FREE SPEECH & PUBLIC SPACES:

Voice, Activism, and Democracy

UNC GREENSBORO

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Democracy depends on public spaces and the expression of free speech in open-air debates, club meetings, town hall meetings, demonstrations and rallies. There, people's voices and bodies visibly engender power and purpose, often through innovative expressions of dissent aimed at challenging prevailing injustices and "promoting progressive change" (Shiffrin, 1999, p. xii). This dimension of communication—how the human spirit continues to invigorate democracy through free speech practices in public places—offers a view of the centrality of voice and activism which occupy renewed interest following the many positive steps taken recently by young people to relieve police-community tensions, address school gun violence, and take charge of climate change conversations (Jovanovic, 2019).

Upholding free speech facilitates civic engagement, promotes human dignity, and offers a path in the search for the truth (Fraleigh & Tuman, 2011). Yet, attempts to limit free speech are aplenty sometimes through the application of regulations and ordinances, other times by normative ideals, and still other times by government sanctions. The *Economist* magazine's Intelligence Unit annual survey of democracies around the world noted, "In the past decade, in fact, no scores in the Democracy Index have deteriorated more than those related to freedom of expression and the presence of free print and electronic media" (2018, p. 5). This is perhaps not surprising in light of world leaders who routinely mock the press and protestors, while asking constituents to believe information that is based neither in fact nor reason. Questions about the value of free speech arise as well when hate groups, including the Ku Klux Klan and Nazis claim the "right" to speak that is instead a ruse to demean and perpetrate horrific and even violent acts against minorities (Baer, 2019).

According to law professors Erwin Chemerinsky and Howard Gillman, the ethical and practical grounding principles for free speech are clear: "Freedom of speech is essential to freedom of thought; it is essential to democratic self-government; and the alternative—government censorship and control of ideas—has always led to disaster" (2017, p. 23). As they explain, freedom of thought emerges from understanding diverse points of view in order to develop an independent position that can resist naïve conformity (Chemerinsky & Gillman, 2017). Further, self-government depends on people's ability to deliberate with all the available information in order to make informed judgments for the good of the community (Makau & Marty, 2013). Finally, restrictions on free speech inevitably deny those most vulnerable or oppressed the opportunity to participate fully in democracy, leading too often to "authoritarianism, conformity, ignorance, and the status quo" (Chemerinsky & Gillman, 2017, p. 27).

At the same time, free speech's pursuit of truth and autonomy requires more than what Chemerinsky and Gillman suggest. Democracy's commitment to freedom, including speech, must necessarily be balanced with democracy's commitment to equality in order for democracy to realize its full potential (Allen, 2014). Absent upholding equality, the abuse of power is likely to limit the very robust discussion intended by free speech that makes language a tool for political empowerment.

The most notable beneficiaries and victims of free speech have been people and groups historically prevented from holding power in society. Women, African Americans, the economically disadvantaged, and the LGBTQ community, among others have used their free speech rights in public platforms to influence public opinion and following that, to change public policy. People in those same groups have also been subject to vile, disparaging remarks and unfair conditions at the hands of those able to compromise their human dignity. Speaking out in defense of truth and equality requires ample degrees of grit and mettle in a world where minorities are often the unjustified targets of retaliatory measures and violence. Still, we hope that "free speech makes it possible for ideas other than our own to gain a hearing" (Arnett, 1990, p. 215) so that we may distinguish fact from falsehood and reason from nonsense.

Democratic life faces unprecedented challenges both locally and in the international arena. We accept that platforms for free speech remain a critical space from which to advance our collective understanding toward mapping a society reflective of the will of the people. Paul Chevigny writes in More Speech (1998) that both dialogue and dissent are not dichotomous forces in that effort, but rather intertwined processes necessary to understand, empathize, and appreciate others:

> Because meanings are indeterminate, except in the context in which we understand them—and perhaps even there—we find our bearings in the world of interpretation through a dialogue that is essential to understanding (p. xiii).

Thus, to address the plethora of social problems we encounter and make decisions with people who assuredly hold different perspectives than our own, we need to hear and consider competing views and to vet them with the best evidence and knowledge available. This approach allows us to entertain new possibilities, refute dishonest or damaging information, intervene with the political forces that shape our lives, and deepen or change our convictions. Free speech is accordingly a pathway to democracy.

