

Some Thoughts for Civil Libertarians on Fighting the Far-Right on Campus

January 4, 2017 in [Students](#)

In recent weeks two public figures with far-right views—Breitbart provocateur Milo Yiannopoulos and white supremacist Richard Spencer—have made headlines with high-profile visits to American campuses, while their opponents on the left have made headlines by trying to derail those appearances.

With both Yiannopoulos and Spencer planning more campus talks, and with campus organizing on the rise in the wake of Trump's victory, such protests, and the free-speech debates that accompany them, are going to gain much more attention in the coming months. As a civil libertarian who is also an anti-fascist, I have some thoughts on the issue that other civil libertarians might want to bear in mind...

Off-campus individuals have no right to speak on campus.

Professors, students, and staff are members of the campus community, and their ability to speak on campus without constraint is essential to fundamental principles of free speech and academic freedom. Outsiders aren't in the same category.

When speakers like Spencer and Yiannopoulos come to our schools, they come as invited guests. Such invitations are privileges, subject to campus rules and to the preferences of relevant decisionmakers. It's not a violation of their free speech rights for us to refuse to host them, or to discourage others from hosting them.

It's not a violation of the First Amendment or of principles of academic freedom to oppose giving Nazis a soapbox.

The right to invite a speaker is meaningless without the right to change your mind.

Organizations like FIRE frequently raise alarms about [disinvitations of campus speakers](#), but there's nothing intrinsically wrong, from a civil libertarian perspective, with rescinding an invitation to speak. If an invitation has been extended without a full understanding of the issues involved, or without consideration of all relevant perspectives, there's nothing sinister in withdrawing it. Likewise, there's nothing inherently sinister in encouraging others to change their minds about extending such invitations, even where such encouragement takes the form of protesting the invitation.

It's also worth bearing in mind that many "disinvitations" aren't disinvitations at all. If a speaker cancels because their planned appearance has brought them negative publicity, or to avoid embarrassing the host institution, that's not a disinvitation, and it's not a violation of anyone's free speech rights.

Shining a spotlight on the views and acts of an invited speaker is legitimate behavior, and if the speaker decides to withdraw in the face of such publicity, there's not necessarily anything wrong with that.

The right to protest is an essential component of the right to free speech.

Protesting a speaker is an act of free speech, and the right to protest must be defended by civil libertarians even when the protest is indecorous or unruly. It's not an infringement on a speaker's rights to challenge them, even if that challenge is uncivil. Sometimes incivility is exactly what a situation calls for.

It's crucial to be alert to infringements on the free-speech rights of protesters, even hecklers. When campus officials have protesters arrested, they are leveraging the power of the state against expression they disapprove of in ways that chill free speech far more powerfully than most hecklers.

Extending invitations to harassers has costs.

Milo Yiannopoulos was banned permanently from Twitter in July because of his long history of coordinating harassment campaigns against other users of the site, and he has recently used his platform on at least one campus to engage in [similarly abusive behavior](#). At UW Milwaukee in December, he put up the name and photo of a transgender student from that campus on a large screen behind his podium, then proceeded to spend the next several minutes abusing and deriding her, referring to her as “it,” calling her “a man in a dress,” and making a variety of cruel and ugly remarks about her.

There’s nothing obviously illegal about this nastiness—it’s Yiannopoulos’s right to engage in squalid, repulsive behavior. But again, universities have no obligation to provide a platform for it.

And they *do*, I believe, have at least some obligation, when they consider hosting speakers, to take into account their propensity for such behavior and anticipate its potential consequences. Yiannopoulos left UW Milwaukee that night, but his target remained to face the consequences of his actions.

People like Spencer and Yiannopoulos aren’t looking for debate.

Booking controversial speakers on campus is often defended as an opportunity for dialogue, but dialogue isn’t what these figures are after. They’re looking to build their base and their brand—to rally supporters and harvest attention.

When someone’s public persona is based on shock and “transgression”—on violating social norms for the sake of notoriety—actual dialogue isn’t in their interest and should not be used to justify their presence.

Not all questions raised by such speakers are as easily resolved.

Having said all this, I recognize that some difficult issues remain. While I consider it appropriate for universities to refuse to bring such figures to campus, for instance, I generally believe that student organizations deserve broad deference in booking speakers. Though I think the rights of hecklers should be granted far more weight than they’re typically afforded, there does come a point at which the exercise of those rights limits others’ ability to exercise theirs. And although the right to protest vocally, even rowdily, is worthy of strong defense, there are circumstances in which such protest crosses a line into physical intimidation or harassment.

These are thorny questions that pose conflicts between reasonable claims. But they’re not questions that can be engaged in a productive way unless the rights of protesters are given due weight and issues of speakers’ rights are disentangled from issues of institutional policy.

Spencer, Yiannopoulos, and their ilk hold extremist, overtly bigoted views, but they are not fringe figures—they represent an ideology and a political movement that is on the ascendancy in the United States and in much of Europe. They must be fought, and with all the tools at our disposal.

An effective defense of our civil liberties requires it.