

# *No Platforming*

Robert Mark Simpson and Amia Srinivasan

In Jennifer Lackey (Ed.), *Academic Freedom*  
(Oxford: Oxford University Press, 2018): 186-209

*Abstract.* This paper explains how the practice of ‘no platforming’ can be reconciled with a liberal politics. While opponents say that no platforming flouts ideals of open public discourse, and defenders see it as a justifiable harm-prevention measure, both sides mistakenly treat the debate like a run-of-the-mill free speech conflict, rather than an issue of academic freedom specifically. Content-based restrictions on speech in universities are ubiquitous. And this is no affront to a liberal conception of academic freedom, whose purpose isn’t just to protect the speech of academics, but also to give them the prerogative to determine which views and speakers have sufficient disciplinary credentials to receive a hearing in academic contexts. No platforming should therefore be acceptable to liberals, in principle, in cases where it is used to support a university culture that maintains rigorous disciplinary standards, by denying attention and credibility to speakers without appropriate disciplinary credentials.

## I. Introduction

No platforming is the practice of blocking, or attempting to block, an individual from speaking at a university because of her expressed moral or political views. It is different from merely protesting a speaker. Protest typically serves to communicate disagreement. It is a form of communication that is compatible with liberal ideals of free speech and tolerance, at least in theory.<sup>1</sup> By contrast, no platforming generally expresses the view that the targeted person is morally or

---

<sup>1</sup> There are borderline cases in which a protest is intended to be so disruptive that it stops a speaker from speaking or being heard. Such protests might plausibly be characterized as instances no platforming.

politically beyond the pale, and that they should thus be denied a voice on campus. On its face, no platforming is a practice that seems to be at odds with a liberal politics.

Our aim in this paper is to explore whether, contrary to these appearances, no platforming can be reconciled with liberal ideals. In §2 we say more about the nature of no platforming and the standard liberal case against it. In §3 we explain why an appeal to the harm principle, as a limiting constraint on free speech, isn't a promising strategy for reconciling no platforming with liberalism. In §4 we propose an alternative. Following Robert Post and others, we distinguish principles of *academic* freedom, which answer to the epistemic and intellectual aims of the university, from the wider free speech principles that govern the liberal public square. On this account, the content-based suppression of viewpoints by disciplinary gatekeepers isn't merely permissible, but positively desirable – indeed, it stands in need of special protection. In §5 we consider whether some forms of no platforming might be acceptable to liberals, given a defence of the practice built around this conception of academic freedom. We identify some instances of no platforming that seem like they would be acceptable, and others that wouldn't. We then consider some hard cases, in particular, cases in which the prerogatives of disciplinary gatekeepers are contested, due to controversy about the scope and boundaries of disciplinary expertise. We finish by sketching a more radical way to adapt Post's account in a defence of no platforming, one which allows that students, rather than only faculty members, may sometimes have a legitimate role to play in the formation of disciplinary standards.

Before going further, we should note that we do not believe, nor mean to suggest, that a satisfactory defence of no platforming must be situated within a liberal political framework. We are asking how liberals can defend no platforming mainly because those who critique the practice typically do so by appealing to various tenets of liberalism. Our aim is to see whether no platforming really is at loggerheads with liberalism, as its most vocal critics claim.

## 2. No platforming: then and now

The term 'no platforming' dates to the 1970s, when the UK National Union of Students (NUS) adopted a policy under that name, prohibiting student unions from giving representatives of the fascist National Front party access to speaking engagements on British university campuses. Over time the NUS's targeted campaign was applied to a wider range of speakers, espousing a variety of unpopular views, including racist, anti-Semitic, misogynistic, Islamophobic, and transphobic

views. Recent targets of no platforming in the UK include the MP George Galloway, over allegations of rape denial,<sup>2</sup> Iranian human rights campaigner and secularist Maryam Namazie, for Islamophobia,<sup>3</sup> psychologist Ken Zucker, for transphobia,<sup>4</sup> and feminists Julie Bindel, Beatrix Campbell, and Germaine Greer, also for transphobia.<sup>5</sup>

In the US there has been a parallel rise in the practice of *disinvitation*, which involves student groups reacting to someone's invitation to speak on campus, e.g. for a commencement address, by pressuring the administration to rescind the invitation, or pressuring the speaker to decline it. The Foundation for Individual Rights in Education (FIRE) lists 342 disinvitation campaigns at American colleges since 2000.<sup>6</sup> Recent examples of people targeted for disinvitation by leftwing activists include former Secretary of State Madeline Albright, for war crimes, former New York Mayor Rudolph Giuliani, for anti-black racism, anti-FGM campaigner Ayaan Hirsi Ali, for Islamophobia, and Indian Prime Minister Narendra Modi, for human rights abuses. Disinvitation campaigns have also sometimes been mounted by conservative groups, targeting people like Angela Davis for anti-capitalist views, or Cornel West for criticism of Israel. Disinvitation and no platforming aren't identical – they differ in how they are organized and what kinds of speakers they are used against – but they are similar in certain key respects. Most importantly, they are both tools primarily used by students: an attempt to exert control from below over who speaks and what can be said on campus. Whatever the weight of the differences amounts to, we will treat disinvitation as a species of no platforming.

At face value these practices seem to flout liberal ideals of tolerance, pluralism, and open public discourse. One could argue that that was not the case when no platforming was first being used by the NUS as a tactic for combating the National Front. In those days one might have viewed the practice as a permissible form of militant liberalism: a special exception to the normal liberal commitment to tolerance, aimed specifically at combating the rise of political groups whose overt aims included the abolition of liberal institutions. However, as a number of critics argue, the practice of no platforming isn't what it used to be (e.g. Ditum 2014).

---

<sup>2</sup> Galloway said on a podcast that the sexual crimes of which Julian Assange has been accused “don't constitute rape” and are at worst “bad sexual etiquette”; see Rickman (2012) further discussion.

<sup>3</sup> Namazie is a member of the Council of Ex-Muslims of Britain, and a spokesperson for ‘One Law for All’, which campaigns against sharia and other religious laws. The decision to no platform her at Warwick University was later reversed after student and public outcry; see Adams (2015).

<sup>4</sup> Zucker promotes therapeutic intervention for children who exhibit gender non-conforming behaviour.

<sup>5</sup> For further discussion see National Union of Students (2016).

<sup>6</sup> As of September 2017; see <https://www.thefire.org/resources/disinvitation-database/>. Note that FIRE includes both actual and attempted disinvitation, and “substantial event disruption” cases in its database (cf. note 1). Some of its cases may arguably be better classified as protest rather than no platforming.

Nowadays, so the critique goes, no platforming is used not just to fight against overt enemies of liberal society, but to suppress credible positions that are widely accepted by reasonable, sincere, and informed people. If no platforming was still reserved for the National Front, it could arguably be reconciled with a liberal vision of the university. But given that it is used to silence a wide range of viewpoints and speakers – including human rights campaigners, feminists, medical doctors, and mainstream politicians – it appears to have broken faith with that vision.

Granted, some practitioners of no platforming expressly reject liberal ideals. It is a familiar leftist critique, after all, that liberalism colludes in oppression: in its focus on individual negative liberty, its insistence on a distinction between the public and private realms, and its idealization of the public square as a place of reasoned deliberation.<sup>7</sup> Allowing advocates of oppressive ideas a platform on campus, in the name of free speech, might be seen as yet another deployment of liberal ideals in the service of injustice and domination. In turn, no platforming might be seen as an organized mode of resistance to the abuse of liberal ideals for oppressive ends. Those who take this view may invoke Herbert Marcuse's warning that – in the non-ideal conditions of actual political contestation – an ethos of 'indiscriminate tolerance' won't result in the triumph of truth, as Millian liberals hope, but instead, the triumph of views favored by the powerful. In such circumstances, and "where freedom and happiness themselves are at stake", he says

Certain things cannot be said, certain ideas cannot be expressed, certain policies cannot be proposed, certain behavior cannot be permitted without making tolerance an instrument for the continuation of servitude (Marcuse 1965: 88)

There are those who believe that political discourse in the university is yet another discursive arena in which entrenched power hierarchies thwart the positive aims that – for Millian liberals – tolerance is supposed to promote. No platforming may be defended, by people in this camp, as a necessary means of curbing the repressive consequences of liberal tolerance.<sup>8</sup>

---

<sup>7</sup> For examples of these claims in feminist discourse, see Catharine MacKinnon's claim that liberal conceptions of harm make the harm done by pornography to women uncognizable (1984); the claim advanced by Angela Davis (1981), Carol Pateman (1988), Susan Okin (1989), and Nancy Fraser (2014) that the liberal notion of a protected 'private' sphere obscures injustice in the family; or Alison Jaggar's (1993) and Iris Marion Young's (1997) claims that the idealizations involved in liberal conceptions of public discourse systematically exclude the perspectives of those who are taken to be discursively non-ideal.

