taken by the students. To believe in civil disobedience as an ultimate and final approach to an otherwise unsolvable problem is not wrong, rather it is noble. I will always hold in the highest regard all of those people who sat in with me that day. Our civil disobedience alerted the entire academic community to the wrongs being perpetrated against us. The faculty and some of the Administration recognized our grievances and respected our position. The student body was almost entirely with us. I would do it again if a similar situation arose where liberties granted to us by our Federal Constitution were being violated, and there remained no other alternative route to justice.

Letter 3:

> Your Honor: I sat in at Sproul Hall on December 3, 1964 because I felt that said action was a legitimate expression of our right to petition the University for redress of grievances. I was attempting to persuade the Administration to change their unfair and unconstitutional rules governing political action and advocacy on the Berkeley campus.

Letter 4:

> After I was asked in October to represent the University Church Council on the executive committee of the Free Speech Movement, I began to follow the developments in the campus dispute very closely and to do promotional work among the campus religious communities for the objectives of the FSM. I backed the movement from the beginning because I felt that this incident was one of many by the bay area power structure to curb the direct action activities of civil rights groups. It seemed very likely that those interests which were hurt by this activity could be in a position to put pressure on the University to "keep these kids out of trouble." This seemed especially likely in view of the constitution of the board of Regents. When the political and religious groups who considered that their first and fourteenth amendment rights had been impinged upon by the school administrative rulings, formed the FSM organization in order to petition the University to cease its unlawful activities, the administration used every possible means to threaten or blackmail the students into silence. When it became quite clear that the administration would remain unwilling to respond to the legitimate rights and leaders were continually being singled out for punishment, it appeared that the only course of action left was to so embarrassed the University by the adverse publicity acquired by the sit-in that it would be forced to consider seriously and responsibly the student demands.
>
> We may have been successful, if so the sit-in was justified. The trespass law that we were charged with breaking was insignificant in view of the democratic right that we had been denied. We were right, unfortunately we were found guilty of trespassing.
>
> Those of us who went limp did so because we refused to cooperate in this evasion of the real question involved, that of constitutional rights, to that of the illegality of students in protesting against their own university in their own university. I also went limp because I could not cooperate with the officers whose attitude was shameful, brutal and stupid.
>
> These were my reasons for participating in the Free Speech Movement, perhaps less clear are the reasons why a trial should be conducted in a civil rights case in almost complete disregard of the relevant political issue — Free Speech.

Letter 5:

Honorable Rupert Crittenden: The reason I sat-in at Sproul Hall on December third of last year was my belief that this action was the only means of protest left those students who believed the fund and membership solicitation ban as being improper. I believed that all legitimate means of petitioning grievances had been used and that civil disobedience in the form of a demonstration was the only tactic left available. I sat-in realizing my civil disobedience and the probable results, but I considered my actions as part of a political tactic and not for the purpose of disrupting the University.

Letter 6:

Dear Judge Crittenden:

My decision to participate in the Sproul Hall sit-in was not an easy one to make and it took me quite awhile to reach this decision.

Actually, from the beginning I was in accord with the aims of the Free Speech Movement. I deplored the action of the Administration in abridging the civil liberties I thought each citizen was entitled to; liberties we had enjoyed on campus with no interference for some time.

However, my concern was with the methods being used, since I had never before participated in any protest action. Therefore, when the incidents prior to the Sproul Hall sit-in occurred, I was just a watchful bystander. It took me two and one half months of debating with myself, discussing it with friends, reading up on the controversy, and thinking it through before I decided that morally there was nothing else to do but commit myself at that point.

I was helped along in my decision not so much by the Free Speech Movement actions and speeches, but rather by the actions of the Administration. By the latter's complete mishandling of this whole unfortunate incident, and mostly by their refusal to leave open legitimate channels of communication between students and the Administration, I sincerely felt that they had actually forced the sit-in upon themselves.

When I realized that the Administration had failed to consider the Faculty Committee report seriously (which was favorable to the students' requests), and was going to suspend the several students it had formerly given its word not to suspend, I honestly felt I must take my first stand. And so I sat-in for at this point I saw no other alternative except a dead end. It was either sit-in and try to uphold the principles of American freedom I so dearly believed in or give up completely, go home, and forget that any injustice to American democracy had occurred.

This might sound a bit dramatic to one not so intimately involved in campus life, but for me Cal was and is the most important part of my life at the present time. It was a terrible blow to me as a naturalized citizen who cherished the principles of American freedoms so much, to see a great university which I had respected so much try to steal these rights. I felt our FSM had to succeed for if this kind of abridgement of rights could occur in an institution of learning such as Berkeley, there was no telling where it could spread.

Therefore, I let myself be put under arrest. Something that I greatly wished to avoid. Something that I am sure most of us were terrible, terribly unhappy about.

The Sproul Hall sit-in, the subsequent arrests, and all the trouble on campus were very regrettable occurrences. Had I thought there was another solution, I would have tried that rather than sit-in. Yet, in the final analysis, I feel the Administration left us no choice.

