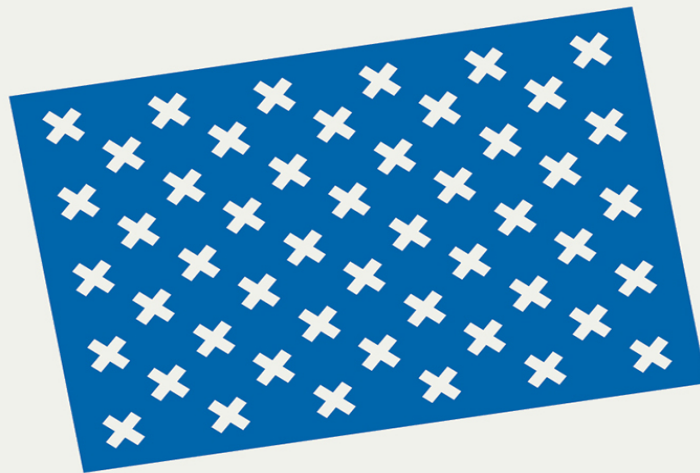


The Canceling of the American Mind



**Greg Lukianoff
and Rikki Schlott**
Foreword by
Jonathan Haidt

**Cancel Culture
Undermines Trust
and Threatens Us All—
But There Is a Solution**

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The Canceling of the American Mind

**Cancel Culture
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**By Greg Lukianoff
and Rikki Schlott**

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To those who have been canceled

Foreword

By Jonathan Haidt

Sometime around 2014, something big changed in American society. It was as if a flock of demons was unleashed upon the world, and the first place they flocked to was American college campuses. Whatever they were, one of the first people to spot them was Greg Lukianoff, who recognized their central power: they make people engage in exactly the same cognitive distortions that Greg had learned how to correct in himself when he was trained in cognitive behavioral therapy (CBT) for depression.

Because he was so familiar with these distortions and their damaging effects, Greg was able to see that universities, or society, or the internet, or *somebody* was training some young people to think in counterproductive and inaccurate ways. Greg knew that this would be harmful to their mental health, and he realized—all the way back in 2014—that if these distortions became common on college campuses, it would be a disaster for the open, questioning culture of free speech that is essential for universities to do their work.

My own reaction when Greg shared his analysis with me in May 2014: *This is brilliant. This is right. This explains what I am seeing as a professor at New York University.* I suggested to Greg that he write up his idea for publication, and I humbly offered my services as a co-author with a degree in psychology.

We wrote an essay for the *Atlantic*, titled “The Coddling of the American Mind,” which was published in August 2015. The disease continued to mutate and spread, so we dove much deeper into its origins and effects in our 2018 book with the same title. Again, you’ll read about that in this book, but let me just say this in the foreword: Greg is the sort of principled and empathetic person who can write about politically controversial social trends such as “Cancel Culture” in a trustworthy way. He writes from a place of love for liberal democracy and liberal societies, which require strong protections for speech. And he writes with

a big heart that feels the pain of those who suffer, whether from mental illness, exclusion, or unjust social punishment.

Since writing *Coddling* together, Greg and I have each taken a piece of the puzzle to explore in a subsequent book. I'm writing a book that takes off from Chapter 7 of *Coddling*, on the mental health crisis that began for Gen Z (those born in and after 1996) at the very moment that the virus was released, in the early 2010s. I argue that when teens traded in their flip phones (which were not harmful) for smartphones loaded with social media apps, they rewired childhood, consciousness, activism, politics, and mental health, almost always in ways that were bad for adolescents and bad for liberal democracy. Social media will play a big role in *The Canceling of the American Mind*, too.

Greg is building on his leadership of America's pre-eminent free speech group—the Foundation for Individual Rights and Expression—to explore the dynamics and destructive effects of Cancel Culture on individuals, institutions, and nations. Greg has done more than just about anyone else to defend and promote free speech and the virtues (such as intellectual humility and the principle of charity) that make free speech a boon to tolerant and dynamic societies.

In writing this book, Greg has made a smart move in trading me in for Rikki Schlott. I've known Rikki since she wrote to me, in August 2021, as a junior at New York University. She had just published a marvelous essay¹ in a major newspaper on the suppression of viewpoint diversity on campus, and she asked if she could meet with me to talk about the problem of free speech at our university. She came to my office hours and impressed me to no end. Members of Gen Z are not shy about speaking up against injustice, but they generally do so only when they believe that most of their peers share their views and they will receive online affirmation for their statements. It's rare to find a young person speaking up *against* the dominant view because of the extreme risk of shaming and ostracism—via social media—which is the subject of this book. But here was Rikki fearlessly standing up for what she thought was right, even though she knew she would damage her social position in an academic community.

In her essay, she wrote about the “crisis of self-censorship” that people like Greg and me had been describing from a distance using nationally representative

data sets. But Rikki described it from the inside, from the point of view of a student subjected to the sorts of conformity pressures, safetyism, and heavy-handed “orientations” that are causing that self-censorship. Yet there was a hopeful message in Rikki’s essay, and once she stood up, other people started “coming out of the woodwork” to say that they shared her concerns, but had been afraid to say anything.

This book is about why we all need to say something, why it’s gotten so hard to do so, and what kinds of reforms will make it easier for free speech to flourish once again.

In addition to serving as a character witness for Greg and Rikki, there is one other thing I’d like to do in this foreword: I’d like to tell you about the “Three Great Untruths” that were the heart of *The Coddling of the American Mind*, because they are the backstory to a fourth great “untruth” that you’ll learn about here. The Three Great Untruths are ideas that are so bad, so wrong, so contrary to ancient wisdom and modern psychology that if any young person embraces all three, they are practically guaranteed to be unhappy and unsuccessful. The untruths are as follows:

1. The Untruth of Fragility: *What doesn’t kill you makes you weaker.*

This untruth is of course the opposite of Friedrich Nietzsche’s dictum: “What doesn’t kill me makes me stronger.” Nietzsche understood the modern concept of “antifragility,” which doesn’t just mean “not being fragile.” It means something that absolutely must have challenges, shocks, and setbacks in order to develop properly. If you shield your child from all dirt, germs, and viruses, you block the development of the immune system and condemn your child to a lifetime of autoimmune diseases. And if you shield your child from all risk, teasing, and exclusion you block the development of normal social and emotional skills and condemn your child to a lifetime of anxiety and social incompetence.

2. The Untruth of Emotional Reasoning: *Always trust your feelings.*

This untruth is the opposite of the fundamental insight of Stoicism, Buddhism, and many other ancient traditions that teach us that our

emotions and other automatic reactions often lead us astray. These reactions should be questioned and examined, not held up as divine insights. To take your own feeling of anger as evidence that somebody harmed you is one of the major cognitive distortions that Greg learned to stop doing when he studied CBT: It is called “emotional reasoning.”

3. The Untruth of Us Versus Them: *Life is a battle between good people and evil people.*

This is the most destructive of the Great Untruths, found behind almost every conflict between groups, from politics to genocide. It is part of humanity’s evolved tendency toward tribalism. In CBT it is known as “black-and-white thinking.” It is the opposite of so much ancient wisdom, for rarely do Stoics or Buddhists urge us to hate faster, more deeply, and more unreflectively. Rather, the ancients repeatedly warn us that we are all hypocrites and that we should take the plank out of our own eyes before we judge others, as Jesus said.² We should be quicker to love and forgive, because we are all flawed. Greg and I captured this insight using the words of Soviet dissident Aleksandr Solzhenitsyn: “The line dividing good and evil cuts through the heart of every human being.”³ The last thing we need, in a complex multiethnic liberal democracy, is for educators to teach young people to divide everyone up into groups and then to teach them that some groups are good, others are bad.

In *Coddling*, Greg and I examined where these untruths came from, why they are so bad for the mental health of young people, and what they have done to American (and Canadian, and British) universities. In the five years since the book was published, the disease has metastasized and spread far beyond universities. It now infects journalism, the arts, nonprofits, K–12 education, and even medicine. Show me an organization where people are afraid to speak up, afraid to challenge dominant ideas lest they be destroyed socially, and I’ll show you an organization that has become structurally stupid, unmoored from reality,

and unable to achieve its mission. In *The Canceling of the American Mind*, Greg and Rikki follow the story far beyond universities to show how deep the structural stupidity now runs. If we want to make our minds and our institutions work well again, we're going to have to end the "crisis of self-censorship" that Rikki wrote about. This book will tell you how we do that.

Introduction: Pandora's Toolbox

On a sweltering summer day, we arrive at the Library of Congress in Washington, D.C. We were invited by a mysterious professor, a scholar of ancient Greece, to witness the unveiling of a newly discovered artifact. Our invitations cryptically promised “ancient wisdom that might help us understand the dysfunction of contemporary American society.”

Greg is a forty-seven-year-old liberal and Rikki is only twenty-two and a right-leaning libertarian. We met in May 2021, when Rikki was writing an article for the *New York Post*, hoping that the pandemic would be an opportunity for Generation Z to develop greater resilience.

Rikki read Greg and Jonathan Haidt's 2018 book *The Coddling of the American Mind* in her freshman year of college, and its analysis of her generation resonated with her. She reached out to Greg to ask whether he thought that perhaps the pandemic could “uncoddle” her cohort.

Unfortunately, that has so far proven to be wishful thinking. Still, the article did enable our paths to cross.

A phone interview turned into a longer conversation, which turned into a fellowship at Greg's organization, the Foundation for Individual Rights and Expression (FIRE). FIRE is a nonprofit organization dedicated to defending Americans' rights to free speech and free expression.

Pretty soon, we quickly discovered that we shared a deep concern for the individuals whose lives and livelihoods are destroyed by a single flippant tweet, unpopular post, or joke that fell flat—a phenomenon often referred to as Cancel Culture.

But on this summer day, neither of us have any idea what an ancient artifact could teach us. We pull open the library's heavy doors with intrigue. Awaiting inside are a few paper signs with hastily scrawled arrows and instructions.

Curiosity gives way to unease as we follow them down a dark hallway to a freight elevator.