<sup>8</sup> Marcuse himself would not have wanted his ideas to be co-opted in a defence of no platforming. Leading up to the passage we have quoted, Marcuse identifies 'academic discussion' as one of a few arenas in which an ethos of indiscriminate tolerance is justified. Marcuse thinks that in the special social conditions of academic discussion, such tolerance typically does conduce to the utilitarian benefits that Mill adverts to in his defence of free speech in *On Liberty*; thus academic discussion represents an exception to Marcuse's rule. But regardless of Marcuse's optimism about the consequences of tolerance for scholarly inquiry, it is easy to imagine a version of his critique which is less sanguine about the effects of power on

Naturally, classical liberals regard this sort of militancy as a mortal threat to freedom, and tend to view no platforming as a dangerous manifestation of this stance. In a recent critique of the disinvitation trend, Greg Lukianoff, the President of FIRE, writes that higher education “is an institution that relies on being a marketplace of ideas” (2014: 12), and he exhorts students to embrace the value of epistemic humility – “a fancy way of saying that we must always keep in mind that we could be wrong or, at least, that we can always learn something from listening to the other side” (*Ibid*: 6). The popular conservative commentators Mary Katharine Ham and Guy Benson strike similar notes in their discussion of the topic, decrying the trend of colleges “capitulating to howling mobs”, and insisting on the importance of a free marketplace of ideas in university culture (Ham and Benson 2015: 119ff.).<sup>9</sup> We will say more about these sorts of views in what follows. For now, our point is just that it is quite straightforward to formulate an internally coherent defence of no platforming that is premised on a rejection of the liberal vision espoused by people like Lukianoff. Indeed, this kind of anti-liberal case for no platforming probably captures the attitude or perspective of some proponents of no platforming. Nevertheless, the task that is more interesting – or at least more dialectically useful, given how critiques of the practice are typically framed – is to see if there is a way to defend no platforming *within* the parameters of a liberal politics. This is especially true because liberal critics of no platforming, in their routine invocation of free speech principles, tend to neglect a crucial fact: the academy is not the public square, and is in fact by its very nature an institution in which content-based speech discrimination is the norm. But before we turn to the question of how liberals should think of the academy, and the place of no platforming within it, let us say something about the debate between critics and defenders of no platforming as it standardly plays out.

### 3. Invoking the harm principle

It might appear that the most promising way of defending no platforming within a liberal framework is by appeal to something like the harm principle, as a limiting constraint on individual liberty in general and free speech specifically. The recent controversy over the attempted no platforming of Germaine Greer provides a useful example of how the harm principle can structure debate around this issue. In 2015 Greer was invited to give a public lecture at Cardiff University. The advertised title for the lecture was ‘Women & Power: The Lessons of the 20th

---

the truth-seeking aims of academic discourse. For further discussion of the nuances of Marcuse’s account, see Leiter (2017) and David Estlund, “When Protest and Speech Collide” (in this volume).

<sup>9</sup> There is a cottage industry of texts – dating back to Allan Bloom’s *The Closing of the American Mind* (1987) – lamenting the allegedly illiberal, allegedly conformist, left-wing ideology of contemporary American higher education. Prominent texts in this vein include Kimball (1990) and D’Souza (1991); Lukianoff and Haidt (2015) is a recent and widely-read piece carrying on certain themes in this lineage.

Century'. Greer's lecture was cancelled, however, after a student-authored petition gathered over 3000 signatures demanding that the university rescind her invitation.<sup>10</sup> The petition argued that Greer had "demonstrated time and time again her misogynistic views towards trans women, including continually misgendering trans women and denying the existence of transphobia altogether." It said such views "should have no place in feminism or society", and that they contribute to "hatred and violence towards trans people – particularly trans women – both in the UK and across the world". While paying respect to the idea that debate in a university should be allowed and encouraged, the petition nonetheless insisted that it would be unacceptably dangerous to host "a speaker with such problematic and hateful views towards marginalised and vulnerable groups".

There was a strong counter-campaign defending Greer's right to speak at Cardiff, which included an open letter in *The Guardian* signed by several prominent feminists, including Beatrix Campbell, Lisa Appignanesi, Catherine Hall, Sue O'Sullivan, and the Southall Black Sisters. The letter objected that where no platforming "used to be a tactic used against self-proclaimed fascists and Holocaust-deniers", now it is used "to prevent the expression of feminist arguments critical of the sex industry and of some demands made by trans activists". The letter's signatories objected to the suggestion that the mere presence of anyone holding views that conflict with trans activists' claims about sex and gender "is a threat to a protected minority group's safety", especially given that Greer and other feminists with similar views "have never advocated or engaged in violence against any group of people".<sup>11</sup>

The signatories to this letter and the signatories to the no platforming petition clearly disagreed about whether Greer's lecture should have been allowed to go ahead. But both sides located their competing claims within a similar normative framework. They agreed that there is a *prima facie* right to free speech on campus, while also agreeing that this right can be overridden to prevent serious harm, e.g. to prevent the incitement of violence against a vulnerable social group. The pivotal issue in the Greer debate, then, was whether there really was a threat of violence against trans women, stemming from Greer's claims about gender, and whatever amplification of those claims might have resulted from her speaking at Cardiff. The pivotal question was: would Greer's lecture have genuinely endangered trans women?

It is unsurprising that all sides in the Greer controversy would adopt this normative framing. Standard liberal thinking tells us that the expression of ideas and opinions should be free from coercive institutional restriction, but also that there are exceptions for speech that is seriously harmful or carries an imminent risk of

---

<sup>10</sup> See <https://www.change.org/p/cardiff-university-do-not-host-germaine-greer>.

<sup>11</sup> See <https://www.theguardian.com/theobserver/2015/feb/14/letters-censorship>.

harm. This view is partly rooted in the harm principle – the idea famously espoused by Mill that “the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others” (Mill 1863: 23). It is also partly rooted in doctrinal themes from incitement law, in particular the idea that inflammatory or provocative speech should be free from regulation unless it is “directed to inciting or producing imminent lawless action”.<sup>12</sup> Together, these two ideas make sense of the apparent points of agreement in the debate around Greer’s no platforming: first, that there is a *prima facie* entitlement to free speech on university campuses, and second, that this entitlement can justifiably be overridden given a threat of significant harm.

But there are complexities lurking beneath the surface. For Mill, limits to free speech governed by the harm principle are compatible with a substantial sphere of personal liberty in ‘self-regarding action’. These things are compatible, Mill thinks, because much of our speech is purely self-regarding and thus harmless; harm to others is only a danger in areas where speech transforms from mere opinion into some kind of *verbal conduct*. (His classic example: when said in front of an angry mob gathered outside a corn dealer’s house, the opinion that corn dealers are starvers of the poor becomes an act of incitement (Mill 1863: 107-08).) This neat distinction between mere speech and dangerous verbal conduct starts to look tenuous on inspection, though. All communicative acts – even those that just involve the expression of opinions – have some potential to negatively affect others in some respects. If any sphere of expressive liberty is to be preserved, then, we will have to insist that only certain kinds of harms suffice to justify the regulation of speech, and we will have to specify which ones.<sup>13</sup> We will probably also need to protect some forms of especially high-value expression against regulation, even when the harm of doing so sometimes outweighs the immediate benefit.<sup>14</sup> And we will also need to formulate distinctions between

---

<sup>12</sup> This phrase is the formulation used to characterize regulable inflammatory speech under the landmark US Supreme Court case *Brandenburg v. Ohio*, 395 U.S. 444 (1969), which superseded the more ambiguous “clear and present” danger rule that had previously marked out the limits on inflammatory speech for First Amendment purposes. American jurisprudence has a significant influence on thinking about free speech principles throughout Anglophone legal theory, but its doctrinal principles should not be taken as universal. In the UK, for instance, incitement was a common law offence until 2008, before being superseded as a statutory offence (the offence of ‘assisting crime’) under the Serious Crime Act 2007. For legal scholars in the UK, the question of how to balance free speech with the regulation of inflammatory speech has generally been framed with reference to these common law and statutory offences.

<sup>13</sup> For instance, we will have to consider precisely which kinds of negative psychological or mental effects are sufficient to justify the regulation of communicative behavior (see Brison 1998).

