



1. *Call Them Idiots*
2. *Celebrity Hypocrisy*
3. *Campus Safe Spaces*

Call Them Idiots

By SAM BENEVELLI
EDITOR-IN-CHIEF

On Tuesday, October 3, the Office of the President and the Government Department hosted “Free Speech on Campus,” a panel discussion. Following opening remarks from President Wippman about the role of free speech and the First Amendment at Hamilton, Professor Rob Martin introduced the panelists.

Professor Rodney Smolla is the dean of Widener University Delaware Law School and author of *Free Speech in an Open Society*. Professor Bryan Fair is the Thomas E. Skinner Professor of Law at the University of Alabama Law School and is on the board of the Southern Poverty Law Center. Ari Cohn is the director of the Individual Rights Defense Program at the Foundation for Individual Rights in Education. It was a pleasure to have a balanced panel with a strictly academic perspective and both liberal pundits and a more conservative one.

Smolla began the discussion by outlining the two frameworks free speech discussions usually occupy—the “marketplace” theory and the “order and morality” theory. Under the marketplace theory, pushed by Supreme Court justices Oliver Wendell Holmes and Louis Brandeis, society should tolerate all speech, even hate speech, even if it is generally viewed as crass or cruel by most of society. A major argument here is that if a government body restricts evil speech, the evil speech, and the people who spew it, only become more powerful. The order and morality theory, on the other hand, posits that a decent society has the intelligence to judge for itself which speech has a plausible claim to attention and which speech is pure evil. In judicial history going back many decades now, the marketplace theory has won – the government generally cannot restrict speech even if it is hateful.

The complication Hamilton College and other colleges face is that although the marketplace theory has replaced the order and morality theory in the public sphere, the order and morality

theory has the most traction on college campuses and similar small communities. Professor Smolla went on to say that each of the two theories has a time and place. In relationships with coaches and professors, and sometimes in the classroom, the marketplace theory often takes precedence. In most social scenarios, the order and morality theory holds.

Ari Cohn spoke next, about his work protecting individual rights on campuses. He began by making clear that we do not have the idyllic free-speech situation in this country, as most liberal pundits would have us believe. His main example was that our speech is censored in the workplace. Cohn also stressed that we need to protect the expression even of hate speech, because free speech has often been the strongest tool of minority and oppressed groups to fight the status quo. Driving racism and hate speech underground has not eliminated those people in the cases Cohn cited: the racism, he said, only grew stronger. He offered this advice to colleges: Allow the “idiots” spouting hate speech to continue, argue with them, and offer support and counseling to those who are negatively affected by their words.

Professor Bryan Fair concluded the presentations with a call to change speech laws. In agreement with Cohn, he cited numerous cases where jurisprudence has drawn a line in the sand to say what kind of speech is acceptable. Fair argued for moving the line to include less hate and require more tolerance. While all three panelists spoke well about free speech and engaged in a very civil discussion (falling quite short of actual debate), Cohn offered the most realistic advice for Hamilton College. Over the next month, there will be numerous (and necessary) lectures and presentations about free speech on campus. Hamilton should promote an environment in which students and professors are free to express contrarian beliefs, and an environment where we are free to call them idiots.

. . . free speech has often been the strongest tool of minority and oppressed groups to fight the status quo. acting that earned some of their roles.

Celebrity Hypocrisy

By MONTANA SPRAGUE
STAFF WRITER

There are multiple underlying issues in the recent allegations of the ongoing Harvey Weinstein sexual harassment and assault scandal. The first aspect worth discussing is what an indescribably repulsive reptile this amoral predator is. It is impossible to imagine that his abuses continued for three decades without Hollywood bigwigs knowing of it, going along, and accepting the idea of his casting couch as part of doing business: “You want me to make you a world-famous, mega-millionaire movie star? What are you going to do for me, and why should I pick you over a million other gorgeous wannabes?”

As reprehensible as his behavior indisputably was, the entire industry is much less forgivable for choosing to play along and enable this activity, victimizing countless women for decades. And why? Because stars could get that next movie role and further their own careers. Or even more cynically, because Weinstein was a huge Obama and Hillary bundler, and they were on “our team.”

Another story to emerge from this ugliness is how many well-known actresses may have prostituted themselves for roles. Sexual exploitation seems to

Sexual exploitation seems to remain part of the Hollywood system; it may not have been primarily their acting that earned some of their roles.

remain part of the Hollywood system; it may not have been primarily their acting that earned some of their roles.

The hypocrisy of Ashley Judd is most appalling — she’s one of the phony “champions of women” who absolutely excoriated Donald Trump at the Women’s March in Washington last winter while at the same time remaining silent about Weinstein (just as she did with Bill Cosby, Woody Allen, Roman Polanski . . .), a man who inflicted far worse damage, on far more women, and for more decades, than a crude taped conversation. Or Meryl Streep, whose lifetime award speech at

continued on back

the Golden Globes had her fighting back tears at the horrible behavior of Trump — while giving an even better performance pretending to be as shocked and outraged as Hillary, the self-proclaimed leading advocate for women, would later pretend to be about Weinstein when it finally became impossible to feign ignorance.