“I never knew there was a *sub*-sub-basement,” says Greg as the elevator ka-thunks below “B” into unknown depths. Finally, after an endless descent, the elevator door opens on a vast underground library.

Following more signs, we make our way through a cavern of bookshelves, alone and wondering where everyone else is. When we arrive, we see two chairs and a weathered wooden box.

“Was no one else invited?” Rikki asks.

The professor materializes from a door built into a bookshelf, saying nothing. With herculean effort, the elderly, white-haired man lifts the lid of the box and gingerly removes an ancient scroll.

Unfurling it, he breaks the silence, “I will translate from the ancient Greek.” He reads:

In the time before Gnosisopolis, all was chaos. The people were ruled by strongmen, and all knowledge was a matter of opinion, faith, or superstition. Tyranny and ignorance abounded, until the great sorceress Pandora cast a powerful spell.

She pulled from the minds and mouths of all her people the unproductive ways of arguing. No longer could they focus on the personal failings of whoever made an argument. They could only address the merit of an argument itself. Gone were cheap, rhetorical dodges that wasted time and contributed nothing to the pursuit of truth. She gathered all of these bad habits, and she locked them away inside a magical box.

In their place, Pandora’s people developed a desire to think for themselves, coupled with a deep curiosity about all things. Suddenly, they had a humble awareness that they might be wrong. Freed from the shackles of wasteful arguments, all inhabitants were armed with an understanding that knowledge itself is a process. They knew knowledge creation works best when people are open-minded in their pursuit.

In the ensuing decades, the village prospered. It swelled into a city and was called Gnosisopolis—meaning the city of knowledge.

The people governed themselves. Technology, art, and science flourished. Human freedom and tolerance grew. Inhabitants felt comfortable sharing their own failings, shortcomings, and foibles—honesty bred trust and wisdom. They built a Great Library with researchers who studied every question under the sun. People traveled there from the farthest reaches of the known world to learn. Everyone recognized that the wise scholars of Gnosisopolis had no equals on the earth.

Still, Pandora's spell required a diligent people to sustain it. And as time wore on, this diligence waned. The traditions of the Gnosisopolans were diluted as each new generation became less familiar with what life was like before.

By Pandora's hundredth birthday, the city was divided by anger, fear, and suspicion into a Westside and an Eastside.

Something had to be done. So, Pandora called on her two granddaughters: the most powerful sorceress of the Westside and the most powerful sorceress of the Eastside.

"My children, I am old, and I am weak," she told them. "I want the two of you to work together to bring the city together. Even if you don't want to be friends, you should still share in a mutual project of healing our society."

"Thanks, but no thanks, Granny. I want to win!" one sorceress cried out, seizing the magic box Pandora had trapped all the bad habits inside. "And with these tools I can win every argument. I can destroy every opponent!"

"No way," the other sorceress shouted as she grabbed the box away. "I'm going to own you libs!"

Both tugged on it with all their might.

Pandora tried to stop them. "Girls, you must listen to each other!"

"Bad people like you only have bad opinions!" cried one granddaughter.

"No, only good people like me have good opinions!" yelled the other. "You fascist rednecks!"

"You commie groomers!" the other granddaughter cried back.

And, with that, the box shattered into pieces, releasing the bad arguments back into the world. Pandora looked on in horror. At that very moment, the Great Library of Gnosisopolis crumbled to the ground.

And so the granddaughters retreated to their respective sides of the city. One sorceress built a great fortress with four high walls, each taller than the next. Not to be outdone, the other built her own vast fortress, shielded from the outside world by layer after layer of barricades, trenches, moats, walls, and all manner of tricks and traps.

Eastside and Westside had been separated.

The professor pauses. He looks up from the scroll.

“And this is why we asked you here today,” he says. “It took us a while to translate the names, but...” He stops and points a quivering finger at the two of us. “The scroll is addressed to Rikki Schlott and Greg Lukianoff for delivery on this very day in this very year!”

Okay, okay. Of course, this didn’t really happen. We certainly don’t believe we’re the chosen ones. But we like a good fable to illustrate our central points. In *The Canceling of the American Mind*, we want to draw your attention to the ways we argue and how we sort fact from fiction.

Of course, this is a myth. There has never been some utopian period like Gnosisopolis where everyone argued fairly and thoughtfully. There was never a time when people only cared about truth, never made ad hominem arguments, and always operated in good faith. Indeed, there has never been and *will* never be a perfect golden age of free speech. But that doesn’t mean we can’t strive for one.

And it’s also foolish to assume that America has always been as bad as it currently is at talking about its problems and discussing solutions. There have, indeed, been moments in human history when society was better at arguing productively.

But, over the last several decades, many of the institutions tasked with teaching us how to argue productively have failed in their duties—most notably, American higher education. This is surely bad enough on its own, considering we rely on institutions of higher learning to help us sort falsehood from truth, good ideas from bad, and tenable solutions from untenable ones.

And, just as higher education began to fail in that mission, an epochal technological shift took place that shook the foundations of society—and made everything worse.

As it turns out, social media breeds the sort of bad arguments kept in Pandora's Toolbox. Personal attacks, dismissive clichés, and an ever-growing body of taboos abound in virtual discourse. Rules of arguing that bring society closer to the truth are pushed to the wayside in favor of techniques that let you off the hook from actually engaging with your opponents.

These destructive methods of argumentation caught on like wildfire for a simple reason: they help people assert moral superiority and “win” arguments by simply shutting down the other side.

Social media is on par with the printing press in its sheer disruptive power (an argument former CIA analyst Martin Gurri made in his 2014 book *The Revolt of the Public*). And that disruptiveness was on display everywhere, from the Arab Spring, to social justice protests in Spain and Israel, to the 2011 Occupy Wall Street protests.

Similarly, the invention of the printing press in the 1450s led to cataclysmic changes in Europe: religious conflict, an expansion of the witch trials, and revolutionary civil strife. The new technology added *millions* of people to the global conversation. In the relatively brief period between the 1450s and the 1650s, literacy rates exploded from just 12 percent to 25 percent across Western Europe,¹ meaning an additional 18 million people could read and wrestle with new ideas.

Thanks to hindsight, we know the result of these growing pains would eventually be a flowering of science, art, and reform. But if you were looking at the world from the point of view of, say, Henry VIII in 1538, the printing press probably would have seemed to be more trouble than it was worth.

Much as in the early days of the printing press, we've found ourselves in a crazy, anarchical period in the early days of social media. Again, a massive number of new people are joining the cultural conversation. We should not be surprised that social media, which allows *billions* of people to participate in the global discussion, is also exceptionally disruptive.

It's instructive to look back at how sixteenth-century figures responded to this challenge. In 1538, Henry VIII desperately attempted to put the printing press genie back in the bottle by requiring a crown-approved license to operate a printing press in England. But the proliferation of ideas proved impossible to contain.

Today, legislators are trying to do the same thing. Heavy-handed attempts to regulate social media have arisen both from the political right in Texas and Florida and the left in California and New York. Surely more are to come after this book goes to print.

Yes, the introduction of the printing press proved disruptive to society and the powers that be. But it also facilitated decentralized conversation. In the centuries since the printing press's invention, it has allowed society to inch closer to truth by proliferating ideas and chipping away at falsehood.

Therefore, we shouldn't give up hope that, despite its current growing pains, social media could one day be a tool of human progress, too.

In an era of techno-pessimism, we're still techno-optimists. We believe that, with some ground rules, these new platforms could actually prove beneficial in the long run. It may not be Twitter or Facebook or any other platform that currently exists, but perhaps some future social media tool will produce positive social change, much like the printing press ultimately did.

Social media opens every institution, every individual, and every idea to the scrutiny of hundreds of millions of eyes. That makes them all vulnerable to being torn down. And it's not always a bad thing. There are some institutions, ideas, and even people who need to be torn down—from Hosni Mubarak's regime in Egypt to odious sexual predators like Harvey Weinstein.

When we tear things down, though, we need to rebuild. But the tools in Pandora's Toolbox make it impossible to have civil, thoughtful dialogue. That means we're unable to build new institutions, to create shared social norms, and to empower experts trusted across the political spectrum.

The bad argumentation techniques in Pandora's Toolbox have been able to thrive only because the institutions that are supposed to teach us constructive ways of arguing are failing to do so. K–12 schools ceased teaching young people the rules of good argumentation. And over the past several decades, higher

education began encouraging the dismissal of arguments based on a speaker's identity, past transgressions, and other factors unrelated to the argument at hand.

With no shared sense of what it means to argue constructively, the political left and right retreated to their own corners and constructed their own fortresses just as the sorceresses of Gnosopolis did. The political left constructed a Perfect Rhetorical Fortress. The right matched it with their own Efficient Rhetorical Fortress.

Put simply, the Perfect Rhetorical Fortress is a system of argumentative barricades. Most are ad hominem tactics that short-circuit good faith debate by attacking the other person, rather than their argument. If your opponent manages to break through one barricade, another layer awaits... and another, and another. If you subscribe to this style of reasoning, anybody's ideas can be tuned out.

The political right's Efficient Rhetorical Fortress is far simpler. It allows conservatives to dismiss experts, journalists, and liberals (and, for many on the MAGA right, anyone critical of Trump). We dub it "efficient" because, with just a handful of rules, this fortress allows the right to tune out practically anyone deemed to have authority or expertise.

Coddling introduced the three "Great Untruths"—pervasive bad pieces of advice that highlight common but unhelpful ways of thinking. Here, we will focus on a single new Great Untruth that we have dubbed *The Great Untruth of Ad Hominem*, which supposes that "*bad people only have bad opinions.*"

Too much of modern discourse is focused on a moralistic evaluation of the speaker. And, according to this Great Untruth, if you can show someone to be "bad" by any measure, you don't have to listen to them anymore. Today, basically anything can be used to dismiss someone as "bad" depending on your political orientation—from dubbing them "conservative" to accusing them of being "woke."

Of course, we all know on a logical level that a good person doesn't strictly have valid opinions and a bad person doesn't strictly have invalid ones. Our judgment on someone's personal morality should be irrelevant to the validity of

their arguments. Increasingly, though, we pretend that isn't the case. That needs to stop.