<sup>14</sup> Such protections are a hallmark of American free speech jurisprudence. For instance, the ruling in *Snyder v. Phelps*, 562 U.S. 443 (2011), which examined the right of members of the Westboro Baptist Church to picket a soldier’s funeral, suggested that Phelps’s protesting would be allowed regardless of the pain it causes others (Schauer 2011: 87-90). Of course, it verges on the absurd to imagine that no costs, however catastrophic, are sufficient to justify the regulation of high-value speech, like protest or investigative journalism. But it is consistent with allowing that these forms of speech can be regulated to avert a catastrophe, to maintain that they cannot be regulated in the normal run of cases, based on a

influence, persuasion, and incitement, in order to decide exactly when communicative acts can be ascribed responsibility for harmful outcomes on which they have had an upstream causal influence. After all, if all communicative acts can be accorded responsibility for any harmful outcomes that result from the actions of other people who come under their influence, only a meagre realm of expressive liberty will be left. So standard liberal claims about harm to others, as a limiting constraint on free speech, need to be accompanied by a distinction between acceptable negative influence and unacceptable incitement. But it isn't obvious how this distinction should be drawn, or whether it can be anything more than arbitrary.<sup>15</sup>

Given these complexities, it will be difficult to defend the practice no platforming via an appeal to harm-prevention without begging some important questions. At each turn in the debate – in claiming that the speech would result in negative effects that qualify as *bona fide* harms, in claiming that the speaker is responsible for these harms, and in assuming that the speech in question isn't of a specially protected kind such that it should be permitted even if it is harmful – a controversial stance is being taken. And in order to be used in a defence of no platforming, these stances will need to be defended in the face of deep-rooted political opposition.

Consider the attempt to no platform Maryam Namazie by the Student Union at the University of Warwick. Union officials defended their campaign by appealing to their “duty of care” to students, noting that Namazie had authored articles that were “highly inflammatory” and which “could incite hatred on campus”. They spoke of “the right of Muslim students not to feel intimidated or discriminated against on their university campus”. Two kinds of claims are being made here: (i) that Muslim students who hear Namazie's speech may be directly harmed, in feeling intimidated or discriminated against, and (ii) that all Muslim students at Warwick may be indirectly harmed due to Namazie's speech inflaming hatred towards them. Notice how this echoes the charges raised against Greer at Cardiff, with claims about a danger to the immediate audience, but also a contribution to wider patterns of discrimination. Substantiating these sorts of claims is a difficult task, though. First, consider the claim that Namazie's speech would inflict a direct harm sufficient to justify its restriction. To assert this claim one must defend a stance on several contested questions, about which harms suffice to justify the regulation of political speech. For instance: is merely *feeling* intimidated or discriminated against sufficient? If so, is it sufficient in every case,

---

mere cost-benefit calculation. In this respect, free speech rights are formally similar to nearly all moral or legal rights, in that they aren't treated as being *infinitely* stringent (see Nagel 1995).

<sup>15</sup> One appealing approach, favored by authors like Scanlon (1972) and Strauss (1991), is to say that negative effects that result from the *persuasive* influence of communicative acts cannot be invoked to justify the restriction of those acts. But as several authors have argued (e.g. Scoccia 1996), the boundaries between persuasion, influence, indoctrination, incitement, provocation, and so on, are hard to draw in any principled way.



or only when the feeling is *reasonable* given what the speaker has said? And if the latter, what gives content to our notion of reasonableness?<sup>16</sup> Second, consider the indirect harms to the community, beyond Namazie's immediate audience, that would allegedly have resulted from her speech. Substantiating this allegation requires one to defend a stance on the question of when a speaker is responsible for the influence her speech has on her audience. For instance: does the harmful influence have to be foreseeable, or intended, or neither? And if neither, is the speaker responsible for harmful outcomes that result from implausible interpretations of her expressed views? If so: in all cases? And if not: what are the exceptions?<sup>17</sup>

The point of raising these questions is not to assert that defenders of no platforming – in the Namazie case, or any other – cannot propose answers that would substantiate their claims in principle. The point is that such answers will be controversial, on both theoretical and empirical fronts, and that when these answers are offered to defend a specific instance of no platforming, they're likely to be accepted only by people whose political commitments already dispose them to favor the no platforming of the speaker. Granted, there are argumentative resources that can be recruited by the defender of no platforming: accounts aiming to show that various kinds of 'mere feelings' are in fact sufficiently harmful to justify the regulation of political speech (e.g. Brison 1998), that communicative practices do play a key role in perpetuating identity-based oppression (e.g. McGowan 2009), and that certain 'accidental' or unintended types of incitement to violence should be liable to regulation (e.g. Lidsky 2002). But the dialectical efficacy of these argumentative resources is limited in the context of this debate. None of these accounts represent settled or widely-shared moral, political, or legal judgments.

Moreover, it is doubtful whether supporters of no platforming would themselves be willing to endorse the kinds of claims about responsibility for indirect harm that would have to be invoked in order to support a general harm-based rationale for no platforming speakers with potential negative influences. If Greer's claims about gender can be assigned blame for violence against trans women, of a level sufficient to justify her no platforming, then why couldn't economists who denounce progressive welfare programs also be assigned blame (and no platformed) over the deprivations suffered by the poor due to the regressive welfare reforms they promote? In both cases the speaker endorses, and thus presumably contributes to the influence of, a set of views that bears a causal connection to egregious harms visited upon vulnerable people. Perhaps defenders of no platforming will say that it is an aberration that opponents of progressive welfare aren't targeted by no platforming campaigns – that these scholars and pundits should indeed be

---

<sup>16</sup> For discussion of these questions see for instance Husak (2006) and Simester and von Hirsch (2011).

<sup>17</sup> For discussion of these issues see for instance Alexander (2000), Goodall (2007), and Barendt (2009).

no platformed. But then the worry is that this view collapses, in practice, into a rationale that all sides can invoke in order to try to exclude their opponents from academic platforms by appealing to ideologically-affiliated claims about the harms that their opponents' views bring about. Insofar as defenders of no platforming want to resist this charge, they have reason to avoid making these sorts of controversial claims about indirect harm.<sup>18</sup>

In summary, there are reasons to doubt that an attempted general defence of no platforming via appeal to the harm principle will be either theoretically persuasive or politically successful. Moreover, the use of this argumentative approach leaves advocates of no platforming open to the charge that the practice really isn't about preventing harm at all – that their appeal to this purely procedural liberal precept is really just a cover for the kind of illiberal, repressive purposes we discussed in §2, of making disapproved opinions ideologically *verboten*.<sup>19</sup>

None of this rests on the so-called 'sticks and stones' view, that all speech is benign and harmless (e.g. critiqued by Schauer 1993, Brison 1998). While there is ongoing debate about how communicative factors interact with other historical and material factors to sustain oppressive social conditions (e.g. see Fraser and Honneth 2003), it is plausible that communicative factors at least play some non-trivial role. And moreover, there are various types of communicative acts – verbal harassment and threats, for instance – that can be restricted under a harm-prevention rationale in a way that is uncontroversially compatible with a liberal politics. In short, nothing in what we're saying is opposed to the view that some communicative acts are genuinely harmful.<sup>20</sup> Our point is that in order to defend no platforming via a harm-prevention rationale, this view has to be combined with further claims – about responsibility, the nature of harm, and the scope of expressive liberties – that can only underwrite a successful defence of no platforming if the contested questions are settled in a way that already favors no platforming.

Moreover, defending no platforming by invoking the harm principle involves simply accepting the liberal critic's presupposition that the academic sphere is an extension of the public sphere, and thus governed by general free speech principles. But this presupposition mischaracterizes the nature of universities and the norms governing communication within them. As we will argue below, defenders

---

<sup>18</sup> There is also a danger here of characterizing the negative effects of hostile speech in a way that makes the mere fact of people having disdainful thoughts towards a particular group *ipso facto* qualify as a harm to the members of that group; for discussion, see for instance Simpson (2013a) and Heinze (2016). Conversely, for an explicit defence of the view that disdainful thoughts towards an outgroup can in fact be harmful in themselves, see Dan-Cohen (1999).

<sup>19</sup> See for instance Lukianoff (2014) and Bindel (2015).

<sup>20</sup> Indeed, one of us has argued for this view (Simpson 2013b). Further to the texts already cited, other influential contemporary work of this kind includes Matsuda (1989), Langton (1993), and Waldron (2012).

of no platforming would do better to reason and argue not in terms of the norms of *free speech*, but the – importantly distinct – norms of *academic freedom*.