Democracy's Challenges

A cursory look at the history of democracy, however, reveals that it has rarely, if ever lived up to its ideal of rule by the people. Though Athens, Greece in 508 BC is often cited as the original site of democratic self-determination, we know that women, slaves, and non-property owners were excluded from democracy's promise by denying them equality. Fast forward to 1776 and the founding of the United States, and we see the pattern repeats with a Declaration of Independence written to establish a democracy espousing but ultimately betraying its defense of equality and freedom for all. In the 21st century, injustices persist spurred by, among other factors, deepening economic fissures now engrained in laws that give corporations "people status" and elevate property rights above human rights. According to The Next System Project (2019) which used a series of economic indicators to consider the health and vibrancy of democracies around the world, the U.S. is faring poorly. The report says that since 1970, "on many very important indicators of economic, social, and democratic

health there has been little improvement and, in many cases, substantial deterioration over this period" (2019, p. 3). The result is profound according to documentary filmmaker and author, Astra Taylor who adds:

> The inequalities that plague us today are not an aberration nor the result of whichever party happens to be in power, but a plausible result of the political system's very design, which in crucial ways was devised by a restricted and privileged class of men (2019, p. 7).

Indeed, people are unhappy and distrustful of government. According to a 34-nation Pew Research Center survey, 64% of people worldwide believe elected officials do not care what people like them think (Wike and Schumacher 2020). At the same time, support for defending free speech is on the rise, perhaps as an antidote to a general dissatisfaction with democracy and concerns over the rise of misinformation both on the internet and within mainstream media sources (Wike and Schumacher, 2020).

Because of systemic failures of our economic-political systems over a sustained period of time, people are asserting their voices in myriad ways to showcase how free speech as ethical expression is vital to confront explicit and implicit suppression of ideas. Democracies flourish when people are afforded equal opportunities to educate, engage, and activate resources deemed critical for the public good. Robust participation and free speech, as guaranteed in the United States by the First Amendment, and sitting alongside an allegiance to equality, is what propels people to hear and consider others' views and concerns (Mathews, 2014).

The guarantee, however, is never truly a guarantee unless people speak up and hold officials accountable for ensuring it priority status. That is, absent the vigorous demand to uphold free speech, it is all too easy for government entities to limit its use.

Global and Local Activists Stand Up and Speak Out

In London's Hyde Park, people from all walks of life have been talking, shouting, pontificating, rebutting, and questioning one another since 1866. At Speakers Corner, people showcase how their voices communicate the passion of their convictions amid differences, all the while recognizing that interruptions and disruptions in



Photo by Spoma Jovanovic, 2019

the public sphere are a common staple of democracy. Importantly, Speakers Corner in London, as well as in locales around the world, is home to anyone who wants to speak, even those who have been excluded from formal political processes and those whose ideas may not be widely shared. Whatever the messages at Speakers Corner, being exposed to competing views, and struggling together, has value. In this venue, people have the opportunity to learn from one another and to hone their arguments in favor of, or in opposition to another's position. Speakers Corner, and like places, promote open discussion and debate among communities of ordinary people.





Photos by Spoma Jovanovic, 2019

In Greensboro, North Carolina, community members have gathered to demand independent police review for over 40 years, most recently staging noontime protests on Mondays in front of city hall each week.





Photos by Spoma Jovanovic, 2020

Greensboro, NC occupies a special place in history giving rise to the nationwide Sit-In Movement launched in 1960 to desegregate lunch counters. The Civil Rights and Black Power movements continued to activate direct, collective action in the city (Jovanovic, 2012).

Still, tensions remain heightened around race and policing following the Dudley High School Revolt in 1969[1], the Greensboro Massacre in 1979[2], and police race-related killings ever since, most notably in 2018 when Marcus Deon Smith was restrained by officers in a position commonly called hog-tying. Though Smith was not under arrest, he died in police custody in what the State's Medical Examiner ruled a homicide. The city's refusal to admit its culpability prompted citywide cries again for police reform.