In this book, we will talk a lot about “Cancel Culture.” To be frank, neither of us particularly like the term. It's become very politically charged and has been abused. But Cancel Culture is a term that most Americans—black, white, liberal, conservative, Gen Z, and Baby Boomer alike—recognize.

We want to keep as many people in the conversation as possible, so we are going to call out Cancel Culture by name. We're also calling it out for the destructive force that it is. Cancel Culture has upended lives, ruined careers, undermined companies, hindered the production of knowledge, destroyed trust in institutions, and plunged us into an ever-worsening culture war.

Further, we hope to change the way people think about Cancel Culture. Rather than dismissing it as a moral panic, we should consider it part of a dysfunctional way members of our society have learned to argue and battle for power, status, and dominance.

Cancel Culture is just one symptom of a much larger problem: the use of cheap rhetorical tactics to “win” arguments without... *actually* winning arguments. After all, why bother meaningfully refuting one's opponents when canceling them is an easier option? Just take away their platform or career. Nobody else will dare to tread the same ground once you make an example of them.

There is good news here, however. Once you understand Cancel Culture as one part of an unhealthy societal conversation, the solution becomes quite clear: *We don't have to argue like this.*

We can choose to discuss problems in a solutions-oriented way. We can declare a truce with our political opponents and set some ground rules that might help us survive—and thrive—as a nation. And we can start to appreciate the benefits of living in a country as ideologically diverse as our own.

About This Book

This book will give you an overview of Cancel Culture in three parts. First, we will discuss what exactly Cancel Culture is and how it originated on American campuses. Then, we will discuss how it works. Cancel Culture depends on tactics that we use to insulate ourselves from opposing viewpoints. We call these argumentative constructions “rhetorical fortresses.” Finally, in part three we will discuss solutions, asking *How do we short-circuit Cancel Culture and move toward a Free Speech Culture?*

Throughout the book, we’ll take you through eight case studies of Cancel Culture in different industries and institutions and tell the real-life stories of those whose lives have been upended by cancel mobs.

Many of our case studies take place in higher education because that’s where Cancel Culture originated and runs most rampant. But we will also talk about Cancel Culture ravaging our knowledge-producing institutions, like journalism, publishing, and the sciences. Taken together, you’ll see that America has become dangerously rigid in enforcing ideological norms. From Kindergarten through the corporate world, the pressures of conformity shapes what the news media covers, what books get published, what scientific opinions are considered valid, and even what jokes you’re allowed to make.

So, without further ado, let’s start in Minnesota....

Part One

What Is Cancel Culture?

Case Study: Hamline University

“I consider this a form of ideological colonization, one that leaves no room for freedom of expression and is now taking the form of the ‘cancel culture’ invading many circles and public institutions. Under the guise of defending diversity, it ends up canceling all sense of identity, with the risk of silencing positions.”¹

—Pope Francis

On October 6, 2022, an adjunct professor at Hamline University in Saint Paul, Minnesota, became the target of one of the most brazen infringements on academic freedom in recent memory. Erika López Prater showed her art history class a painting depicting the Prophet Mohammed—and lost her job because of it.

The Prophet Mohammad Receiving Revelation from the Angel Gabriel was commissioned by a Muslim king in honor of his faith in the fourteenth century and painted by a fellow Muslim. Professor López Prater knew depictions of the prophet are considered sacrilegious by some Muslims, and so she took great care to give students an adequate heads-up.

She warned about the painting in her syllabus,² offering students an option to view alternative works of art. She added, “If you have any questions or concerns about either missing a class for a religious observance or the visual content that will be presented, please do not hesitate to contact me.” López Prater also told students during the class that they would soon be seeing the painting and that it was okay if anyone wished to leave before that.

López Prater explained the rationale behind featuring the artwork in her curriculum: “I am showing you this image for a reason. There is this common thinking that Islam completely forbids, outright, any figurative depictions or any depictions of holy personages. While many Islamic cultures do strongly frown

on this practice, I would like to remind you there is no one, monolithic Islamic culture.”³

No students contacted her for an exemption from the assignment. But after the class was over, one student objected to seeing the image—and made it known to both her professor and the *entire* Hamline community.

Aram Wedatalla, a twenty-three-year-old senior and president of the Muslim Student Association, complained. She held a de facto press conference in which she cried and declared, “I am 23 years old. I have never once seen an image of the Prophet. It just breaks my heart that I have to stand here to tell people that something is Islamophobic and something actually hurts all of us, not only me.”⁴

Wedatalla also told the school newspaper, the *Hamline Oracle*, “I’m like, ‘this can’t be real.’ As a Muslim, and a Black person, I don’t feel like I belong, and I don’t think I’ll ever belong in a community where they don’t value me as a member, and they don’t show the same respect that I show them.”⁵

Another member of the Muslim Student Association, senior Deangela Huddleston, added, “Hamline teaches us it doesn’t matter the intent, the impact is what matters.”⁶

But it wasn’t the student outrage that foisted the tiny Methodist School in St. Paul, Minnesota, into the national spotlight. *That* was thanks to the administrators’ response.

Despite publicly claiming the school “embraces the examination of all ideas, some of which will potentially be unpopular and unsettling, as an integral and robust component of intellectual inquiry,”⁷ Hamline came for López Prater.

The school *rescinded* her job offer to teach the following semester. David Everett, associate vice president of inclusive excellence, told the student newspaper, that because “of this incident, it was decided it was best that this faculty member was no longer part of the Hamline community.”⁸ Everett also sent a letter to all Hamline staff accusing López Prater of engaging in “undeniably inconsiderate, disrespectful and Islamophobic”⁹ speech. Meanwhile, the dean of students initiated a campaign to stop perceived anti-Muslim actions at their source, outlining a plan to address Islamophobia by

scheduling forums and unleashing a reporting form for community members to report transgressions.¹⁰

University president Fayneese Miller got involved, too. In a December email she co-authored with Everett, the two urged community members to “listen rather than debate the merits of or extent of [the] harm” and declared that “respect for the observant Muslim students in that classroom should have superseded academic freedom.”¹¹

The following month, Miller released a statement in which she complained that the media was misreporting about the issue and that López Prater *was not fired* for exercising her academic freedom, but rather *was simply not rehired* for exercising her academic freedom.

“Academic freedom does not operate in a vacuum. It is subject to the dictates of society,” Miller wrote. “Does the claim that academic freedom is sacrosanct, and owes no debt to the traditions, beliefs, and views of students, comprise a privileged fraction?”¹²

This is a deeply flawed notion. As FIRE attorney Adam Steinbaugh pointed out, “Far from being *subordinate* to ‘the dictates of society,’ academic freedom is a *bulwark against* society’s ‘dictates.’ It is intended to give faculty breathing room to explore ideas and materials others think should not be aired.... If a professor’s expression is popular with society, she wouldn’t need the shield of academic freedom.”¹³ [Emphases are in original.]

Less than a week later, López Prater sued the school.¹⁴ Only then did Hamline begin to recant.

In a follow-up statement, the board of trustees said the whole ordeal was a “misstep” and admitted their “usage of the term ‘Islamophobic’ was... flawed.” They added, “It was never our intent to suggest that academic freedom is of lower concern or value than our students—care does not ‘supersede’ academic freedom, the two coexist.”¹⁵

This is a prime example of the Perfect Rhetorical Fortress, the left’s extensive set of rhetorical barricades designed to dodge meaningful conversation, which we explore in Part Two of the book. We will explain these barricades further in the pages to come, but in this case those coming for the professor...

- Claimed “offense to Islam” was grounds to get someone fired, even though many in the Muslim community disagreed that showing the picture in an art history class was offensive
- Overconfidently and vaguely claimed to have experienced psychological harm
- Used “thought-terminating clichés” to justify the action.¹⁶ For example, one professor who supported Hamline’s decision to cut ties with López Prater called showing the art “punching down” and claimed this was “professor-splaining.”¹⁷
- Held a forum that was presented as a discussion of the incident but really was an attempt to browbeat the community and justify the cancellation. Later in the book we dub this “emotional blackmailing.”
- Insinuated that “really this case is about some other terrible thing we can’t prove.” Here, cancelers argued that showing the painting was just a symptom of an alleged general anti-Islamic atmosphere at Hamline.

Although López Prater has yet to be reinstated as of this writing, we are pleased to report that the Hamline disaster inspired unusually widespread condemnation. FIRE launched a determined campaign to call out the school and organize professors to join an open letter in defense of López Prater.

Not only did the ordeal sustain headlines for weeks, but it was also dubbed “one of the most egregious violations of academic freedom in recent memory” by PEN America.¹⁸ The American Association of University Professors responded by calling the situation “a remarkable violation of academic freedom.”¹⁹

Some of Hamline’s own professors—in a 71–12 vote of the faculty board—even called on university president Fayneese Miller to step down, which she ultimately did. They wrote a joint statement that powerfully asserted, “We affirm both academic freedom and our responsibility to foster an inclusive learning community. Importantly, these values neither contradict nor supersede each other.”²⁰

The Muslim Public Affairs Council affirmed “the painting was *not* Islamophobic” and “[urged] the university to reverse its decision.” They added, “On the basis of our shared Islamic and universal values, we affirm the need to instill a spirit of free inquiry, critical thinking, and viewpoint diversity.”²¹

The debacle at Hamline is a perfect example of just how out of hand Cancel Culture has gotten on university campuses.

While many academic freedom scandals go under-reported or become partisan in their coverage, the widespread backlash against the debacle at Hamline is a glimmer of hope. This has fed a sense that Cancel Culture might be starting to break. But it’s far too early to declare Cancel Culture over.

Since cancellations exploded on campuses around 2014, they have ebbed and flowed. During the lows, many have been too eager to declare it through—but every time, Cancel Culture has come back stronger than ever. We can’t just wish it away. Instead, we have to establish the Free Speech Culture that will short circuit Cancel Culture.

In the final chapter you’ll hear a lot about Free Speech Culture—the antidote to Cancel Culture that we think our society needs to move toward.