#### 4. Distinguishing academic freedom and free speech

The civil libertarians who condemn no platforming routinely characterize the university as an institution that should be defined by a commitment to free speech. And this seems credible at face value. After all, if the right to free speech is to be respected anywhere, shouldn't it be respected in institutions devoted to critical inquiry? To invoke free speech in this context is to invoke a central pillar of the liberal tradition: a principle encoded in every major liberal theory of justice, enshrined in the constitutional or common law of all liberal societies, and – according to various international treaties and declarations – grounded in our inalienable human rights.

The problem, however, is that this view treats the university as if it were just an outlet in the marketplace of ideas or an extension of the public square. This is a mischaracterization. Universities are specialized technical institutions that exist for purposes of teaching and research. Communicative norms and practices in universities reflect these purposes.

First, they accord special protection to certain kinds of speech by those responsible for teaching and research: “a personal liberty to pursue the investigation, research, teaching, and publication of any subject matter of professional interest without vocational jeopardy” except in case of “an inexcusable breach of professional ethics in the exercise of that freedom” (van Alstyne 1972: 71). This freedom is needed because the realization of the epistemic aims of teaching and research will be compromised if the employment of teacher-scholars depends upon the constant grace and favor of university management, society in general or – especially in the case of state universities – the government (*Ibid*: 71).<sup>21</sup>

In addition, the communicative norms and practices of universities also give recognized disciplinary experts – that is, academic faculty – various kinds of control over the speech of others, as is needed to uphold the intellectual rigors of, and

---

<sup>21</sup> Extramural speech is also often recognized as an element of what is protected by academic freedom. The view of Goldstein and Schaffer – that “academic freedom should continue to protect speech in which faculty speak as citizens on matters of public concern”, and that no faculty “should be subject to reprisals because colleagues, administrators, alumni, or politicians take umbrage at the expression of views on subjects of public concern” (2015: 255) – is widely shared. And the American Association of University Professors explicitly identifies freedom of extramural speech as one of the core purposes of the institution of tenure in its definitive “1940 Statement of Principles on Academic Freedom and Tenure” (see [www.aaup.org/file/1940%20Statement.pdf](http://www.aaup.org/file/1940%20Statement.pdf)). Conversely, as Post says, there is some difficulty in sustaining this view, given that “extramural speech is by hypothesis unrelated to the special training and expertise of faculty” (2015: 137). We will set aside the issue of whether extramural speech is protected by academic freedom, as nothing significant in our discussion hinges on it (although see note 26).

thus promote the epistemic aims of, their disciplines. In the public square we tolerate the speech of flat-earth cranks, shills paid to undermine climate science, and revisionist historians who espouse conspiratorial misreadings of the evidence. As long as they don't harass anyone we let them say their piece.<sup>22</sup> But such people aren't owed an opportunity to teach History 101 or publish in scientific journals, any more than they are owed a platform to address parliament or a corporate board meeting. It is permissible for disciplinary gatekeepers to exclude cranks and shills from valuable communicative platforms in academic contexts, because effective teaching and research requires that communicative privileges be given to some and not others, based on people's disciplinary competence.

This is what justifies academic disciplines in amplifying the speech of experts and marginalizing the speech of non-experts. These processes are ubiquitous and routine. The professoriate decides which candidates have earned doctoral credentials. Editors of journals and academic presses exercise discretionary judgment to decide whose work will be published. The curriculum is set by faculty – not by politicians, or the general public – and students work within it. As Post says, academic expertise is supported by such practices, which are not just about the freedom to inquire, but also about “affirmative disciplinary virtues of methodological care”, the maintenance of which “quite contradicts the egalitarian tolerance that defines the marketplace of ideas paradigm of the First Amendment” (2013: vii). And thus, whereas in free speech “there is an equality of status in the field of ideas”, the pursuit of knowledge in academia demands an *inequality* of status in ideas; it requires “practices that seek to separate true ideas from false ones” (*Ibid*: 9-10). The university would largely be a waste of time for teachers and students, and its subsidization a waste of resources for the rest of society, were things to be otherwise.

Communicative practices in universities are not governed, then, by the liberal precepts that regulate communication in the public square. When universities restrict speakers and viewpoints this should not be, and indeed is not, based solely or even primarily on purely procedural standards aimed at harm-prevention. Given that no platforming is a practice that takes place in universities, our question should be whether it is compatible with norms of *academic* freedom in particular, where these norms are understood as distinct from general liberal principles of free speech. Granted, some of the speaking engagements that no platformers target – like commencement addresses, or talks at student societies – are not immediately linked to the teaching and research activities that principles of academic freedom are primarily there to safeguard. But principles of academic freedom are an appropriate reference point all the same, because these other

---

<sup>22</sup> Granted, in some European countries there are legal restrictions on Holocaust denial, whose compatibility with liberalism some theorists have defended; for discussion see Whine (2009) and Altman (2012).

kinds of speaking events are an important part of the cultural and institutional backdrop against which teaching and research activities are conducted. The norms governing these communicative occasions – as well as attempts to interfere with them – should therefore be guided by consideration of how they affect the university’s core academic activities.<sup>23</sup>

What principles of academic freedom are primarily there to uphold, on the understanding we have sketched above, is a certain kind of *independence*: independence in the exercise of technical expertise in teaching and research from the control of outside actors, like governments, businesses, and administrators, who might try to force individuals or departments into “promulgating particular views” instead of “sustaining the ongoing scholarly discipline by which knowledge is identified and expanded” (*Ibid*: 89). The aim of these principles is to ensure, for instance, that donors cannot get professors fired for criticizing foreign governments, that corporations cannot buy influence to quash research that threatens their commercial interests, that governments cannot gag scientists whose research reveals dangers created by government policies, and that administrative staff cannot force teachers to modify their syllabi based on the management’s ideas about what should be taught. In securing all these protections, though, to reiterate, principles of academic freedom do not guarantee teachers or students (or anyone else) participation in a wide-open discussion of ideas. On the contrary, the standards of expertise that govern teaching and research are compatible with all sorts of content-based restrictions on communication. What principles of academic freedom *are* meant to ensure is that such constraints are imposed by credentialed disciplinary experts, not outsiders, and that such constraints serve the promotion of disciplinary knowledge, not some ulterior agenda (*Ibid*: 85-93).

Why should we regard the above as a *liberal* conception of academic freedom? Post’s answer is roughly as follows. Free people cannot justifiably be subject to the brute authority of elites. Government must involve the people governing themselves in order to be legitimate. For Post, this follows from a broader theory of free speech grounded in the idea of open democratic participation as an essential requirement of democratic legitimacy (Post 1990, 2011). The realization of self-government is not just a matter of a society having formally democratic electoral and parliamentary institutions. This ideal also requires (i) that everyone

---

<sup>23</sup> Chomsky (2015) adopts a similar stance in his critique of Columbia University over its handling of a visiting lecture by Mahmoud Ahmadinejad in 2007. Chomsky argues that Columbia’s President Lee Bollinger used the occasion to espouse the US State Department’s anti-Iranian propaganda, and that this is indicative of a wider pattern of subservience to power by university leaders, one which poses a grave threat to academic freedom. On Chomsky’s view, then, public lectures at universities – even when they are not directly connected to teaching and research activities – contribute to the culture of the institution, and the wider climate of the academic profession in general, in ways that make them amenable to assessment with reference to principles of academic freedom.

should be at liberty to participate in the public discourse that underpins democratic decisions, and (ii) that everyone should have access to the knowledge and information necessary for well-informed judgements about how we ought to be governed.<sup>24</sup> Principles of free speech, which safeguard disliked views against viewpoint-based restriction in the public square, serve the first requirement of open access and participation. Principles of academic freedom, by contrast, serve the second requirement. In order that everyone should have access to the information necessary for informed judgements about issues of public concern, societies need specialized institutions – including an independent university sector – devoted to the creation and dissemination of expert knowledge.<sup>25</sup>

Post's account of academic freedom is not the only one available. There are deflationary accounts like the one suggested by Stanley Fish (2014), which say that academic freedom is little more than a demand by academics that they be allowed to do their job however they like. Principles of academic freedom, thus understood, have little normative purchase on anyone besides the academics whose interests they serve. There are also accounts that characterize academic freedom as a specific institutional expression of a more general political principle of freedom of thought, instead of something grounded in – and thus potentially limited by – claims about the authoritative privileges of experts in academic disciplines (e.g. Bromwich 2015). It is also worth noting that principles of academic freedom come in different forms, and with different historical underpinnings, in different jurisdictions (see Barendt 2010). Post's account of academic freedom is linked to broader principles of American constitutional law, and its conception of liberal democracy might be seen as idiosyncratic by liberals in other cultural contexts.

