

2017 QUESTION

The Dan O’Hanlon Essay Competition

First Prize ~ \$1,000

Second Prize ~ \$500

INTRODUCTION

This year’s contest focuses on a question prominent in the news for the last few years:

What limitations, if any, should there be for invited speakers on college campuses?

The debate is playing out on campuses across the country, with some saying that free expression mandates tolerating offensive views and others responding that those expressing views hostile to people because of race, national origin, gender, or sexual orientation, should not be tolerated as part of campus life (though some of the speakers are protested for other reasons).

As explained below, while this is a narrow part of the debate regarding free speech on campus, it is also a complex question. Moreover, this debate is playing out against the backdrop of extreme polarization and hostility in American politics, making the question even more difficult to resolve.

BACKGROUND

In his 2017 commencement address at Bucknell University, [Fareed Zakaria](#) – who hosts CNN’s flagship foreign affairs program, writes for *The Washington Post* and is a *New York Times* bestselling author – warned against the threat to education posed by the idea that students should not hear the views of speakers with whom they disagree or find offensive. You can watch his speech here: [YouTube: Zakaria Bucknell Commencement Speech](#). Zakaria knows something about education: he earned his B.A. at Yale and his Ph.D. from Harvard.

Zakaria’s topic was timely. Indeed, each week of the spring seems to bring a new story about speakers at universities being “disinvited,” experiencing what is known as a “heckler’s veto,” or, in some cases, canceling their own appearances after student protests demanding that they not be permitted to speak.

Such speakers range from provocateurs [Ann Coulter](#) (temporarily disinvited by University of California at Berkeley in May because it feared it could not provide a safe forum ([Washington Post; Coulter Canceled](#);) and Milo Yiannopoulos (who spoke at West Virginia University in the fall of 2016 but was disinvited from Berkeley in March after violent protests effectively canceled his event see [Washington Post: Milos](#)

[Appearance at Berkeley Led to Riots](#)) to controversial political scientist Charles Murray (whose speech at Middlebury was interrupted by student protests that ended in physical injury to the political science professor who invited him, see [NY Times: Charles Murray at Middlebury](#)) and leaders such as former Secretary of State Condoleezza Rice (who, in response to protests, withdrew as Rutgers University's commencement speaker in 2014, see [NYTimes: Rice Cancels Appearance After Student Protest](#)); Christine LaGarde, Managing Director of the International Monetary Fund (who withdrew as 2014 commencement speaker at Smith College in response to student protests, see [NY Times: LaGarde Cancels Commencement Speech at Smith](#)); and former CIA Director John Brennan (whose event at the University of Pennsylvania was effectively ended by a "heckler's veto." See [Daily Pennsylvanian: Protesters Shut Down Brennan Talk](#)).

These are just a few examples; the Foundation for Individual Rights in Education (FIRE) keeps a database of such incidents and regularly covers other incidents it believes are a threat to civil liberties in higher education. See, generally, www.thefire.org. For a good explanation of the term "heckler's veto," see testimony submitted to the Judiciary Committee of the U.S. House of Representatives on April 4, 2017 by First Amendment scholar David L. Hudson, Jr. <https://judiciary.house.gov/wp-content/uploads/2017/03/Testimony-Hudson-04.04.2017.pdf>

THE DEBATE

There is a diversity of opinion regarding whether controversial speakers should be kept off campus. The issue implicates a broad range of competing values, including free expression, academic freedom, civil discourse, civic learning, and equal protection for historically marginalized students to be free from discrimination or a "hostile environment."

By and large, courts faced with the question have protected free speech on campus, often issuing such rulings in cases involving speakers with controversial views that many find offensive. See the First Amendment Center for the Newseum Institute, www.newseuminstitute.org for a general discussion of the legal issues; see also CQ Researcher, May 8, 2015, Vol 25, No. 18, pages 409-432, www.cqresearcher.com.

This complicated issue has been largely framed as a debate focused on whether it is more important for students to hear controversial views, consider issues from all sides and learn to hone their arguments appropriately or whether allowing certain speakers (for example, those with views characterized as racist, nationalist, misogynistic and/or homophobic) disregards the needs of students struggling to feel comfortable on campus. Compare "[How Canceling Controversial Speakers Hurts Students](#)" with "[Should Controversial Speakers Be Kept Off Campus](#)" and "[What Liberal 'Snowflakes' Get Right Free Speech,](#)" and "[Students Are Children Who Need to be Protected.](#)"

The Association of Governing Boards of Universities and Colleges has attempted to address the issue through its statement "[Governing Board Accountability for Campus Climate, Inclusion and Civility](#)"

It is unclear what the majority of students think. In May of 2016, a Newsweek article claimed that “The Battle Against ‘Hate Speech’ on College Campuses Gives Rise to a Generation That Hates Speech.” See ["The Battle Against Hate Speech."](#) But, a year later, on May 3, 2017, Newsweek published another article – “Millennials Oppose Banning Controversial College Speakers: Poll” – reporting the results of a Morning Consult/Politico poll showing that “Respondents aged 18 to 29 were among the least likely to support the idea of barring speakers from campus, with just 27 percent of the age group saying they do so.” See ["Millennials Don't Want Ban on College Speakers."](#) An Intelligence Squared (IQ2) debate at Yale University focusing on the question “Is Free Speech Under Threat on College Campuses?” and judged by an audience that included many students, was won decisively by the “Pro” side insisting that this is indeed the case. See [YouTube: IQ2 Yale Debate](#)

THE ESSAY QUESTION

This year’s essay question asks the writer to consider how public colleges and universities – which have more rigorous First Amendment obligations than private ones – should balance the interests of free speech, academic freedom, civil discourse, civic learning, and sensitivity to historically marginalized groups with respect to allowing controversial – and even offensive – speakers on campus. At Marshall University, we have not experienced any incident such as those referenced above. But it is important to consider the question.

The successful essay will demonstrate an understanding of the arguments on both sides and **will address the constitutional values** raised by the question itself. It should also reflect **your own research** into the issue and careful consideration of all sides of the argument. The linked material is mostly from the news media. It is expected that you will cite additional sources to bolster your arguments, including peer-reviewed and scholarly sources regarding the issues. Of course, your research should reflect a high degree of information literacy. You must be sure that all of your research is properly cited and can be located and verified by the contest judges.