In the meantime, you should know that Free Speech Culture is a set of cultural norms rooted in older democratic values. Embracing Free Speech Culture means turning back to once popular sayings like “everyone is entitled to their own opinion,” “to each their own,” “it’s a free country,” and even “don’t judge a book by its cover.”

And Free Speech Culture embraces some new idioms, too, such as “always take seriously the possibility you might be wrong,” “it’s always important to know what people really think,” and “just because you hate someone doesn’t mean they are wrong.”

Chapter 1

The Gaslighting of the American Mind

“The free exchange of information and ideas, the lifeblood of a liberal society, is daily becoming more constricted. While we have come to expect this on the radical right, censoriousness is also spreading more widely in our culture: an intolerance of opposing views, a vogue for public shaming and ostracism, and the tendency to dissolve complex policy issues in a blinding moral certainty.”¹

—A Letter on Justice and Open Debate, known as the *Harper’s* Letter

On March 18, 2022, a *New York Times* editorial ignited a firestorm on Twitter. The piece in question was dragged through the mud by many, including former MSNBC commentator Keith Olbermann, who declared, “The @nytimes editorial board has lost the plot.”²

“If I still worked at the New York Times, I would seriously think about quitting today,”³ the *New Yorker* contributor Adam Davidson tweeted. “The *New York Times* editorial board should retract and resign,”⁴ wrote Dan Froomkin of *Press Watch*. Journalism professor Jeff Jarvis called it “appalling white victimhood, naked to behold.”⁵

What opinion could possibly have inspired such outrage? An admission by the *Times* editorial board that Cancel Culture is real—and a problem.

“On college campuses and in many workplaces, speech that others find harmful or offensive can result not only in online shaming but also in the loss of livelihood,” the *Times* asserted.⁶

The piece pointed a finger at both the right and left for perpetuating a culture of ideological intolerance. They called out liberals who’d lost touch with the “once liberal ideal” of a “full-throated defense of free speech” as well as

Republican lawmakers determined “to gag discussion of certain topics” with bills preventing the mention of divisive issues in classrooms.

“People should be able to put forward viewpoints, ask questions and make mistakes and take unpopular but good-faith positions on issues that society is still working through—all without fearing cancellation,”⁷ the *Times* editorial argued.

The article didn’t hinge on assumptions about public sentiment. It was rooted in data from a national poll⁸ the *Times* had commissioned in partnership with Siena College to get to the bottom of what Americans really think about Cancel Culture. The results pointed to the fact that everyday Americans are not only noticing mounting illiberalism but are also deeply concerned about its ramifications.

The *Times* editorial was making a modest, well-supported point that hardly merited the stunning explosion of rage in the Twitterverse and in elite circles.

And this meltdown was merely one of two Cancel Culture controversies the *Times* found itself embroiled in just that month alone. On March 7, 2022, social media similarly exploded in outrage when Emma Camp, a political liberal and former intern at FIRE, penned a guest essay which she titled “I Came to College Eager to Debate. I Found Self-Censorship Instead.”

The University of Virginia senior described the “hushed voices and anxious looks” she observed when controversial topics were discussed on campus. “My college experience has been defined by strict ideological conformity,” she wrote in what should have been a relatively uncontroversial piece. “When criticism transforms into a public shaming, it stifles learning.”⁹

Almost immediately, Twitter unleashed its wrath on Emma, ironically proving her point in the process.

“I wonder how responsible it is for @nytimes to publish an op-ed by a student complaining about progressive professors and an overly progressive college environment at her state university in the South when laws are being passed all over the country returning us to the McCarthy era,”¹⁰ wrote Yale philosophy professor Jason Stanley. (Of course there are many—including us—

who oppose *both* illiberal laws from the right *and* mounting illiberalism on the left.)

They even came for the campus buildings behind Camp in the photographs that accompanied her article. Data scientist and activist Emily Gorcenski pointed out, “It does not escape my notice that the backdrop for this photo is the site of the infamous neo-Nazi tiki torch rally on August 11, 2017, and it should not escape your notice, either.” The picture was of Emma standing by UVA’s world-famous rotunda, a historical landmark.¹¹

But, most commonly of all, Emma was called a right-winger. It ended up being one of the most transparent examples of the mob deciding that if they could label someone a conservative, they simply didn’t have to think about her anymore. We know Emma. Emma is not conservative. But even if she were, why should that label magically discredit her argument?

The primary thrust of the mini storm of hate tweets sent Camp’s way exemplified our Fourth Great Untruth: *Bad people only have bad opinions*. On Twitter she was accused of condoning eugenics¹² and being a hypocritical,¹³ fragile,¹⁴ disingenuous¹⁵ racist who was running interference for bigots¹⁶... all because she argued that campuses can be an ideological monoculture.

The two *New York Times* controversies proved that even just acknowledging the existence of Cancel Culture is itself grounds for cancellation.

A Brief History of Cancel Culture

In our view, Cancel Culture arose when social media enabled the almost instantaneous creation of outrage mobs.

Cancel Culture on the left wing was honed in academia then filtered into society more broadly and festered on sites like Tumblr. On the right, Cancel Culture was influenced by sites like 4Chan as well as conservative outrage media, from radio to cable news. It was in part a backlash against the left’s dominance in educational and cultural institutions.

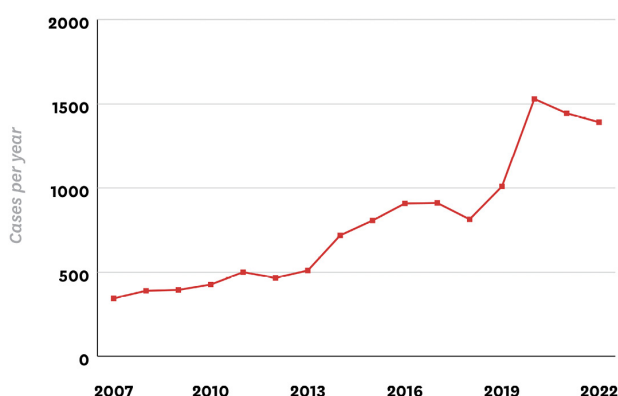
Of course, right and left cannot be neatly separated. Culture wars cause polarization spirals with the actions of one side provoking the reaction of the

other. Rinse, repeat. Although it did not yet have a name, Cancel Culture exploded onto the scene toward the end of 2013, hit its stride around 2015, and then *really* accelerated in 2017. Jon Ronson was one of the first to write about it, in his 2015 book, *So You've Been Publicly Shamed*. He was followed by Jonathan Chait's *New York* magazine article "Not a Very P.C. Thing to Say" and Jenny Jarvie's piece on trigger warnings in the *New Republic*, "Trigger Happy."

The rise of Cancel Culture was not gradual. On campuses across the country, it struck like lightning. Although students had long been generally supportive of free speech, a new generation of anti-free speech activists sprang up in the mid-2010s. Suddenly they were demanding speech codes, trigger warnings, and the policing of microaggressions.

This is when FIRE noticed an uptick in speaker disinvitations, attempts to fire professors, and anti-free speech rhetoric.¹⁷ To give you a sense of what was going on, here's a graph of the incidents we reviewed by year:

CASES REVIEWED BY FIRE, 2007-2022



High-profile disinvitations also grabbed the public attention in 2014. Everyone from Condoleezza Rice to James Franco had offers to speak revoked. And, more and more often, protests over speakers' viewpoints devolved into actual violence on campus—most famously at Berkeley in response to right-wing provocateur Milo Yiannopoulos and at Middlebury College in response to controversial social scientist and *Bell Curve* co-author Charles Murray.

Since 1999, FIRE has defended the free speech rights of students and faculty across the country. We're committed to defending anyone whose speech rights

have been abridged, regardless of viewpoint. Since our founding, countless professors and students alike have reached out for legal support in their free speech battles.

But as bad as things had been since 2014, we were unprepared for 2020. It was the worst year for free speech FIRE had seen in our history. We typically see a decline in case submissions during summer months when school is out of session, and we especially expected this to be the case considering most schools had shifted to remote learning during the pandemic.

But precisely the *opposite* took place. Cancellations exploded, both on campus and beyond. And, not coincidentally, Google searches for the term “Cancel Culture” grew by a factor of twelve between May and July of that year.

That summer, some formidable cultural figures stood up to this purge of wrongthink—perhaps most notably the 153 signatories of “A Letter on Justice and Open Debate” published by *Harper’s Magazine* on July 7 and penned by Thomas Chatterton Williams and others. Among the names listed were thought leaders like Margaret Atwood, Steven Pinker, Noam Chomsky, Cornel West, Malcolm Gladwell, and Salman Rushdie.

Lamenting “a vogue for public shaming and ostracism,” the letter took a strong stand against mounting illiberalism: “The democratic inclusion we want can only be achieved if we speak out against the intolerant climate that has set in on all sides. The free exchange of information and ideas, the lifeblood of a liberal society, is daily becoming more constricted.... We refuse any false choice between justice and freedom, which cannot exist without each other.”^{[18](#)}

This was far from some right-wing think piece. The signers included many famous lefties. And the letter itself described the fallout following George Floyd’s murder as a “needed reckoning” and dubbed then President Donald Trump “a real threat to democracy.” Influential people on the left were calling out Cancel Culture in force. But any hopes this might be an impetus for change were quickly dashed.

Soon the predictable critiques came rolling in. Laura Bradley of the *Daily Beast* dismissed the signatories as “assorted rich fools,”^{[19](#)} while Richard Kim of the *Huffington Post* dubbed the letter’s contents “fatuous self-important drivel.”^{[20](#)} Joel D. Anderson of *Slate* took to Twitter to ask his followers the

question: “In a world with real problems, who even knows what this is actually about?”²¹

In a pattern that would continue up through the March 2022 *New York Times* free speech editorial, those voicing their concerns about Cancel Culture were contemptuously rebuked by a powerful minority arguing that Cancel Culture does not, in fact, exist.

Just three days later, a counter-letter titled “A More Specific Letter on Justice and Open Debate” was published online with 150 signatures of its own, including anonymous journalists from the likes of NPR, the *New York Times*, and *Politico*. They decried the *Harper’s* Letter as a defense of the “intellectual freedom of cis white intellectuals,” which they argued “has never been under threat en masse.”²²

In the face of backlash, historian and Tufts University professor Kerri Greenidge even asked for her name to be removed from the original letter and tweeted, “I do not endorse this @harpers letter,”²³ before adding her name to the counter-letter.