In any case, our argument isn't that Post's account of academic freedom is demonstrably superior to every rival account that might be offered. Our point is that Post presents a plausible account of academic freedom, located squarely within a liberal politics, and one which opens up a way to see no platforming as in principle consonant with a liberal understanding of the university's mission and nature. It is no intrinsic affront to the intellectual culture of the university, on this view, that a person should be deprived of a platform to express her views because of a negative appraisal of her credibility and the content of her views. Principles of academic freedom of the kind that Post defends can permit such

---

<sup>24</sup> This view about the relation between free speech and democracy has its contemporary roots in Meiklejohn (1948), and is espoused by free speech theorists like Dworkin (2009) and Weinstein (2011).

<sup>25</sup> This kind of view about the university's special epistemic role, and its distinctive place in a democratic order, is also a feature of so-called *institutional* theories of free speech (e.g. Horwitz 2013), which propose that control over communicative liberties and restrictions should be more widely devolved to social institutions that have an important stake in public discourse – including universities, the press, and libraries – instead of all the pivotal questions about communicative liberties being subject to centralized judicial control.

exclusion, provided that it respects and supports the independent exercise of disciplinary expertise in teaching and research.

Of course this does not yet entail that all or even most instances of no platforming will receive the liberal's approval. What it shows is how such approval can be merited. In at least some cases, there is reason to think that the no platforming of a particular speaker would positively contribute to an institutional culture that protects the exercise of disciplinary expertise against ulterior influences and external agendas, or at the very least, would do nothing to threaten that aspect of the institutional culture. The way to make a liberal argument for no platforming, then – in the Greer case, the Namazie case, or any other – is to see whether that kind of judgement can be sustained in relation to the relevant instance of no platforming. This is the topic of the next section. We also discuss a more radical way of using Post's account of academic freedom to defend no platforming, one that involves viewing students, and not just teaching and research faculty, as having a legitimate role to play in the formation of disciplinary standards.

## 5. Easier cases and harder cases

First, consider the no platforming of an anti-Semitic historical revisionist who denies the Holocaust, or an oil company lobbyist who peddles misinformation casting doubt on the facts of anthropogenic climate change. The Holocaust denier flouts the epistemic and methodological norms that govern historical inquiry. The oil company shill flouts the epistemic and methodological norms that govern inquiry in climate science and related disciplines. Speakers like these make a joke of the intellectual standards to which teaching and research in these disciplines aspire. Denying either one of them an opportunity to address a student club, or deliver a commencement address, is at least *prima facie* compatible with respecting the independence of disciplinary expertise, since no experts within the university would be restricted in their teaching or research practice because of the exclusion. The no platforming of such speakers would thus seem *prima facie* permissible under a Post-inspired account of academic freedom, if the aim was to uphold disciplinary standards.<sup>26</sup> But we can go further. Beyond mere permissibility, we may have positive reasons to withhold university speaking opportunities from Holocaust deniers and climate change shills under a Post-inspired account

---

<sup>26</sup> It is a more complicated case if the Holocaust denier or oil company shill is a credentialed expert in the relevant discipline. If they were invited by their disciplinary peers to address an academic research seminar – say, if the history department unwittingly invited a crank, and then opted not to rescind the invitation – then their no platforming wouldn't be acceptable under Post's account. If they were invited to address a student club, then the case for the acceptability of them being no platformed would be stronger, all else being equal. At minimum, it cannot be the case that the status of these speakers as disciplinary experts entails that *their* academic freedom (or that academic freedom *per se*) is infringed just because a particular student club has not given them a platform to espouse their views.

of academic freedom. No single, isolated instance of Holocaust or climate change denial is sufficient to undermine the disciplinary integrity of the history or climate science departments. Nevertheless, the intellectual and disciplinary culture of a university is shaped by all of the public speaking activities that happen within the institution. The university that wants to support the independence and integrity of its disciplinary experts – that is to say, the university that takes its central epistemic purposes seriously – needs to work to cultivate an intellectual culture that properly recognises and esteems the authority of its disciplinary experts. And this plausibly generates a reason for the university to not extend any apparent credibility or symbolic esteem to speakers that fall dramatically short of the intellectual standards that govern its academic disciplines.<sup>27</sup>

By a symmetrical line of reasoning, when academic departments invite speakers who they recognise as credible practitioners in the relevant field, the no platforming of those speakers would be a clear infringement of academic freedom under Post's account. Consider again the example of an economist who opposes progressive welfare. Assume that this speaker is a proficient practitioner of her discipline; while many economists reject her views, nearly all of them accept that she is methodologically competent and that her views should be taken seriously. The no platforming of this speaker – by a leftwing student group, say – would undermine the independent disciplinary expertise of the university's economists, which includes deciding who to invite to speak at research seminars, and would thus infringe their academic freedom. It would also undermine the integrity of teaching and research in the discipline, by treating as 'beyond the pale' a view that, according to the discipline's own standard-bearers, remains viable.

These are relatively easy cases. Insofar as principles of academic freedom are meant to protect the exercise of disciplinary expertise from external interference, they will condemn no platforming when it is used to override or undermine the prerogatives of disciplinary experts, and permit or favor it, other things being equal, when it is used to support the authority of disciplinary experts, by excluding speakers whose incompetence would undermine that authority.

Granted, other things aren't always equal. Another important factor is how, after student agitation initiates a no platforming campaign, the decision to disinvite a speaker is made. At one end of the spectrum there will be cases in which respect for disciplinary expertise is clearly demonstrated: a crank historian is invited to

---

<sup>27</sup> These sorts of epistemic aims are sometimes – contrary to what opponents of no platforming often suggest – part of the motivation for no platforming. For instance, when Ben Stein (a writer, actor, and outspoken critic of evolutionary theory) was disinvited from delivering a commencement address at the University of Vermont in 2009, the University President Dan Fogel stated that the decision was driven by concerns about “whether someone who holds views antithetical to scientific inquiry should be honored as commencement speaker” (Links 2009). In this instance Fogel was seeking to uphold the intellectual standards of the University of Vermont – and in particular, the standards relevant to teaching and research in biology and related disciplines – by withdrawing a speaking opportunity that would have conferred credibility and symbolic esteem on a speaker who patently flouted those standards.



deliver a commencement address, student agitation alerts management to the controversial status of their invitee, and then management defers to its own experts in the history department to decide whether, according to their disciplinary standards, the offer of a speaking platform for this invitee should be honored. In these cases the process of disinvitation does nothing to unravel the kind of justification for no platforming that we have presented. But there are cases at the other end of the spectrum, in which little or no respect is paid to disciplinary expertise, with faculty being cut out of the decision-making process about whether to disinvite speakers, as part of a pattern of their marginalization in university governance more generally. This is indicative of a deeper ambivalence in relations between faculty and management around issues of academic freedom. Sometimes management is the party threatening its faculty's academic freedom, at other times it plays a vital role protecting academic freedom and preserving the independence of its faculty (see Scott 2015).

What about harder cases? One kind of hard case is where there exists deep disagreement – either *intradisciplinary* or *interdisciplinary* – over whether a particular speaker possesses disciplinary competence of a relevant kind. Consider again the no platforming of Germaine Greer as discussed in §2. Disciplines in the humanities and social sciences that are heavily influenced by feminist theory are riven by deep theoretical divides, not just over the question of whether trans women meet the necessary metaphysical conditions (whatever they may be) to properly count as women, but also over whether that question is a legitimate object of inquiry. Some scholars with apparent institutional and disciplinary credibility – in fields like cultural studies, sociology, anthropology, philosophy, gender studies, and queer studies – will insist that the questions of what a woman is and whether trans women qualify are central to feminist inquiry. Others scholars in those same fields, with similar credentials, will insist that the question has been settled and is no longer reasonably treated as open to inquiry.<sup>28</sup> Given this backdrop, it is contestable whether the no platforming of someone like Greer, who denies the womanhood of trans women, could be understood as consistent with respect for academic freedom under the account we have presented. The fact that there is live controversy over the relevant standards in the relevant disciplines suggests, on its face, that there are not any authoritative disciplinary standards that can be invoked in order to characterize Greer's no platforming as a case of someone being excluded for lacking disciplinary competence. Having said that, disciplinary controversies sometimes resolve. At some point it may cease to be a matter of controversy – among experts with broadly comparable credentials in relevant disciplines – whether Greer's view represents some kind of failure of disciplinary competence. If ascendant trends in feminist theory con-

---

<sup>28</sup> For discussion of these issues see Heyes (2006), Bettcher (2014), Jenkins (2015), and Reilly-Cooper (2016). On the rejection of the very notion of a 'trans debate', see Lees (2016).

tinue, it is possible that Greer's trans-exclusionary views might one day be rejected by all credentialed experts in the relevant humanities or social science disciplines. But this clearly is not where things stand at this point in time. Consequently, a Post-inspired account of academic freedom would tend to see the no platforming of someone like Greer as a hard case, given that the governing disciplinary standards in this arena remain deeply contested.