And yet these sanctimonious Hollywood hypocrites bashed a decent

man like Mitt Romney for his comment about “binders full of women.” Romney’s innocent verbal misstep caused Hollywood elites to spend millions of dollars on advertising and character assassination, which tried to sell the notion that his comment could be placed in the same universe as Weinstein’s near-sexual slavery. All this perpetrated by the same Hollywood figures who presume

to claim the mantle of safeguarding the rights, dignity, and respectful treatment of women everywhere. The Weinstein scandal has revealed the dirty little secret that all the speeches, all the protests, and all the marches on behalf of women are, for too many Hollywood elites and people close to them, born not out of conviction or passion, but rather as an effective weapon to advance a political agenda.

Campus Safe Spaces

By JULIA DUPUIS
STAFF WRITER

Last month, Attorney General Jeff Sessions set off controversy with his address to Georgetown University law students warning that free speech is under attack on college campuses. He lamented the loss of “academic freedom” and criticized universities for creating a “shelter for fragile egos.”

The notion that college policies are hostile to the free exchange of ideas has gradually seeped into mainstream opinion. The so-called “free speech crisis” is a conservative fabrication, mistaking the need for safe spaces for a blatant attack against free academic discourse. It is an attempt to undermine the validity of modern universities because, in the era of Donald Trump, conservative ideas struggle to thrive there.

Sessions’ statement is a retaliation for the collapse of the conservative identity on college campuses. By portraying safe spaces and free speech as fundamentally opposed, conservatives are pushing to reclaim their voices in a space where they are losing political ground.

There are demographic reasons for safe spaces in American universities. Hamilton’s student body, for example, is approximately 70 percent white. In institutions where the voices of the majority have historically been dominant, the lingering effects of oppression can have a severe impact on how students perform in a classroom setting. Safe spaces offer students a place to heal—to reclaim power they may not have in their

daily lives, and share that empowerment with others in a positive way.

These spaces are not a threat to free speech on campus. They are merely part of an institutional promise to minority students that their voices are valued despite the ways they have been disadvantaged.

The backlash against safe spaces reveals that this is not a debate about free speech. It is a debate about acceptable speech.

The kind of rhetoric that pushes marginalized students to seek out safe spaces is not open-minded, friendly political discourse. It is hate speech. Universities have the right to create their own internal rules about the kinds of dialogue that are acceptable in a classroom setting. It is unreasonable to expect that ideas rooted in social oppression can be put forward without negative moral evaluations being made of them.

As much as they condemn safe spaces on campus, conservative groups are working just as hard to maintain their own intellectual safe spaces. Neither side is advocating for or against free speech—it is an ideological power struggle over which voices should be privileged in the public sphere.

Conservatives are struggling to retain their social identity in light of their rapidly slipping power on campuses. It is the backlash of those who are losing their social authority and struggling against

the gradual erosion of their privilege. By exploiting the principles of the First Amendment and depicting any challenge to their ideologies as speech suppression, conservatives are attempting to flip the script and ensure their survival in a political climate where they are losing influence.

This does not mean that all conservatives hold prejudiced views, but that traditionally conservative ideas tend to cater toward those who have enjoyed the privilege of being able to ignore who has advantage and disadvantage, both culturally and politically.

The rise of safe spaces and protests on college campuses does not represent an opposition to free speech. Those who have been historically sidelined from political discussion are now coming forward to make a statement: The rhetoric that justified their exclusion and oppression is no longer acceptable in the realm of academic debate. Minorities are seizing the opportunity to learn in an

environment free of hate speech—and the right to defend their humanity and place in society.

Protecting the safe spaces against the conservative free-speech debate is vital if we hope to keep higher education accessible for students of all identities. College campuses have a responsibility to be clear about their values: Bigotry is unacceptable, and students’ human rights should never be up for debate. Colleges should be leading the way forward—not backward.

The notion that college policies are hostile to the free exchange of ideas has gradually seeped into mainstream opinion.

The backlash against safe spaces reveals that this is not a debate about free speech. It is a debate about acceptable speech.

ENQUIRY

Sam Benevelli *vol. V*
Editor-in-Chief

Claire Anastasia Kitz
Andrew Juchno
Associate Editors

Helen Sternberg
Layout Editor

STAFF WRITERS

Julia Dupuis
Steven Falco
Elza Harb
Fred Pollevick
Montana Sprague
Allison Zuckerman

The opinions expressed in these articles are the views of their authors and do not represent the views of Enquiry or the Alexander Hamilton Institute.

Enquiry accepts articles of 500 to 800 words at sbenevel@hamilton.edu. Please be aware that we do not accept anonymous submissions.

CONTINUE THE CONVERSATION

1. *Call Them Idiots*
#CallThemIdiots
2. *Celebrity Hypocrisy*
#CelebrityHypocrisy
3. *Campus Safe Spaces*
#CampusSafeSpaces