Measuring the Scale of Cancel Culture

As we’ve said, neither of us particularly likes the term “Cancel Culture.” It’s been dragged through the mud and abused endlessly by a whole host of controversial figures.

President Trump, for instance, blamed Cancel Culture for everything from the Cleveland Indians baseball team changing²⁴ its name to his being subpoenaed²⁵ by the January 6 Committee. Former New York governor Andrew Cuomo attempted to distract from a slew of credible sexual harassment accusations by saying Americans should know the difference between “playing politics, bowing to Cancel Culture, and the truth.”²⁶ Even Russian president Vladimir Putin has criticized Cancel Culture.²⁷ His head of foreign intelligence, Sergei Naryshkin, lamented the world was trying to “cancel” Russia for its invasion of Ukraine.²⁸

But, despite these unsavory abuses of the term, Cancel Culture is a term the vast majority of Americans are familiar with—and concerned about.

According to a FIRE survey, 73 percent of the American public recognize the term Cancel Culture.²⁹ Another 2022 survey of 1005 registered voters found that 82 percent of respondents think Cancel Culture is a problem.³⁰

FIRE's poll also revealed Americans overwhelmingly value freedom of speech over all other surveyed freedoms—including the right to vote, right to bear arms, and freedom of religion. And 83 percent agree democracy can only thrive if free speech remains vital.³¹

Furthermore, 84 percent of Americans believe that it is a problem that some Americans do not speak freely in everyday situations due to fear of retaliation or harsh criticism. And a 2020 poll found 62 percent of American adults—including a majority of Democrats, Independents, and Republicans alike—did not feel comfortable expressing their opinions in public. Thirty-two percent worried they could miss out on job opportunities or get fired if their political views became known.³² Similar results have been found in multiple polls.³³

They are right to be concerned—especially considering how campus norms tend to ripple out into the rest of society. It's hard to overstate just how bad the Cancel Culture situation has gotten on campuses, but let's start with professors first. When Greg started at FIRE in 2001, the state of free speech in academia was already poor. But even a single professor getting fired for their speech was few and far between. Things got worse, and in 2010 FIRE saw twenty attempts to get professors punished. But then came an explosion.

From just 2014 to mid 2023, we know of more than 1,000 attempts to get professors fired, punished, or otherwise silenced. About two thirds of these attempts are successful, resulting in consequences from investigation to termination. But even unsuccessful attempts matter, because they are more than sufficient in chilling speech.³⁴

This many professors getting fired is truly unprecedented. It's occurring on a scale that hasn't been seen since the Supreme Court first established First Amendment protections of academic freedom and campus speech. In fact, we'd

have to go all the way back to the 1950s to see anything even remotely on this scale.

To give a sense of proportion, only five professors were fired or forced out of schools over something they said in the post-9/11 panic. The modern era of Cancel Culture (2014 to present), by contrast, has resulted in almost 200 professor terminations. That exceeds even the estimated 100 to 150 professors terminated in the second Red Scare (1947 to 1957).

And we know our tally of Cancel Culture victims is a substantial undercount, considering that incidents at smaller and less elite colleges tend not to make the news. Plus, investigations typically are shrouded in secrecy.

To gauge a better sense of the actual scale, FIRE surveyed college faculty and found that 16 percent of professors said they have either been disciplined or threatened with discipline for their speech, teaching, or academic research. Seven percent even said they have actually been investigated. And a whopping 29 percent said they've been pressured by administrators to avoid controversial research.³⁵

It's especially alarming that Cancel Culture is concentrated in the most influential universities in the country. The top 10 of *US News's* top-ranked colleges account for more than 10 percent of all cancellation attempts. The top 100 account for more than 40 percent.³⁶ At the top 10 colleges, less than a quarter of cancellation attempts are launched by conservatives. In the rest of academia, conservative Cancel Culture accounts for as much as 40 percent of all incidents and about a third of sanctions.

The same is not true when it comes to students. Most of them tend to get canceled by the left. There's no way to know precisely how many students have been canceled since most stories don't make the news. Even still, we see hundreds of cases of students being targeted for their speech every year.

The number of cancellations outside campus is even harder to know. Fired employees rarely make the news, and many of them sign severance contracts that include non-disclosure agreements. Still, it was relatively easy to find hundreds of examples of folks—including K-12 teachers and principals, entertainers, journalists, small-business owners, museum curators, and librarians—who were canceled for something they said.

Although this book is focused on the United States, we will occasionally mention the insanity that has gone on in the United Kingdom, where hate speech laws can be deployed in service of Cancel Culture. In 2016 alone, more than 3,000 people were detained and questioned by police for non-crime “hate incidents” related to what they had said on-line.³⁷

Many in the United States tout Europe’s fight against unsavory speech as aspirational. But the specter of thousands of arrests just for what we say online does not sound like a future to look forward to.

To get a sense of historical perspective, let’s reflect on some infamous moments of American censoriousness. The Sedition Act of 1798—which made it a crime to “print, utter, or publish... any false, scandalous, and malicious writing” about the President or Congress—resulted in 51 prosecutions.³⁸

During the Hollywood Red Scare, a Congressional committee investigated Communist influence in Hollywood and created a “blacklist,” enforced by the Hollywood studios, that made Communist or Communist-sympathizing actors, writers, and directors unemployable. About 300 Americans were targeted.³⁹

Cancel Culture is happening at such a scale that historians will be studying it in fifty to a hundred years, much like we study the Red Scare and the Alien and Sedition Acts. The bottom line is that Americans should *absolutely* believe their eyes and dismiss the gaslighters who say there’s nothing to see when it comes to Cancel Culture. In terms of sheer numbers, its scale is unprecedented.

Yet there are some who still argue that Cancel Culture does not exist, like podcaster Michael Hobbes, who has argued that “the entire ‘Cancel Culture’ panic is an attempt on the part of influential public figures to deny that they have any responsibility to use their platforms responsibly.”⁴⁰

And the mental gymnastics it takes to deny the problem can be so extravagant that even cancellation victims can themselves still insist Cancel Culture doesn’t exist. For example, Will Wilkinson was fired⁴¹ from his job at the left-libertarian think tank the Niskanen Center for joking on twitter that “If Biden really wanted unity, he’d lynch Mike Pence.” He nonetheless denies Cancel Culture exists.⁴² So, too, does Texas Collin College professor Lora Burnett, who was

fired⁴³ for her personal tweets.⁴⁴ At this point, anyone who dismisses or minimizes Cancel Culture is demonstrating willful blindness.

Definitions of Cancel Culture

There have been a variety of (often contradictory) attempts to define Cancel Culture in recent years, from journalists, academics, and politicians alike.

At the risk of sounding like a middle-school book report, we thought we should start with the definition from the *Merriam-Webster Dictionary*. This defines Cancel Culture as simply “the practice or tendency of engaging in mass canceling as a way of expressing disapproval or exerting social pressure.” This is a better definition than we expected, but they don’t get it quite right.

Journalists have also attempted to tackle the task. Writing for *Vox*, Aja Romano argued Cancel Culture is “an extension of call-out culture: the natural escalation from pointing out a problem to calling for the head of the person who caused it.”⁴⁵ Benjamin Wallace-Wells defined the term in the *New Yorker* as “a fear that even ordinary people who express ideas that are politically incorrect will be publicly shamed—that social media has enabled a universal speech surveillance, and that people and institutions are now self-policing, out of fear of it.”⁴⁶

And we especially like American Enterprise Institute fellow Christina Hoff Sommer’s proposed definition: “cases where individuals face absurdly harsh consequences for relatively minor lapses. Sometimes there are no lapses at all.”⁴⁷

Among the most comprehensive definitions is that of Jonathan Rauch of the Brookings Institution. In his 2021 book *The Constitution of Knowledge*, Rauch proposed a six-point Cancel Culture checklist to differentiate cancellation from accountability.⁴⁸ Where the majority of these criteria are satisfied, he argues, a true cancellation attempt has occurred:

1. *Punitiveness*: Are people denouncing you?... Are you being blacklisted?
2. *Deplatforming*: Are campaigners attempting to prevent you from publishing your work, giving speeches, or attending meetings?

3. *Organization*: Does criticism appear to be organized or targeted?... Are you being swarmed or brigaded?
4. *Secondary Boycotts*: Do people who defend you, or criticize the campaign against you, have to fear adverse consequences?
5. *Moral Grandstanding*: Is the tone of the discourse ad hominem, repetitive, ritualistic, posturing, accusatory, outraged?
6. *Truthiness*: Are the things being said about you inaccurate?... Do [people] feel at liberty to distort your words, ignore corrections, and make false accusations?

Rauch's definition is sophisticated and comprehensive, but we have landed on a simpler one: *the uptick beginning around 2014, and accelerating in 2017 and after, of campaigns to get people fired, disinvited, deplatformed, or otherwise punished for speech that is—or would be—protected by First Amendment standards and the climate of fear and conformity that has resulted from this uptick.*

When we discuss “First Amendment standards,” we are not talking about the kinds of speech, like threats, incitement, harassment, and defamation, for example, that are unprotected by the First Amendment. We are most concerned with the mere expression of a viewpoint. Also, in our definition we clarify by saying “would be” protected speech since the First Amendment applies only to governmental and public spheres, while Cancel Culture undoubtedly extends into the private sphere.

In our introduction, we discussed how Cancel Culture is an approach to winning arguments by skirting them—no refuting assertions or successful persuasion necessary.

In this sense, Cancel Culture should be understood not as an isolated phenomenon but rather as part of an embrace of cheap argument tactics that rely on ad hominem arguments, which are attacks on a person rather than the point they are making. More precisely, Cancel Culture allows people to dismiss their ideological opponents without refuting their arguments, while also intimidating anyone who might make that same point.

In our all-consuming culture war, fighters have two methods of attack. The first is going through the process of engagement and persuasion—and accepting the possibility that you might not succeed in convincing most people. It’s a long and arduous road.