Another kind of hard case stems from controversies between disciplines. In gender studies the moral permissibility of homosexuality is a settled question – one of the axiomatic premises that sets a foundation for the kind of inquiry that scholars in this discipline undertake. Anyone who wanted to argue against the moral permissibility of homosexuality would be setting themselves outside the axioms that define the field of gender studies. And although this view isn't universally accepted in the wider community, the fact that an academic discipline carries such axiomatic commitments isn't necessarily a problem. Indeed, principles of academic freedom in general support similar kinds of disciplinary commitments. As Michele Moody-Adams says

Communities of academic inquiry are constituted by exclusionary practices... and standards of argument and inquiry evolve as shared understandings that are internal to these exclusive "communities of the competent". These shared understandings involve the notion that some ways of arguing, and some points of view, are simply not worthy of recognition within the community of inquiry. A responsible academic is thus by definition committed... to the orthodoxies that define communities of competent inquirers and underwrite standards for inquiry carried out in those communities (Moody-Adams 2015: 106)

Problems arise, though, insofar as different communities of academic inquiry have different axiomatic commitments. While the moral permissibility of homosexuality is a settled question in gender studies, it is regarded as an open question by a sizeable portion of those with recognized disciplinary competence and institutional credibility in disciplines like theology and philosophy. There are similar interdisciplinary gulfs related to questions like the moral permissibility of abortion, infanticide, and eugenics, gender and racial equality, the labor theory of value, whether inductive inference is justified, and whether objective inquiry is possible. In some disciplines these questions are seen as legitimate objects of inquiry. In others they are seen as settled, sometimes axiomatically.<sup>29</sup> It is a complex question, then, whether the no platforming of speakers who treat these questions as open – like, say, a philosopher who argues for the wrongness of homosexuality – can be defended, in principle, under a Post-inspired account of

---

<sup>29</sup> Compare these hard cases with the easy case of the Holocaust denier. It is a mark of elementary disciplinary competence in historical studies to accept that the question of whether the Holocaust occurred is to all intents and purposes closed, and that anyone who thinks it is open is ignorant or confused (or worse). But unlike the hard cases, no other discipline is committed to the denial of these points.

academic freedom. Although the exclusion of this speaker wouldn't undermine, and indeed may support, the intellectual culture and disciplinary integrity of the gender studies department, it would likely undermine the disciplinary culture and integrity of the philosophy department.<sup>30</sup>

It is interesting to note the special position that philosophy occupies in such interdisciplinary conflicts, and the implications of this for no platforming and academic freedom. As philosophers we like to see everything as 'up for grabs'. That self-image is less true in practice than we sometimes think. A contemporary philosopher defending slavery would probably (and rightly) be dismissed by his colleagues out of hand. But there is some truth in our self-image all the same. Many questions that are regarded as closed or settled in other disciplines – especially moral and political questions – remain open in philosophy. If philosophy by its nature is a discipline in which most questions always remain open in principle, then there will inevitably be conflicts in disciplinary norms and standards between philosophy and other disciplines, of precisely the kind that generate hard cases in thinking about the permissibility of no platforming. One way to address these hard cases would be to say that any speaker seen as within the bounds of disciplinary competence by *at least one* discipline cannot be legitimately no platformed for the sake of upholding the disciplinary standards of any other discipline. But then the worry is that in protecting the disciplinary integrity of philosophy – as a discipline resistant to seeing *any* views as rationally beyond the pale – we impair other disciplines' attempts to police their own intellectual standards. We could, of course, privilege philosophy's disciplinary standards and practices over all other disciplines. But if we want to avoid this, then the bare fact that a philosopher might defend the view that *p* should not be seen as implying that other disciplines are unjustified in regarding support for *p* as a mark of disciplinary incompetence.

---

<sup>30</sup> These interdisciplinary conflicts are further complicated by debates over which fields of inquiry qualify as academic *disciplines* properly construed. Special prerogatives are accorded to academics, on Post's account, because they are required in order for academics to carry out the rigorous, technical, and specialized intellectual practices that are conducive to knowledge-creation within their disciplines. Post's theory, like the institutional form of academic freedom in the United States that it seeks to theorize, owes a heavy debt to the ideals of the German university of the 19<sup>th</sup> century, with disciplines of inquiry geared around "the determined, methodical, and independent search for truth" (Stone 2015: 4). The point is that being a *bona fide* discipline in the way that matters is not just about having a nominated field of inquiry and a named department in the university. It is about having distinct disciplinary methods that create knowledge, and merit special protection in view of that achievement. Where there are conflicts between different disciplines – say, conflicts over different methods, or axiomatic commitments – this should only be understood as a *true* conflict if both fields are alike in being able to claim the status of a knowledge-creating discipline in the relevant sense. Naturally, all disciplines make such claims on their own behalf. And in the humanities and social sciences especially, it is hard to non-chauvinistically adjudicate disputes about such claims that run across disciplinary lines. (Although see Leiter 2017 for an attempt to carry out such adjudication across disciplinary lines.) The fact that disputes about a speaker's disciplinary credentials can ramify out into these deeper interdisciplinary conflicts is another respect in which the types of cases we are describing here should be seen as genuinely hard cases.

We should also note that our argument presupposes that normative moral and political claims – e.g. about the permissibility of homosexuality, or slavery, or the rights of trans people – can be the proper objects of disciplinary expertise. We cannot offer a full defence of this assumption, but it seems defensible on its face. Some disciplines do in fact treat moral and normative political claims as matters of disciplinary expertise, as we have already discussed. And we think it is *prima facie* plausible that someone who has disciplinary expertise in studying the history of slavery, say, will be better-placed to think about the moral permissibility of slavery, other things being equal, than someone who does not. Moreover, all disciplines worth the name either explicitly or tacitly treat certain normative *epistemic* commitments to be axiomatic and constitutive of disciplinary competence. It is true that claims to moral forms of disciplinary expertise are open to abuse by academics. But so too are claims to *non-moral* forms of disciplinary expertise, as when biological research is used to defend claims about racial superiority. All this gives us reason to allow that normative moral and political claims can be proper objects of disciplinary expertise. If this is mistaken, it is up to the opponent of no platforming to explain why.

The fact that there are cases of no platforming whose in principle justifiability is hard to assess, under the account of academic freedom that we are proposing here, is not a good reason to reject that account. On the contrary, we see it as a merit of our account that it offers a theoretical explanation of what it is that makes the hard cases hard. The deep controversy surrounding the no platforming of someone like Greer, on our view, is not about whether we prioritize academic freedom over other considerations. The controversy is, at least in part, about who gets to claim and wield disciplinary authority. The controversy is about who gets to decide which views are disciplinary axioms, such that dissenting voices can be excluded, not in *violation* of principles of academic freedom, but – as with the exclusion of incompetent historical revisionists, or pseudoscientific charlatans – in a way that is partly backed by those principles.

We have been discussing how, given a certain interpretation of Post's account of academic freedom, certain uses of no platforming may be permissible or supported where the exclusion of a speaker would positively promote, or at least wouldn't threaten, the independent exercise of disciplinary expertise within the university. But there remains another more radical way to use Post's account of academic freedom to formulate a defence no platforming, albeit one that Post would likely resist. Suppose we think of no platforming as something relevantly similar to practices like peer review, syllabus-setting, and doctoral accreditation, which, among their other functions, partly serve to mark out the boundaries of what is legitimate, acceptable, or axiomatic within an academic discipline. If no platforming were a practice carried out by fully credentialed researchers and teachers, then this conception would be easier to defend. However, as previously noted, no platforming is usually led by students. And on the normal understanding

of the matter, students are not disciplinary experts; “they are novices, under the intellectual tutelage of the faculty”, and because they do not play an important role in the creation of disciplinary knowledge, principles of academic freedom do not assign students any special communicative protections or prerogatives (Goldstein and Schaffer: 256).

