

# Campus Free Expression: An Institutional Approach

By Jacqueline Pfeffer Merrill

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## Key Points

- Freedom of expression is under assault at the very institution designed to foster it: the university.
- Conservatives must encourage establishing campus free expression task forces to create new standards that will be used to rewrite campus policies and set metrics to measure institutional success on free expression.
- This insider approach to shifting campus culture from within requires openness to working with school administrators of all political leanings and engaging with diversity initiatives.

Over the past few decades, conservatives have watched universities move away from encouraging and protecting a broad ideological spectrum of reasoned debate toward an ever-narrowing range of acceptable speech.

A 2020 report about one flagship public university illustrates the degree to which today's cancel culture chills open inquiry: 75 percent of self-identified conservative undergraduates and 26 percent of self-identified liberal undergraduates were concerned that what they said in an in-person classroom discussion would lower classmates' opinions of them, and 43 percent of self-identified conservatives and 10 percent of self-identified liberals were worried their classroom comments would be shared on social media.<sup>1</sup> While students fear each other, professors fear students' bias response complaints.<sup>2</sup> In addition to freedom of speech, freedoms of association and religion have also been chilled: Schools have banned single-sex organizations<sup>3</sup> and prohibited faith-based student organizations from setting rules for membership and leadership roles consistent with their beliefs,<sup>4</sup> and students have pushed others out of student government because of their religious beliefs.<sup>5</sup>

Conservatives have already taken meaningful steps to address this crisis. Conservative faculty, with philanthropic support, have launched campus institutes to mentor young conservatives, create opportunities to hear viewpoints seldom heard on many campuses, and make campuses more congenial to viewpoint diversity. They've championed the Chicago principles—the free expression policy statement adopted by the University of Chicago in 2015<sup>6</sup>—and encouraged like-minded faculty to enter academic administration.<sup>7</sup> Republican lawmakers have been active, too: Since 2017, 20 states have adopted free speech legislation.<sup>8</sup>

But these approaches have limits. While campus institutes make space for conservative students, they do not touch the great majority who do not participate in their programs. The Chicago principles have been adopted by more than 75 schools, which is a great achievement, but it's still just a tiny fraction of the more than 2,800 four-year US colleges and universities. State free speech laws may eliminate some barriers to free expression, such as so-called “free speech zones,” but cannot mandate true viewpoint diversity and open exchange. Frankly,

conservatives have been limiting themselves by only playing an outsider's game, as lasting change comes from shifting the culture from within.

To build up a free expression culture at more schools, conservatives should look closely at schools that adopted significant free expression reforms under the leadership of nonconservative administrators. This begins by showing a willingness to move past the long-standing animosity between conservatives and the "liberal" institution of the university, lines that have certainly hardened in recent years and have always played well as a battle of us versus them.

Gettysburg College and Colgate University have adopted significant free expression reforms with wide campus support and engagement. In both cases, task forces with administrative, faculty, and student representation engaged in campus-wide consultations, hearings, and meetings. The process at both schools was fractious but led to statements that were ratified by the student government, faculty, and trustees.<sup>9</sup> Both schools considered the Chicago principles but ultimately adopted statements that reflect their institutional history and culture.<sup>10</sup>

Notable is how conservatives succeeded in having their concerns heard and incorporated into the task forces' work. Jennifer Collins Bloomquist, associate provost for faculty development and leader of the task force at Gettysburg College, described how the task force changed her views.

It became very, very clear to me that [conservative] students also feel minoritized because of their viewpoints. And I think that when we talk about diversity, it is so easy for us to only talk about people who are non-majority identified, and to completely discredit the fact that on campuses like Gettysburg College we have some students with viewpoints that are not in alignment with some of the other people on campus, and those viewpoints also need to be considered when we are talking about diversity of thought.<sup>11</sup>

Conservatives might suppose that the difficulties in fostering viewpoint diversity and the chilling of conservative speech should have been known before,

but the hard work of institution building through a free expression task force changed perceptions, made new advocates for viewpoint diversity, and led to statements that are now being used to rewrite other campus policies and set metrics with which institutional success in promoting open inquiry and free expression are measured. These task forces and the statements they produced are thus reforming campus from the inside.

Conservatives need to engage in these task force reform processes at every step. This requires two things that conservatives have been reluctant to do.

First, they must embrace working with administrators. Conservatives have been reluctant to work with administrators because they're even more liberal-leaning than faculty are, as American Enterprise Institute Visiting Scholar Samuel J. Abrams has demonstrated.<sup>12</sup> But, if conservatives want to do more than work on the fringes of campuses, they must commit to working with those tasked with implementing policies that apply to every member of the campus community. They may share more than they think with these administrators, who want to preserve the nature of these institutions as free-thinking spaces.