The second tactic is attacking your opponents on an ad hominem personal level—digging up things to discredit them, making them fear for their jobs, and “winning” arguments simply by making people too scared to say what they really think. This latter route is much quicker. Although it won’t *actually* change minds, you can surely intimidate enough people into pretending they agree with you.

But this is not to say that Cancel Culture originated out of a rational calculation about how to win arguments most effectively. Rather, Cancel Culture was born out of a sort of evolutionary process.

Cancel Culture survives because it wins—and things that win get repeated. The only way we can stop its progression is by developing the cultural immune system that allows us to resist or simply prevent its replication.

Scholarship, science, and democracy itself all rely on a humble realization: that we may all be wrong. Therefore, rather than cancel our opposition, we must listen carefully to what they say. Then we can refute it, accept it, or come to some new position.

But Cancel Culture is an attempt to shrug off that responsibility.

Chapter 2

The Slow-Motion Trainwreck

“The politically correct people are not concerned about social justice. They care about putting scalps on the wall.... We want to beat our chests and vanquish the other side. Compromise seems like a dead concept.”¹
—Bill Maher

We all saw it coming... from *miles* away.

For decades, free speech advocates warned that American higher education was headed for disaster—that colleges and universities were straying from their core mission of pursuing truth wherever it led through freedom of speech and the scientific method. They warned that a crisis lay ahead.

Greg first caught sight of this slow-motion trainwreck in 1999 while interning at the ACLU of Northern California. That’s when he realized the political left, which had long championed freedom of speech, was gradually changing its opinion.

Even at the ACLU—traditionally the principal defender of *everyone’s* free speech—Greg could see a shift under way in the office. Already by lunchtime on the first day of his internship, he had been castigated for praising the ACLU’s track record of famously standing up even for neo-Nazis’ First Amendment rights in Skokie, Illinois, in 1977.

“We don’t defend harassment here,” a fellow attorney told him. Greg was bewildered. He’d said nothing about harassment, just speech.

By the time he’d graduated from Stanford Law School in 2000 and become a First Amendment lawyer, he was surprised to see how many people responded to his job with ambivalence or even hostility. Those on the left were beginning to

associate freedom of speech with the production of hate speech, rather than an essential protection for minority points of view.

The political associations surrounding freedom of speech had been changing on campus since the eighties. What had long been seen as a lefty student's cause was suddenly being portrayed as a right-wing cause. Meanwhile, a style of arguing that emphasized tearing down people rather than their arguments was starting to evolve on campus. It was being refined and honed into something that would first be called "call out culture" and eventually Cancel Culture.

Critical institutions were becoming free speech skeptical. Free speech defenders watched the train going off its rails. We tried to stop it. But we couldn't. This is the story of how that happened.

From the Free Speech Movement to the Anti-Free Speech Movement, 1964–1984

The primary architect of the Constitution, James Madison, did not initially believe that a society ruled by its own democratic will needed a bill of rights to protect its citizens. But Madison ultimately came to realize and accept that, yes, we did actually need enumerated rights to protect the minority from the tyranny of the majority. And so, in 1791, our First Amendment was born.

It wasn't created to protect the interests of the rich and powerful. After all, they've historically been protected by their wealth and their power. And we didn't need a special right to protect the will of a majority—that's what democratic votes are for. In the end, the First Amendment is primarily needed to protect minority views, unpopular opinions, and the expression of those who clash with the ruling elite.

But on campus today, you're likely to hear this argument turned entirely on its head—as if championing free speech is somehow doing the bidding of the powerful. But that's only because academia doesn't like to admit that it actually *is* extremely wealthy and influential itself, and those who defend the status quo are defending an extraordinarily powerful American industry.

Just for some perspective, in 2021 the market size of the U.S. higher education industry was approaching \$1 trillion.² That's more than three times larger than the U.S. food and beverage industry³ and over two times the size of the U.S. electricity industry.⁴ For more context, Canada's GDP in 2021 was \$1.9 trillion,⁵ Mexico's \$1.3 trillion,⁶ and the global pharmaceuticals industry rang in around \$1.4 trillion⁷ in that same year.

Meanwhile, collective endowment—which represents just one element of total assets—of U.S. public and private nonprofit universities sits at \$933 billion,⁸ nearly as much as all of Apple,⁹ Microsoft,¹⁰ and Amazon¹¹ total assets. Plus, you can add in higher education's \$711 billion¹² in tangible assets.¹³

From a purely financial perspective, the higher education apparatus is among the wealthiest and most influential institutions in the world. But you wouldn't know that from the way many in academia try to position themselves. Colleges and universities are far from the humble academic hubs they claim to be, but many in higher education have a hard time admitting it's been a long while since they were the underdogs.

Academia's free speech skepticism is part of a long history of powerful people undercutting the First Amendment. Given that elites seldom like limitations on their power (and particularly on their power to censor), it shouldn't come as a surprise that the First Amendment was interpreted as weak and limited by judges and politicians from the very moment of its inception.

Although it was adopted in 1791, it may come as a surprise to some readers that the First Amendment had very little actual legal force until 1925. The 1930s and '40s ushered in greater speech protections as the Supreme Court recognized freedoms of symbolic protest, petition, and freedom from state-compelled speech.

And, although the fifties brought McCarthyism, by the end of the decade freedom of speech enjoyed greater legal protection and cultural appreciation by the American people than ever before. From the late fifties, through the sixties, and into the seventies, historic victories for the civil rights, gay rights, and women's rights movements were all possible thanks in part to a robust interpretation of the First Amendment. In the words of civil rights icon John

Lewis: “Without freedom of speech the civil rights movement would’ve been a bird without wings.”

But the stunning successes of these liberal social movements was not enough for one of the best known philosophers in the world: Herbert Marcuse. Born in Germany, Marcuse fled in 1934 as the Nazis came to power, immigrating to the United States to teach first at Brandeis University and then the University of California at San Diego.

Just as freedom of speech seemed poised to triumph as *the* vision of the left, Marcuse published his influential 1965 essay “Repressive Tolerance.” He argued that tolerance for speech is only useful in a totally equal society—and that getting to that point paradoxically requires *intolerance* and suppression of certain viewpoints. In fact, Marcuse flat out argued that there should not be free speech for right-wingers.

It’s easy to assume that Herbert Marcuse’s influence on campus censorship is exaggerated. But the Marxist Marcuse really was celebrated as the “guru of the new left.”

His school of thought proved transformative to how campuses think to this day. “Repressive Tolerance” contained multiple intellectual threads that led campuses to become less tolerant—and ultimately enabled academia to justify its embrace of Cancel Culture over freedom of speech. Thanks to Marcuse’s scholarship, those on the illiberal left could justify using any tools necessary to shut down their opponents and serve their political ends.

By the sixties, the campus ratio of liberals to conservatives among social scientists was roughly three to one,¹⁴ so protecting minority points of view would mean defending opinions Marcuse and his cohort considered regressive and illegitimate. Rather than accept the fact that the left were locally powerful in higher education, Marcusean academics preferred to argue that they were merely enlightened outliers in a larger conservative American society where they were perpetually underdogs.

In “Repressive Tolerance,” Marcuse argued that “the massive scale of the conservative majority” posed such an extraordinary threat to society that the only choice left was to rejigger the ideals of tolerance, free speech, and power in order to combat them. He argued the left needed to practice “intolerance in the

opposite direction, that is, toward the self-styled conservatives, to the political Right.”

In short, Marcuseans were proponents of extending freedom of speech to progressives, while fighting “regressive” conservatives with intolerance, censorship, indoctrination, and even violence.

The unwritten rule on campuses became that if you can label an idea as conservative, you are no longer obligated to take it seriously. Over time conservative professors became more rare—going from roughly two to one in 1969¹⁵ to six to one in 2020¹⁶—and this first barricade became a matter of intellectual habit on campus.

The idea that you can dismiss anything deemed “conservative” is the first wall of the metaphorical Perfect Rhetorical Fortress (we will discuss this more in Part Two of this book). It’s a direct outgrowth of the Great Untruth of Ad Hominem, which allows you to dismiss “bad” people’s ideas. If you equate “conservative” with “bad,” anyone to the right of you is fair game. Of course, not everyone on campuses uses this tactic to tune out their opponents, but it’s *extremely* pervasive—and perhaps the single most effective tactic for “winning” arguments without actually winning arguments on campus.

Less than a decade after the student-led campus Free Speech Movement’s start in Berkeley in 1964, the Supreme Court recognized that students at state colleges enjoyed powerful First Amendment protections in *Papish v. Board of Curators of the University of Missouri*, 1973.¹⁷ Few social movements proved so successful so quickly as the Free Speech Movement did.

But thanks to Marcuse and his followers, the movement’s reign in academia started to erode. Already by 1980, campus expression was being chipped away from within. Just ten years after the legal triumphs of the Free Speech Movement in the country’s preeminent court, campuses across the country—from the University of Connecticut, to the University of Michigan, and Stanford Law School—were passing speech codes. That’s when the eventual founders of the school of Critical Theory began proposing “enlightened” limitations on free speech to ban what they considered hateful, racist, and sexist speech.

This was the beginning of a decades-long campaign to turn campuses, students, and the left in general against their long held support for broad freedom of speech.

Whereas once freedom of speech was correctly understood as the necessary tool of the powerless *against the powerful*, very powerful institutions now argue that it's the weapon of the powerful *against the powerless*. This is a weird inversion only possible in an environment as insular as American higher education.

The First Great Age of Political Correctness, 1985–1995

The First Great Age of Political Correctness lasted from roughly 1985 to 1995. That's when campus speech codes exploded in popularity and “political correctness” first entered the public lexicon.

Marcuse was the emerging anti-free speech movement's spiritual grandfather, and even if not everyone in academia had actually read Marcuse, unconscious Marcusians populated campuses and created an environment of gross double standards. Protecting progressive speech became a priority, while speech deemed subversive was met with skepticism and hostility.