Contrary to this standard view of things, however, it is possible to think that students do have a role to play in the shaping of disciplinary standards, even if not the same role as faculty. For one thing, some students – graduate students – are also usually researchers and teachers. It is not unheard of for faculty to seek their advice on appointments, or to allow them a sizeable role in setting syllabi and evaluating student performance. Many graduate students also publish in academic journals, deliver conference papers, and act as journal referees. In other words, graduate students are expected to act out their disciplinary expertise, even if the scope for their doing so is more limited than it is for fully-fledged researchers and teachers. If graduate students in this position choose to no platform a speaker on the grounds that, by their lights, the speaker flouts disciplinary norms, then this could be viewed as an exercise of a kind of incipient disciplinary expertise, meriting some consideration under principles of academic freedom.

Even with those students who are *only* students – that is, undergraduates – a case could be made for their having some role to play in the formation of disciplinary standards. Researchers and teachers are disciplinary experts, but they are not infallible gurus. They are dogged by inherited prejudices and biases, both conscious and unconscious, and are sometimes driven by disciplinary inertia and methodological conservatism. Particularly in social science and humanities disciplines, strongly held views among undergraduates – people concerned with the same sphere of knowledge and modes of inquiry as their teachers, but not inducted as expert practitioners of their field – can sometimes offer a useful corrective to these tendencies, by seeking inclusion of unduly ignored views in campaigns for curriculum expansion, or more controversially, by demanding less attention be given to views that should in fact no longer be taken seriously, for example through no platforming. One way this is borne out is when disciplinary experts embrace and carry out the reshaping of their disciplinary methods, canons, and axioms, in response to calls for change that started out as student-led agitation for disciplinary reform. When it comes to some disciplinary questions – e.g. whether a syllabus is sufficiently representative of views in the field, or whether feminism should be epistemically tolerant of trans-exclusionary positions – some students, in part because they are less entrenched in disciplinary orthodoxy, may be in a better position to address them than some of their teachers.

Our contention, then, is that given certain other premises, student activism aimed at influencing disciplinary practices could in principle receive some support

under an extended version of the account of academic freedom we have presented. This is not premised on students having a right to influence their disciplines. Rather, it is based on the thought that the epistemic aims of (at least some) disciplines may be furthered by recognizing the salutary role of students in shaping them. Of course there is no guarantee that a given instance of student-led no platforming will promote the epistemic aims of a discipline, just as there is no *a priori* guarantee that any particular syllabus will promote such aims. And precisely how the input and expectations of students should be constrained by the disciplinary authority of fully-fledged teachers and researchers is a complex issue. The point is simply that no platforming is a practice that student groups can use to try to exert influence on the culture, standards, and axioms of their disciplines, and that it is not absurd to think that attempts to exert such influence might receive some support from the kind of theory of academic freedom that we have been outlining here.

## 6. Conclusion

Critics of no platforming argue that the practice is at odds with a liberal commitment to free speech. Defenders of the practice typically respond by invoking the harm principle, which is, on a standard liberal view, the most natural way to defend limits on free speech. But this line of defence is premised on a suite of theoretical and empirical claims that limit its utility. Moreover, it simply accepts the liberal critic's presupposition that the academy is an extension of the public sphere, and is therefore governed by general free speech principles. What we have offered here is an alternative way of reconciling at least some instances of no platforming with liberal principles. Our proposal builds on Post's account of academic freedom, as something entirely different from a mere extrapolation of free speech principles into the realm of the university. Principles of academic freedom, unlike principles of free speech, positively support the exclusion of speakers and viewpoints for content-based – rather than merely procedural – reasons. These exclusions are justified, indeed, they are necessary, in order for researchers and teachers to uphold disciplinary standards and exercise their disciplinary expertise free from undue external interference. The exclusion of speakers because of their views is thus not in principle antithetical to the aims and nature of the university, as some liberal commentators say. At least in some cases, no platforming can be compatible with, and even support, these aims.

We conclude by noting that under the kind of account that we have been working with, there are graver threats to academic freedom than anything arising out of progressive student activism. No platforming, trigger warnings, safe spaces, and calls for curriculum reform are the bugbears of some self-appointed champions of academic freedom. But in the end they may distract from more potent threats to the independence of academic experts from outside influences. When

it comes to political interference in academic research, threats from the pro-Israel lobby<sup>31</sup> or the anti-climate science lobby<sup>32</sup> seem to exert much more pressure than student activists. And when it comes to factors that passively incentivize academics to direct their research away from some topics and towards others, the influence of corporate sponsorship, private grant-making bodies, and government research agendas is stronger, and in some cases more pernicious, than the influence exerted by students. Student activists can be easy targets for criticism, but this is not a good reason to be especially engrossed by them, especially when there are other more urgent threats to the academic integrity of the university. In that context, the civil libertarians' preoccupation with student activism is at best a distraction, and at worst a misrepresentation of what academic freedom really consists in, and what needs to be done to protect it.

## References

- Adams, Richard (2015), "Student Union Blocks Speech by 'inflammatory' Anti-sharia Activist", *The Guardian*, available at: <https://www.theguardian.com/education/2015/sep/26/student-union-blocks-speech-activist-maryam-namazie-warwick> [Accessed 30 November 2016].
- Alexander, Larry (2000), "Incitement and Freedom of Speech" in David Kretzmer and Francine Kershman Hazan (Eds.), *Freedom of Speech and Incitement against Democracy* (London: Kluwer Law International).
- Altman, Andrew (2012), "Freedom of Expression and Human Rights Law: the Case of Holocaust Denial" in Ishani Maitra and Mary Kate McGowan (Eds.), *Speech and Harm: Controversies over Free Speech* (Oxford: Oxford University Press).
- Barendt, Eric (2009), "Incitement to, and Glorification of, Terrorism" in Ivan Hare and James Weinstein (Eds.), *Extreme Speech and Democracy* (Oxford: Oxford University Press).
- Bettcher, Talia (2014), "Feminist Perspectives on Trans Issues", *The Stanford Encyclopedia of Philosophy*, available at: <http://plato.stanford.edu/cgi-bin/encyclopedia/archinfo.cgi?entry=feminism-trans>
- Bindel, Julie (2015). "No Platform: My Exclusion Proves this is an Anti-feminist Crusade", *The Guardian*, available at: <https://www.theguardian.com/commentis-free/2015/oct/09/no-platform-universities-julie-bindel-exclusion-anti-feminist-crusade> [Accessed November 30 2016].
- Bloom, Allan (1987), *The Closing of the American Mind: How Higher Education has Failed Democracy and Impoverished the Souls of Today's Students* (New York: Simon & Schuster).
- Brison, Susan J. (1998), "Speech, Harm, and the Mind-body Problem in First Amendment Jurisprudence", *Legal Theory* 4 (1): 39-61.
- Bromwich, David (2015), "Academic Freedom and its Opponents" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid*

---

<sup>31</sup> For instance, when the University of Illinois withdrew a job offer to Steven Salaita due to pressure exerted by donors after Salaita's outspoken criticism of Israel came to light; see Jaschik (2014). For a broader discussion of the Israel lobby and its attempts to undermine academic freedom, see Mearsheimer (2015).

<sup>32</sup> For instance, the widespread gagging of scientific researchers by Stephen Harper's Conservative Government in Canada through the 2000s and early 2010s; for general discussion see Turner (2014).