In U.S. cities from Minneapolis, Atlanta, and Houston to Los Angeles, Denver, Washington, DC, New York, and in between, protestors share concern that too little has been done to recognize that Black Lives Matter, that the economy is failing, and that schools remain under threat from gun violence. Common to all these contested expressions of free speech is a call for democracy, not just in name, but in policy and action.

Today, in the 21st century, civil and human rights continue to advance yet threats to those hard-won rights, remain. An elite few—generally very wealthy people and multinational corporations—continue to hold and wield an unhealthy amount of power, often against the interests of the majority. By pouring millions of dollars into the political processes, a handful of America's upper crust have enshrined neoliberal ideals into government, education, and business circles to promote the free market economy in the extreme (Mayer, 2016). At the heart of neoliberalism is an unfettered belief that the market can, should, and will provide the route to prosperity and thus there is no need for government involvement or interference in private decision making (Chomsky, 1999). This view and strategy dismiss the collective wisdom of the people and its representatives in favor of handing over labor, trade, and finance decisions to those seeking profit above all else, even if that means we have to sacrifice the quality of our lives. Corporations amass staggering profits while they cut jobs and keep wages stagnant. To secure their influence, there are calculated and strategic efforts to infuse dark money into campaign coffers. The investment pays escalating dividends as elected leaders, beholden to those private interests, enact policies and practices that override popular attempts to correct injustices in immigrant rights, marriage equality, food insecurity, racial equality, and climate change, to name but a few areas where protest and organizing action occurs.

That is, by manipulating the institutional levers of control, a relative few have usurped the foundational features of democracy for their own interests. International report cards reveal that the United States occupies a poor position among the list of developed countries in the indicators for a fair and just society. The US childhood poverty rate, for instance, is nearly the highest of all economically advanced countries (Adamson, 2012); incarceration rates (Walmsley, 2016) and death by gun homicide (Quealy & Sanger-Katz, 2016) are likewise among the highest. US residents have very poor health outcomes, including shorter life expectancies,

[1] School administrators disallowed student activist Claude Barnes from becoming student body president after his write-in victory. A walkout and protest followed before police called in the National Guard for assistance. Violence ensued with the still unsolved fatal shooting of Willie Grimes (Chafe, 1980).

[2] On November 3rd, 1979, five protest marchers were shot and killed on a Saturday afternoon in a Black neighborhood of Greensboro by members of the Ku Klux Klan and American Nazi Party. No police were present but television crews captured the carnage on video. Despite this, none of the killers ever served time for their crimes (Jovanovic, 2012).

higher rates of disease and injury, and among the highest obesity and diabetes rates compared to other wealthy nations, despite more spending on health care (Woolf & Aron, 2013). In the civic arena, US voter turnout is regularly among the lowest levels in developed democracies (DeSilver, 2016). The situation is untenable say people in countries around the world.

Yellow Vest Activism Sparks Worldwide Calls for Democracy

France's Yellow Vest movement, for instance, assembled the masses numbering nearly two million people in the six months after their November 17, 2018 Saturday protest launch for greater participatory democracy. The movement was described by historian Christian Delporte of the University of Versailles, as "neither right-wing nor left-wing" and one that did not follow from any organization and did not have any official spokesperson (Mazoue, 2019, para. 5). The high-profile movement sparked others around the world where people adorned the same garment for similar, but differing reasons, despite aggravated instances of police interference. In Taipei, Yellow Vests asked for tax justice, in Italy, citizens marched in opposition to anti-migrant laws, and in Latvia, Yellow Vests protested for higher living standards (Adamson, 2019; Henley, 2018). The Yellow Vests surfaced in the United States in Flint, Michigan where supporters adopted the symbolic dress in weekly protests over the fight for clean water (Hilliard, 2019).

The Yellow Vests, or *gilets jaunes*, surfaced the rumblings of discontent surrounding failed policies of neoliberalism and hyper capitalism, revealing they say, how democracy has deteriorated into a façade of its ideals. With increasing attention and benefits afforded to the elite, France's working class since the mid-1980s has been increasingly forced out of cities and into rural communities where public infrastructure lags (McAuley, 2018).

The movement initially erupted in response to France President Macron's proposed 23% fuel tax hike, along with other economic policies that disproportionately impacted the working class and displaced rural residents of the country. Protestors donned yellow safety vests that since 2008 have been required by the government to be kept in every car. In a bold, colorful sea of neon yellow, they chanted "humanity over money."