In these years, Marcuse's disciples took the form of Critical Theorists. Both Marxists and Critical Theorists contend that history is a battle between oppressors and the oppressed. But Critical Theorists shifted the narrative from class struggle to power relations based on race and gender. They viewed curtailing speech not as an act of oppression—but rather as a *remedy* for oppression.

This new social justice school of Critical Theory managed to justify any number of restrictions on free speech by fashioning themselves as champions of the oppressed and appointing themselves to rebalance power differentials.

And the Critical Theorists' crusade began to plainly look like a way of exerting power and oppressing opponents with a shiny new way of justifying it.

All of a sudden, stories of campus censorship were popping up across the country:

- In 1988, UCLA suspended a school newspaper student editor for publishing a cartoon that poked fun at affirmative action. A student newspaper writer at California State University at Northridge who wrote a column critical of the censorship was subsequently suspended, too.^{[18](#)}
- In 1989, administrators at Tufts carved out designated “free speech zones” in public areas of campus, which, in effect, gave the university oversight over speech going on anywhere else on campus.^{[19](#)}
- In 1991, students at the University of Maryland were ordered by the administration to take down American flags in their dorm room windows because, as one school official said, “what may be innocent to one person may be insulting to another.”^{[20](#)}

While these controversies sound like they could be contemporary headlines, early campus speech restrictions weren’t quite the same as they are today. They were much more direct. In the late eighties and early nineties, you’d frequently see universities, often public ones, telling students what words they must not say or write. And courts had no trouble identifying and rejecting such brazen First Amendment violations.

This war on free speech and academic freedom did not go unnoticed. Prophetic cultural critics, commentators, and academics alike were already ringing the alarm bells. The most famous warning came from philosopher and professor Allan Bloom, whose 1987 *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today’s Students* became a major bestseller.

Bloom argued that rising moral relativism on campuses was undermining critical thinking. He advocated a return to classical liberalism in universities, writing, “Liberal education puts everything at risk and requires students who are

able to risk everything. Otherwise, it can only touch what is uncommitted in the already essentially committed.”²¹

From there, the gates of cultural commentary were opened.

The following year, conservative political commentator Charlie Sykes published *Profscam: Professors and the Demise of Higher Education*. He followed up in 1990 with *The Hollow Men: Politics and Corruption in Higher Education*. Conservative cultural critic Roger Kimball published *Tenured Radicals: How Politics Has Corrupted Higher Education* in 1990. And Dinesh D’Souza made his name with *Illiberal Education: The Politics of Race and Sex on Campus* in 1991.

In his 1993 *Kindly Inquisitors*, Jonathan Rauch (one of the greatest modern thinkers on freedom of speech) lamented a broader societal shift away from free speech culture and declared, “A very dangerous principle is now being established as a social right: Thou shalt not hurt others with words. This principle is a menace—and not just to civil liberties. At bottom it threatens liberal inquiry—that is, science itself.”²²

And, just before they cofounded FIRE together in 1999, University of Pennsylvania professor Alan Charles Kors teamed up with ACLU of Massachusetts board member Harvey Silvergate to write *The Shadow University: The Betrayal of Liberty on America’s Campuses*.

“The struggle for liberty on American campuses is one of the defining struggles of the age in which we find ourselves,” they declared. “A nation that does not educate in freedom will not survive in freedom, and it will not even know when it has lost it.”²³

But these prophetic books and thinkers—conservative and liberal, controversial and mainstream alike—did not change the trajectory of campus illiberalism. On campus, they were roundly dismissed as reactionaries indulging in a moral panic about political correctness.

In spite of all the warnings, in the end, the First Great Age of Political Correctness was largely laughed off. In 1994, a movie called *PCU* satirized campus culture by depicting a fraternity house in a fight against a politically correct administration. “That’s the beauty of college these days, Tommy,” one student declared. “You can major in GameBoy if you know how to bullshit.”

Although certainly not an Oscar winner, it marked an important milestone: PC culture was the butt of the joke. The following year, Stanford's restrictive campus speech code, which prohibited directing "insulting" words at someone with the intent to "insult or stigmatize" them, was roundly defeated in court.²⁴

In short order, campus political correctness had been declared laughable—and legally null. A sense arose that the problem was effectively solved.

But this was just an illusion. The problems just went underground. For twenty years, political correctness on campuses was laughed off and brushed off. But university administrators kept it alive and laid the groundwork for its eventual triumph.

The Ignored Years, 1995–2013

During what we'll call the Ignored Years, viewpoint diversity on campuses nationwide plummeted, tuition skyrocketed, and campus bureaucracy swelled. Administrators slowly and quietly enacted the policies that would ultimately lead to the explosion of political correctness and Cancel Culture we see in academia today.

And yet very few people really noticed.

When Greg arrived at Stanford Law School in 1997, he could tell something was different about his classmates' regard for free speech. Although it had always seemed like an unalloyed good in the liberal but less elite circles he grew up in, on campus free speech was treated with skepticism.

Although he was aware something was wrong with that attitude, he's ashamed to admit that he encountered and fell for the Great Untruth of Ad Hominem as it applied to conservatives on campus.

He still vividly recalls a time when a gay progressive friend (who was decidedly to Greg's left) once said, "Just because someone's conservative doesn't mean they're wrong." Greg was a little shocked by this. Almost everyone he knew on campus agreed that conservatives were wrong by definition. The handful of outspoken campus conservatives at Stanford Law School were reviled.

While Greg would always stand up for conservatives' free speech rights, he steered clear of authors deemed taboo right-wingers, like black conservative economist Thomas Sowell and feminist social critic Camille Paglia (who he later learned was not even conservative).

This is why the idea that you don't have to listen to "conservatives" is so powerful. It lets you tune out not only self-identified conservatives (36 percent of the American population²⁵), but anyone *you* might consider conservative from your relativistic point of view, regardless of how they actually label themselves.

Steven Pinker describes the situation well: American higher education exists on what he dubbed the "left pole"—a position from which all other people appear to be on the right. Therefore, all their ideas can be considered conservative and dangerous.

This wasn't some unconscious shift away from free speech culture. It was a very conscious attempt to flip the concept of freedom of speech from a defining liberal value to a conservative one.

Freedom of expression was being subverted, and younger generations would soon be taught that free speech itself was a problem.

By this point, it was obvious free speech needed champions. So, in 2001, a year out of Stanford, Greg became the first legal director of a newly formed FIRE. He was immediately impressed by FIRE's unusual staff composition. Conservatives, Marxists, libertarians, Catholics, atheists, and evangelical Christians all worked side by side, united by their allegiance to freedom of speech.

They made him reckon with his own unconscious prejudices. Greg expected the evangelical Christian at FIRE to be the least tolerant colleague, but she actually turned out to be the most curious about people's opinions—even on topics like the existence of God.

The first case Greg was involved with at FIRE was that of a professor who joked (and quickly apologized) in class on September 11, 2001, "Anybody who can blow up the Pentagon has my vote."²⁶ And many of Greg's first cases required him to defend controversial speech about the 9/11 attacks while smoke was still rising from the rubble in Lower Manhattan.

In fact, Greg's first time on TV was defending a professor of computer science at the University of South Florida, Sami Al-Arian, who was accused of being sympathetic to terrorists. FIRE even defended Ward Churchill, who compared the 9/11 victims to "little Eichmanns."²⁷ Offensive speech to be sure, but completely protected.

From its earliest days, FIRE has defended the protected speech of anyone on campus whose rights are abridged, regardless of the viewpoints they express or political party they affiliate with. And yet, among critics, FIRE is dismissed as conservative. Why? Because if you defend any conservative, any evangelical Christian, any contrarians, you can be written off as a dangerous reactionary.

FIRE saw some truly outrageous cases in the first decade of the twenty-first century, but also some laughable incidents, too, like the student who was kicked out of Valdosta State University in Georgia for protesting a parking garage,²⁸ and another found guilty of racial harassment at Indiana University–Purdue University Indianapolis, without a hearing, for simply reading a book critical of the Ku Klux Klan on campus.²⁹

In 2007, at Brandeis University,³⁰ a professor had a monitor placed in his class after he was reported for mentioning the slur "wetback" while *criticizing* this derogatory term for Mexican Americans.

In total, 350 cases poured into FIRE in 2007—the worst year Greg had witnessed—but they were largely ignored by the outside world who had already put the PC debate to rest in the First Great Age of Political Correctness.

The early 2000s also saw the popularization of "trigger warnings" and an increased concern surrounding "microaggressions." Suddenly, administrators weren't just policing discourse with speech codes—they were reframing the policies as necessary for protecting students' mental health and well-being from verbal "violence."

Then came politicized orientation programs. In the mid-2000s, for instance, University of Delaware residential advisors began interrogating incoming students about all sorts of personal matters, from their sexual orientation to whether they supported gay marriage to if they would date someone of another

race.³¹ Then “treatments” (the university’s word) in the form of mandatory meetings were prescribed to those deemed to have the incorrect views.

Meanwhile, bias response teams—groups of administrators tasked with investigating any reports of offensive speech—crept onto the scene. Universities began rolling out anonymous reporting mechanisms, adding a layer of opacity to the investigation process and effectively deputizing students in the fight against free speech.

All the while, colleges were becoming more and more expensive, more and more bureaucratized, and more and more ideologically homogeneous. This ideological bubble proved the ideal environment for cynical and manipulative rhetorical techniques to develop.

The walls of the Perfect Rhetorical Fortress were being built up higher and higher.

Behind them, Cancel Culture would soon flourish.

Chapter 3

Campuses Remain Ground Zero

“I don’t believe in canceling anybody. I mean, Christians don’t believe in canceling people. Everybody can bounce back. I believe everybody’s a brother and a sister and have the capacity to be changed and transformed.”¹

—Cornel West

In the 1400s, the centuries-old financial system in China collapsed. The Ming government decided to switch from paper currency to silver as a medium of exchange. But it quickly became evident that China needed more silver than Japan, their go-to source, could offer. So China broadened its trading horizons to present-day Bolivia, where ore had been discovered. And thus began the first major cross-Pacific trade relationship in history.

In the end, China needing silver spurred the globalization of trade across the Pacific Ocean, changing the fate of Asia, Europe, and the New World forever.