- of *Academic Freedom?* (New York: Columbia University Press).
- Chomsky, Noam (2015), "Academic Freedom and the Subservience to Power" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Davis, Angela (1981), *Women, Class, and Race* (New York: Random House).
- D'Souza, Dinesh (1991), *Illiberal Education: The Politics of Race and Sex on Campus* (New York: The Free Press).
- Dan-Cohen, Meir (1999), "Harmful Thoughts," *Law and Philosophy* 18 (4): 379-405.
- Ditum, Sarah (2014), "'No Platform' was Once Reserved for Violent Fascists. Now it's Being Used to Silence Debate", *The New Statesman*, available at: <http://www.newstatesman.com/sarah-ditum/2014/03/when-did-no-platform-become-about-attacking-individuals-deemed-disagreeable> [Accessed 30 November 2016].
- Dworkin, Ronald (2009), "Foreword" in Ivan Hare and James Weinstein (Eds.), *Extreme Speech and Democracy* (Oxford: Oxford University Press).
- Fish, Stanley (2014), *Versions of Academic Freedom: From Professionalism to Revolution* (Chicago: University of Chicago Press).
- Fraser, Nancy (2014), *Transnationalizing the Public Square* (Cambridge: Polity Press).
- Fraser, Nancy, and Axel Honneth (2003), *Redistribution or Recognition? A Political-Philosophical Exchange* (London: Verso).
- Okin, Susan, (1989), *Justice, Gender, and The Family*. (New York: Basic Books).
- Goldstein, Matthew, and Frederick Schaffer (2015), "Academic Freedom: Some Considerations" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Goodall, Kay (2007), "Incitement to Religious Hatred: All Talk and No Substance?", *The Modern Law Review* 70 (1): 89-113.
- Ham, Mary Katharine, and Guy Benson (2015), *End of Discussion: How the Left's Outrage Industry Shuts down Debate, Manipulates Voters, and Makes America Less Free (and Fun)* (New York: Crown Forum).
- Heinze, Eric (2016), *Hate Speech and Democratic Citizenship* (Oxford: Oxford University Press).
- Heyes, Cressida (2006), "Changing Race, Changing Sex: The Ethics of Self-Transformation", *Journal of Social Philosophy* 37 (2): 266-82.
- Horwitz, Paul (2013), *First Amendment Institutions* (Cambridge Massachusetts: Harvard University Press).
- Husak, Douglas (2006), "Disgust: Metaphysical and Empirical Speculations" in Andrew von Hirsch and A. P. Simester (Eds.), *Incivilities: Regulating Offensive Behaviour* (Oxford: Hart Publishing): 91-114.
- Jaggard, Alison (1993), "Taking Consent Seriously: Feminist Practical Ethics and Actual Moral Dialogue" in Earl R. Winkler and Jerrold R. Coombs (Eds), *Applied Ethics: A Reader* (Oxford: Blackwell): 67-86.
- Jaschik, Scott (2014), "The Emails on Salaita", *Inside Higher Ed*, available at: <https://www.insidehighered.com/news/2014/08/25/u-illinois-officials-defend-decision-deny-job-scholar-documents-show-lobbying> [Accessed 30 November 2016].
- Jenkins, Katherine (2015), "Amelioration and Inclusion: Gender Identity and the Concept of Woman", *Ethics* 126 (2): 394-421.
- Kimball, Roger (1990), *Tenured Radicals: How Politics Has Corrupted Our Higher Education* (New York: HarperCollins).
- Langton, Rae (1993), "Speech Acts and Unspeakable Acts", *Philosophy & Public Affairs* 22 (4): 293-330.
- Lees, Paris (2016), "There is no Such Thing as 'Trans Debate'", *The Independent*, available at: <http://www.independent.co.uk/voices/there-is-no-such-thing-as-trans-debate>.



- Leiter, Brian (2017), "Justifying Academic Freedom: Mill and Marcuse Revisited", available at SSRN: <https://ssrn.com/abstract=2943774> or <http://dx.doi.org/10.2139/ssrn.2943774>.
- Lidsky, Lyrrisa Barnett (2002), "Brandenburg and the United States' War on Incitement Abroad: Defending a Double Standard", *Wake Forest Law Review* 37: 1009-33.
- Links, Jason (2009), "Ben Stein Dropped as University of Vermont Commencement Speaker", *The Huffington Post*, available at: [http://www.huffingtonpost.com/entry/ben-stein-dropped-as-univ\\_n\\_163586](http://www.huffingtonpost.com/entry/ben-stein-dropped-as-univ_n_163586) [accessed November 30, 2016].
- Lukianoff, Greg (2014), *Freedom from Speech* (New York: Encounter Books).
- Lukianoff, Greg, and Jonathan Haidt (2015), "The Coddling of the American Mind," *The Atlantic*, September 2015.
- MacKinnon, Catharine A. (1984), "Not a Moral Issue," *Yale Law & Policy Review* 2 (2): 321-45.
- Marcuse, Herbert (1965), "Repressive Tolerance" in Robert Paul Wolff, Barrington Moore Jr, and Herbert Marcuse, *A Critique of Pure Tolerance* (Boston: Beacon Press).
- Matsuda, Mari J. (1989), "Public Response to Racist Speech: Considering the Victim's Story," *Michigan Law Review* 87 (8): 2320-81.
- McGowan, Mary Kate (2009), "Oppressive Speech", *Australasian Journal of Philosophy* 87 (3): 389-407.
- Mearsheimer, John (2015), "Israel and Academic Freedom" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Meiklejohn, Alexander (1948), *Free Speech and its Relation to Self-Government* (New York: Harper & Brothers).
- Mill, John Stuart (1863), *On Liberty* (Boston: Ticknor Fields) [Originally published 1859].
- Moody-Adams, Michele (2015), "What's So Special About Academic Freedom?" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Nagel, Thomas (1995), "Personal Rights and Public Space", *Philosophy & Public Affairs* 24 (2): 83-107.
- National Union of Students (2016), "LGBT+ Campaign Live Policy 2014-2017", Available at: <http://www.nusconnect.org.uk/resources/lgbt-students-campaign-live-policy-2014-17>.
- Pateman, Carole (1988), *The Sexual Contract* (Stanford: Stanford University Press).
- Post, Robert C. (1990), "Racist Speech, Democracy, and the First Amendment." *William and Mary Law Review* 32 (2): 267-327.
- \_\_\_\_\_ (2011), "Participatory Democracy as a Theory of Free Speech: A Reply," *Virginia Law Review* 97 (3): 617-32.
- \_\_\_\_\_ (2013), *Democracy, Expertise, Academic Freedom: A First Amendment Jurisprudence for the Modern State* (New Haven: Yale University Press).
- \_\_\_\_\_ (2015), "Academic Freedom and the Constitution" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Okin, Susan Moller (1989), *Justice, Gender, and the Family* (New York: Basic Books).
- Reilly-Cooper, Rebecca (2016), "Gender is Not a Spectrum", *Aeon*, available at: <https://aeon.co/essays/the-idea-that-gender-is-a-spectrum-is-a-new-gender-prison>.
- Rickman, Dina (2012), "George Galloway Banned by the NUS After Rape Comments", *The Huffington Post*, available at: [www.huffingtonpost.co.uk/2012/09/27/george-galloway-banned-by-nus-rape-denier\\_n\\_1918468.html](http://www.huffingtonpost.co.uk/2012/09/27/george-galloway-banned-by-nus-rape-denier_n_1918468.html). [Accessed 30 November 2016].
- Scanlon, Thomas (1972), "A Theory of Freedom of Expression", *Philosophy & Public Affairs* 1 (2): 204-26.

- Schauer, Frederick (1993), "The Phenomenology of Speech and Harm", *Ethics* 103 (4): 635-53.
- \_\_\_\_\_ (2011), "Harm(s) and the First Amendment", *The Supreme Court Review* 2011 (1): 81-111.
- Scoccia, Danny (1996), "Can Liberals Support a Ban on Violent Pornography?", *Ethics* 106 (4): 776-99.
- Scott, Joan W. (2015), "Knowledge, Power, and Academic Freedom" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Simester, A. P., and Andrew von Hirsch (2011), *Crimes, Harms, and Wrongs: On the Principles of Criminalisation* (Oxford: Hart).
- Simpson, Robert Mark (2013a), "Dignity, Harm, and Hate Speech," *Law and Philosophy* 32 (6): 701-28.
- \_\_\_\_\_ (2013b), "Un-ringing the Bell: McGowan on Oppressive Speech and the Asymmetric Pliability of Conversations", *Australasian Journal of Philosophy* 91 (3): 555-75.
- Stone, Geoffrey R. (2015), "A Brief History of Academic Freedom" in Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (New York: Columbia University Press).
- Strauss, David A. (1991), "Persuasion, Autonomy, and Freedom of Expression", *Columbia Law Review* 91 (2): 334-71.
- Turner, Chris (2014), *The War on Science: Muzzled Scientists and Wilful Blindness in Stephen Harper's Canada* (Vancouver: Greystone Books).
- van Alstyne, William (1972), "The Specific Theory of Academic Freedom and the General Issue of Civil Liberty" in Edmund L. Pincoffs (Ed.), *The Concept of Academic Freedom* (Austin: University of Texas Press).
- Waldron, Jeremy (2012), *The Harm in Hate Speech* (Cambridge Massachusetts: Harvard University Press).
- Weinstein, James (2011), "Participatory Democracy as the Central Value of American Free Speech Doctrine," *Virginia Law Review* 97 (3): 491-514.
- Whine, Michael (2009), "Expanding Holocaust Denial and Legislation Against It" in Ivan Hare and James Weinstein (Eds.), *Extreme Speech and Democracy* (Oxford: Oxford University Press).
- Young, Iris Marion (1997), *Intersecting Voices: Dilemmas of Gender, Political Philosophy and Policy* (Princeton: Princeton University Press).