Second, it requires engaging with campus discussions about diversity and inclusion. A 2020 Gallup Knight Foundation survey documents students' belief in the trade-off between free speech and diversity and inclusion: 76 percent believe that these values are at least occasionally in conflict.<sup>13</sup> Conservatives should address marginalized communities' concerns by drawing on examples of highly controversial speech, protest, and expression that were essential to the civil rights movement and women's suffrage and by looking at how current issues such as Black Lives Matter and #MeToo make the case for the central value of free expression in campus life.

As the examples of Gettysburg College and Colgate University illustrate, some campuses have administrators with varied ideological outlooks but a shared commitment to free expression who are ready to undertake the hard institution-building work of creating new free expression statements and policies. Conservatives who want to create campus-wide reforms that support free expression must add this insider approach to their strategies for reform.

## About the Author

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*The opinions expressed in this publication are those of the author. They do not purport to reflect the opinions or views of AEI or the series coordinator, Frederick M. Hess.*

## Notes

1. Jennifer Larson, Mark McNeilly, and Timothy J. Ryan, *Free Expression and Constructive Dialogue at the University of North Carolina at Chapel Hill*, University of North Carolina Chapel Hill, March 2, 2020, Table 9, <https://fecdsurveyreport.web.unc.edu/files/2020/02/UNC-Free-Expression-Report.pdf>.

2. Christian Schneider, "A Year of Discontent on Campus," *Dispatch*, February 6, 2020, <https://thedispatch.com/p/a-year-of-discontent-on-campus>.

3. Erin Hawley, "Harvard's Ban on Single-Sex Organizations Hurts Women," *NationalReview.com*, August 29, 2020, <https://www.nationalreview.com/2019/08/harvard-ban-single-sex-organizations-hurts-women/>.

4. Doug Lederman, "Judge (Again) Finds Iowa Violated Christian Group's Rights," *Inside Higher Ed*, October 1, 2019, <https://www.insidehighered.com/news/2019/10/01/second-time-year-judge-says-university-iowa-violated-christian-groups-rights>; and Blake Farmer, "Vanderbilt Rule Rankles Faith-Based Student Groups," *NPR*, March 22, 2012, <https://www.npr.org/2012/03/22/149141095/vanderbilt-rule-rankles-faith-based-student-groups>.

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6. University of Chicago, "Report on the Committee on Freedom of Expression," accessed October 1, 2020, <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>.

7. Emily Chamlee-Wright and Richard A. Wueste, "Crossing to the Dark Side: A Primer for Reluctant Academic Leaders," *Institute for Humane Studies*, 2018, [http://theihs.org/wp-content/uploads/2018/06/Crossing-to-the-Dark-Side\\_lckd.pdf](http://theihs.org/wp-content/uploads/2018/06/Crossing-to-the-Dark-Side_lckd.pdf).

8. Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Iowa, Kentucky, Louisiana, North Carolina, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Virginia have adopted legislation that applies to public higher education institutions. Nevada, Rhode Island, Tennessee, and Vermont have adopted legislation that applies to all public schools.

9. Leaders of the two schools' respective task forces, Jennifer Collins Bloomquist, associate provost at Gettysburg College, and Spencer Kelly, professor of psychology and neuroscience at Colgate University, described how their task forces solicited input, overcame objections to free expression protections, and created new campus consensuses on the value of free expression at the 2019 Heterodox Academy Conference. Their remarks are available at Heterodox Academy, "Critical Questions About the Relationships Among Viewpoint Diversity and Other Aspects of Diversity," YouTube, July 1, 2019, <https://www.youtube.com/watch?reload=9&v=ztZcoeIj2wo>; and Heterodox Academy, "Successes, Strains, and Stories to Inspire," YouTube, <https://heterodoxacademy.org/library/successes-strains-and-stories-to-inspire-conference-plenary-panel-2019/>. See also Mary Zoeller, "Gettysburg College Adopts Unique 'Freedom of Expression Philosophy' with Input from Various Campus Stakeholders," *Foundation for Individual Rights in Education*, June 15, 2018, <https://www.thefire.org/gettysburg-college-adopts-unique-freedom-of-expression-philosophy-with-input-from-various-campus-stakeholders/>; and James Paterson, "Colgate Develops Free Speech Policy That Focuses on Intent," *Education Dive*, October 8, 2018, <https://www.educationdive.com/news/colgate-develops-free-speech-policy-that-focuses-on-intent/539081/>.

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13. Gallup and Knight Foundation, *The First Amendment on Campus 2020 Report*, May 2020, 15–16, <https://knightfoundation.org/wp-content/uploads/2020/05/First-Amendment-on-Campus-2020.pdf>.

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