Photo by Spoma Jovanovic, 2019

The Yellow Vests quickly adopted a broader agenda, calling for direct democracy, cost of living increases in wages, better retiree benefits, and lower taxes, especially on essential food. In sum, the movement reflected a

comprehensive critique of the instability of capitalism that left people suffering, economically, politically, and socially.

French residents gathered and blocked street roundabouts in nonviolent civil disobedience. They used the traffic circles as an important public space for visibility and unity, and most of all, they claimed, for dialogue and companionship. The police disallowed future protests in the roundabouts, then later in other areas as well where the protests interfered with tourism and spending by consumers.

In response to the protests, Macron suspended for six months the tax increases slated to start in January 2019. He also launched a series of town hall meetings, called the Great National Debate, to encourage what he said should be more civil discourse. Macron understood and promised to lower taxes, stop the unpopular closure of rural schools and hospitals, and adjust pension benefits to inflation (Bouchoucha, 2019). At the same time, Macron defended his earlier decision to eliminate a wealth tax that he says was designed to stimulate production, not offered as a present for the rich as activists asserted.

The Way Forward: Democracy and Student Voices

We are living in a time of renewed activism, driven by a recognition of capitalism's limits, the consequences of the COVID-19 pandemic, the need to intervene in the violence perpetuated against Black lives, a rise in gun use and violence, the decline of economic parity, and mounting frustrations with governments that are detached from the interests of their citizens. Around the globe, people are speaking out to challenge the injustices of our nation and world. They see their responsibility to exercise free speech in order to protect the foundations of democracy, freedom, and liberty.

It requires courage, persistence, patience, and knowledge to stand up and speak out in the public sphere. For those activists and organizers who study, prepare, and present their ideals in public spaces, the work carries risks[3]. Yet, activists worldwide find that institutional redress measures—writing a letter to government officials and voting, for instance—do not always work to effect change, and thus they take to the streets and other public spaces in protest. In accord with political theorist Chantal Mouffe's thesis in the *Democratic Paradox* (2000), when people are not given authentic time and space to give expression to their treasured and democratic propensities, the only remaining options are state violence on the one hand, or rebellion and insurrection by the people on the other hand. To uphold nonviolence as the best alternative for expressions of dissent, we need to expand the possibilities of speech in public spaces.

Scholars can support efforts to embolden free expression, even in the face of growing surveillance and vague guidelines that serve as deterrents to free speech, in the academy and the communities in which we live. Educators ought to amplify the needs and benefits of free expression, provide students with the skills and talents to speak out, offer instruction on free speech issues and cases[4], detail the structural and other barriers to free speech, and research the many instances of people all over the world expressing dissent for the sake of battling injustices (Jovanovic, 2019).

[3] See videos of activists and discussion guides developed during this fellowship at http://cst.uncg.edu/activism/

[4] Curricular assignments on activism, free speech, and civic engagement were developed to accompany this research program.





Photos by Spoma Jovanovic, 2016

Dialogue and deliberation are vital, and so are action and dissent to ensure free speech remains robust amid democracy's tensions with other societal values. As Nancy Thomas says, "When deliberative means maintain an undemocratic status quo a more decisive, action-oriented approach is warranted" (2014, p. 3).

Fortunately, activism is on the rise in 2020 to challenge the injustices of our nation and world, principally by using the expression of our voices. There remains among activists and community organizers a deeply felt responsibility to exercise free speech in order to protect the foundations of democracy, freedom, liberty, and equality of opportunity. This is a hopeful trajectory toward speaking out rather than remaining silent that is spreading on high school campuses, at colleges and universities, in our communities, in political circles, and within our workplaces.

This research will be included in the forthcoming book *Contested: Free Speech and Civic Engagement in Public Spaces*, edited by Spoma Jovanovic and published by Lexington Press.