4. Presentation Notes

The Berkeley students were justified **because:**	**The Berkeley students** were not justified **because:**

5. The Verdict!

Based on all of the evidence presented and discussed, the Berkeley students were/were not (circle one!) justified in occupying Sproul Hall in 1964. I enter the following evidence in support of my verdict:

1. _____
2. _____
3. _____

6. Extension Activity: Berkeley and Columbia Policies on Student Expression

Berkeley

A Message on the Proposed Solution to the Free Speech Controversy (December 8, 1964)

From: Faculty Members of the University of California at Berkeley

To: Colleagues and Friends in the State-wide University, Members of Other Colleges and Universities, Fellow Citizens

On December 8, 1964, the Academic Senate (Berkeley Division) of the University of California proposed a solution to the current free speech controversy. By a vote of 824 to 115, the Senate, which is composed of faculty, deans, and directors, endorsed five propositions presented by its Committee on Academic Freedom.

The propositions are as follows:

1. In order to end the present crisis, to establish the confidence and trust essential to the restoration of normal University life, and to create a campus environment that encourages students to exercise free and responsible citizenship in the University and in the community at large, the Committee on Academic Freedom of the Berkeley Division of the Academic Senate moves the following propositions:
2. That there shall be no University disciplinary measures against members or organizations of the University community for activities prior to December 8 connected with the current controversy over political speech and activity.
3. That the time, place, and manner of conducting political activity on the campus shall be subject to reasonable regulation to prevent interference with the normal functions of the University; that the regulations now in effect for this purpose shall remain in effect provisionally pending a future report of the Committee on Academic Freedom concerning the minimal regulations necessary.
4. That the content of speech or advocacy should not be restricted by the University. Off-campus student political activities shall not be subject to University regulation. On-campus advocacy or organization of such activities shall be subject only to such limitations as may be imposed under section 2.
5. That future disciplinary measures in the area of political activity shall be determined by a committee appointed by and responsible to the Berkeley Division of the Academic Senate.
6. That the Division urge the adoption of the foregoing policies and call on all members of the University community to join with the faculty in its efforts to restore the University to its normal functions.

Columbia

Columbia New Rules on Expression (2024) [excerpted]

The University recognizes only two kinds of limitations on the right of freedom of expression, and both are to be narrowly construed.

First, the University reasonably regulates the time, place, and manner of certain forms of public expression. In keeping with the University's dedication to the principle of uninhibited discourse, these regulations do not turn on the content of any message that might be expressed. Rather, they are necessary not because they would prevent any opinion from being stated or heard, but, to the contrary, because they protect the rights of free speech, free press, and academic freedom…. The right to demonstrate, for example, cannot come at the expense of the right of others to counter-demonstrate, to teach, or to engage in academic pursuits requiring uninterrupted attention….

Second, the University may restrict expression that constitutes a genuine threat of harassment, that unjustifiably invades an individual's privacy, or that falsely defames a specific individual….

1. A person is in violation of these Rules when such person individually or with a group, incident to a demonstration, including a rally or picketing:

   (1) (simple violation) engages in conduct that places another in danger of bodily harm;
   (2) (serious violation) causes or clearly attempts to cause physical injury to another person;
   (3) (simple) uses words that threaten bodily harm in a situation where there is clear and present danger of such bodily harm;…
   (5) (simple) causes minor property damage or loss, or endangers property on a University facility;
   (6) (serious) misappropriates, damages, or destroys books or scholarly material or any other property belonging to the University…
   (7) (simple) interferes over a short period of time with entrance to, exit from, passage within, or use of, a University facility but does not substantially disrupt any University function;…
   (9) (serious) enters or remains in a University facility without authorization at a time after the facility has been declared closed by the University; (Comment: The University shall make all reasonable attempts to publicize this declaration to the fullest extent possible.)…
   (11) (serious) holds or occupies a private office for his own purposes;…
   (14) (serious) disrupts a University function or renders its continuation impossible;
   (15) (serious) illicitly uses, or attempts to use, or makes threats with a firearm, explosive, dangerous or noxious chemical, or other dangerous instrument or weapon;
   (16) (simple) fails to self-identify when requested to do so by a properly identified Delegate;…
   (18) (simple) fails to obey the reasonable orders of a properly identified Delegate regulating the location of demonstrators or others within the vicinity of a demonstration to assure unimpeded access to or use of a facility or to avoid physical conflict between demonstrators and others;…
   (20) (serious) fails to disperse from an assembly upon order of a properly identified Delegate when such order results from serious violations of these Rules by members of the assembly and the Delegate so states in his order to disperse.

Berkeley	Columbia
Main Ideas/Key Points of this Policy:	Main Ideas/Key Points of this Policy:
To what extent does this policy effectively respond to the respective campus protests and circumstances surrounding those protests?	To what extent does this policy effectively respond to the respective campus protests and circumstances surrounding those protests?
To what extent does this policy protect students' rights?	To what extent does this policy protect students' rights?
What are the differences between the original policy and your edited policy?	What are the differences between the original policy and your edited policy?
How might your edited policy preserve students' rights and/or ensure that all students' needs are met (including those who don't participate in protests)?	How might your edited policy preserve students' rights and/or ensure that all students' needs are met (including those who don't participate in protests)?