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FREE SPEECH & PUBLIC SPACES

Videos, Discussion Guides, Curricular Assignments & Other Activity

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My research project as a 2019-2020 Faculty Fellow with the University of California National Center for Free Speech and Civic Engagement was designed to introduce students, faculty, and community members to the centrality of voice and activism, lifting up the critical importance of both free speech and civic engagement. More specifically, in this project I considered the ways and means by which people expressed themselves in non-traditional modes of civic engagement as exemplified by people who participate in protests, community organizing, and community-based education. My research involved data collected in international trips to Europe as well as local interviews and events. Contained here is an overview of products created to complement a research report entitled, *Free Speech & Public Spaces: Voice, Activism, and Democracy*.

ACTIVIST VIDEOS

To advance the importance of the work of local community members, I worked with a team of undergraduate students and fellow faculty to **Interview and tell stories of ten activists** who have been at the front lines of protest and civil disobedience in Greensboro, North Carolina. We selected people who were younger, older, white, Black, and Latinx to illuminate the issues with which they are immersed to speak out, assemble in public spaces, organize tirelessly behind the scenes, and sometimes even engage in civil disobedience. We probed for how these champions have coped or adjusted to disappointments and still persevered, what they consider the value of free speech to be, how they define activism, and what they think we should do to best prepare youth for community and civic engagement.

Each activist was interviewed in the University of North Carolina at Greensboro's campus studio on videotape in sessions that lasted 30-45 minutes each. We retained full transcripts and video footage but chose to edit the interviews to 3-5 minutes each in length for maximum use in classroom and community instruction. Closed captioning was added and the videos were uploaded to YouTube.

The videos add to our understanding of the long history of struggle by people in the United States and around the world to assert their voices to advance democratic empowerment. The interviews are designed to be shared in order to recognize that individuals organize and assemble in collective action to resist or challenge prevailing norms, structures and institutions of unequal power. In that way, we draw attention to questions

surrounding why, when, and how the human spirit finds strength to speak out, and how justice is advanced through those actions.

The following individuals are those we interviewed:

NAME	TOPIC
Irving David Allen	Black and youth organizing
Kay Brown	Criminal justice reform
Cherizar Crippen	Bailout movement
Marcus Hyde	Homeless rights
Beth McKee-Huger	Housing justice
Maria Peralta Porras	Immigrant rights
Glenn Perkins	Local history stories
Lewis Pitts	Police accountability and civil rights
Liz Seymour	Food security
Casey Thomas	Neighborhood organizing

The videos are on YouTube and are available with discussion guides as well at https://cst.uncg.edu/community-engagement/voice-and-activism/ . Plans are in place for a specially designed website to host the materials, designed and developed by the UNCG library staff.

CURRICULAR MATERIALS

To integrate activism and free speech instruction into classrooms, **I developed two distinct sets of instructional materials** during the fellowship year:

- ☐ **Ten discussion guides** to accompany each of the activist videos, written and formatted as one-page handouts to assist faculty in guiding conversation and provide students with additional readings and research. Though many faculty are not prepared to teach about activism, the range of videos and discussion guides should provide a starting point for them to use in general freshman courses, as well as in political science, sociology, communication studies, history, African American studies, Latinx studies, anthropology, criminal justice, human development, and social work courses, among others.

- **Six detailed curricular assignments** focusing broadly on civic engagement prepared as stand-alone activities. These focus on free speech boundaries, ethics and activism, participation in municipal politics, voting and elections, news talks, and social movements. The assignments were written to encourage questions in the context of developing knowledge, skills, values, and actions associated with free speech and civic engagement. The assignments include both student instructions and instructor information.

OTHER ACTIVITY

Book

By creating videos and curricular materials surrounding activism and free speech as originally intended, additional products emerged from the fellowship.

Most notably, I am editing a volume for Lexington Books entitled *Contested: Free Speech and Civic Engagement in Public* Spaces with publication planned for 2021. I am honored that the National Center for Free Speech and Civic Engagement Executive Director Michelle Deutchman is writing the foreword and fellow John Wilson is a contributing author. My chapter that flows from the work of the fellowship and summer 2019 travel to London, Amsterdam, and Pisa to observe Speakers' Corners is tentatively entitled "Conversations in Public Spaces: Echoes of Interruptions and Disruptions."

Free Speech Conference

Additionally, on October 24-25, 2019, I organized and hosted a Free Speech conference, with 25 speakers travelling from around the country to present, and approximately 800 attendees, including students, faculty, staff, community members, local activists, and journalists.