Isn’t that interesting? As history lovers, it taught us both something we didn’t know. But this lesson actually got a professor fired.

It all started in September 2020 when Richard Taylor, an adjunct professor and graduate student at St. John’s University, taught students in his Emergence of a Global Society course a lesson on how the Atlantic trade had global ramifications for economics, biodiversity, and food availability. For example, it increased the spread of pathogens to vulnerable populations; at the same time, it introduced new crops to Europe, like the potato, which saved millions of lives. On the final slide of his PowerPoint presentation, he provided a discussion question: “Do the positives justify the negatives?”²

A lively debate ensued. But one student in the course later decided to file a bias complaint against Professor Taylor, accusing him of “ask[ing] students to

justify slavery and discuss the positives and negatives of slavery.” The lesson was about trade and biodiversity. While both slavery and the abuse of indigenous populations were mentioned on several slides, they were not the focus of the lesson. In fact, it would take an extraordinarily unnatural reading of the question to intuit that the ultimate discussion question of a forty-six-slide lesson was directed at the seven slides that referenced slavery.

Nonetheless, word spread to a campus activist Instagram account, which accused Taylor of forcing “students to formulate a pros and cons list concerning the topic of slavery.” The post claimed he “poses a dangerous threat to the education of our student body” and directed followers to send the school a pre-written bias complaint to “bring meaningful justice to this heinous crime committed.” The account also targeted Taylor for his status as a former NYPD officer and marine.

That same day, Taylor was notified that he was being removed from the classroom on account of three hundred bias complaints—ten times the number of students in the actual class. A closed-door investigation ensued, and he was found guilty of violating the school’s anti-harassment policy.

Taylor was also banned from being a guest speaker in other classes, something he had done regularly when those classes studied the September 11, 2001, terrorist attacks. Taylor was a 9/11 first responder who spent more than seven hundred hours at Ground Zero. He would speak about that day and the many health problems he and other first responders had suffered, including his own battle with skin cancer.

He was never permitted to see the evidence against him and was not afforded an opportunity to appeal.

Taylor filed a lawsuit against St. John’s in February 2021, alleging that the school had violated a New York law that prevents private colleges from making arbitrary decisions. “St. John’s University was wrong for removing me from teaching,” Taylor said. “By asking students to think about history on both a macro level and a micro level, the idea is that they will look at history from a long-term perspective.... How are young adults expected to become critical thinkers if we do not push them to think critically at the college level?”³

And thus a promising graduate student's academic career was derailed... all for asking a question about the emergence of global trade.

The Second Great Age of Political Correctness, 2014–present

Around 2014, a self-confident, pro-censorship ethos emerged among college students. They banded together with professors and administrators in a free speech–skeptical coalition—and so the Second Great Age of Political Correctness was born.

This second wave came with its own set of warnings from public intellectuals. But, unlike the eighties and nineties, most of the whistleblowers this time around were political liberals.

By January 2015, *New York* magazine's Jonathan Chait had called attention to the reemergence of political correctness and speech policing with his article “Not a Very PC Thing to Say.”⁴ That same year, British American journalist Jon Ronson published his book *So You've Been Publicly Shamed*, compiling and chronicling stories of early internet cancellations.

In September 2015, Greg and Jonathan Haidt published an article in the *Atlantic*, “The Coddling of the American Mind,” arguing that the same habits making campuses unfriendly to free speech were the kinds of mental habits that made people depressed and anxious. Professors and public intellectuals from essayist Meghan Daum to bioethicist Alice Dreger were ringing the alarm bells.

Thanks to the Great Untruth of Ad Hominem, these predominantly left-leaning thinkers—members of the *liberal* left who oppose the *illiberal* left—could be roundly dismissed as “right adjacent,” “soft right,” “conservative,” or even “far right,” regardless of their actual affiliations. Their critiques of campus culture were shrugged off.

But they were onto something. It's impossible to do justice in one chapter to just how much free speech on campus has eroded in the last decade. Twenty years ago, Taylor's case would have been considered such a major violation of academic freedom that MSNBC and Fox News alike would likely have covered

it. But, in 2020, it was lost in the noise of the endless campaigns to cancel professors.

For a quick sampler, here are three additional examples you may not have heard of from 2020:

- Gordon Klein was suspended by UCLA for an email he sent declining to change how exams were graded for black students in the wake of George Floyd's murder, citing Martin Luther King Jr. A petition with 21,275 signatures demanded Klein's termination for his "extremely insensitive, dismissive, and woefully racist response to his students' request for empathy and compassion during a time of civil unrest."⁵ In a message to the UCLA community, the dean of the school of management characterized Klein as having "a disregard for our core principles" and called Klein's email an "abuse of power."⁶
- In 2020, University of Southern California business professor Greg Patton was pressured to step down from teaching a course after he explained to his students that people in China use the filler word "nega" much like English speakers use the word "um." But, because the word sounds similar to a slur, students reported him to the administration, and the school launched an investigation into him.
- Jon Zubieta, a chemistry professor for three decades, was put on leave by Syracuse University for writing "Wuhan Flu or Chinese Communist Party Virus" on his course syllabus—something he intended as a joke about political correctness.⁷

In cases like these, FIRE sends letters to universities to challenge threats to student and faculty rights. While back in 2015 we reviewed 807 cases, by comparison that number had soared to 1,530 in 2020, making it our biggest year yet. And, although professors are increasingly finding themselves on the Cancel Culture chopping block, their Marcusean colleagues are actively cheering along this degradation of speech norms.

Professors who love their own academic freedom but are hostile to free speech have a problem: academic freedom is protected through the free speech clause of the First Amendment. How do you keep academic freedom while trashing free speech? By claiming that freedom of speech and academic freedom are, in fact, completely distinct concepts. Author and professor Stanley Fish argued as much in his book *The First*, where he asserted that “free speech is not an academic value” and even argued that research and free speech are not “even distantly related.”⁸

This argument became the title of professors Michael Bérubé and Jennifer Ruth’s 2021 book *It’s Not Free Speech: Race, Democracy, and the Future of Academic Freedom*. The book sneers at free speech and its defenders, while arguing for new and sweeping limitations on academic freedom—based on parameters set out by people like themselves. Amazingly, Bérubé and Ruth are influential longtime members of the American Association of University Professors (AAUP)—a group that is supposed to be the nation’s premier defender of academic freedom.

In their book, Berube and Ruth declare they are “deeply skeptical of complaints about ‘cancel culture,’”⁹ and even call it a “right-wing moral panic.”¹⁰ They go on to argue academic freedom should not protect “white supremacy” and therefore must be considerably curtailed on account of a supposed “legion” of white supremacist professors. The implication: that vast swaths of professors should not, in fact, benefit from academic freedom. They write:

*The time has passed for crossing our fingers and hoping that received wisdom such as “free speech helps marginalized groups more than dominant ones” has withstood the last decades’ worth of pressures.... New thinking is necessary that grounds academic freedom’s justification in its service to a democracy that works for all its citizens, not just a white, moneyed, cis-gendered subset of them.*¹¹

Free speech skepticism like this abounds among Marcusean faculty and administrators. And to this day, they're *still* wielding the administrative mechanisms that chilled speech during the First Great Age of Political Correctness.

For instance, take speech codes. Although they have been summarily defeated every time they are challenged in court, by 2009 74 percent of the top 346 colleges had *extremely* restrictive speech codes.¹² Only 8 of the top 346 colleges surveyed had none at all.¹³

Meanwhile, orientations are still politically tinged, as Rikki saw firsthand when starting at New York University in 2018. In July of 2021, as a then junior, she recounted the experience of being a new student in one of her first op-eds for the *New York Post*, titled “Freedom of Speech Is Endangered on College Campuses—and I’m Fighting Back”:

From the moment I stepped foot on campus at NYU three years ago, I’ve been taught there is right-think and wrong-think. Everywhere I look, professors, administrators and peers all fervently parrot the same beliefs.

I have sat through orientation events that were highly politicized, assuming “community values” of radical progressivism—values I don’t share.

On the first day of the semester, a professor blatantly disparaged conservative politicians and their supporters as uneducated and ignorant. Even Mayor de Blasio intervened in October of 2018 to prevent right-wing provocateur Milo Yiannopoulos from speaking to a class of about 25 freshmen about political correctness after the campus erupted in outrage and Antifa threatened to shut down the event.”¹⁴

While you might expect any of these experiences to have shocked a then freshman Rikki, sadly none did. She’d already spent four years on a boarding school campus, which prepared her well for what was to come at NYU. Boarding schools like Rikki’s tend to function as mini-colleges—and much of the illiberalism that goes on in academia trickles down.

Her first sense that something was off in elite educational circles came in her freshman year of high school. Though only fourteen years old and not yet political, she was shocked when her school required students to come in for a special “community” day on Martin Luther King Jr. Day—and were subsequently separated by race into “affinity groups” in separate buildings to discuss their lived experiences.

What followed was a series of breakout lectures. Some of the options she and other students could pick from: “Bruce Lee and Asian Masculinities,” “Everyday Sexism,” “The Image of the Big Black Male in American Society,” “Unpacking White Privilege,” “Inequality for All,” and “What Is the Role of Skin Color in Society?” Mind you, these were offered to her as a fourteen-year-old nearly a decade ago in celebration of Martin Luther King Jr. Day.

By the time freshman year rolled around, Rikki was more than ready for whatever NYU would throw her way. She arrived primed for campus Cancel Culture—and, as embarrassed as she is to admit it now, she acted to protect herself. An avid reader, Rikki brought tons of books with her to her dorm room and displayed them on her bookshelf. But she hid her copies of Thomas Sowell’s *Economic Facts and Fallacies* and Jordan Peterson’s *12 Rules for Life* under her bed, knowing that if the wrong person saw them her social life could be torn down.

For the two years she was on campus before the pandemic broke out, she felt ideologically alone. While politics were often the subject of conversation, she never got involved. And she figured she must be just about the only student in the entire school who was even right-of-far-left.

But as soon as she started speaking out about the excesses of campus culture in her journalism, she was shocked to see how many people came out of the woodwork to support her—professors, classmates, deans, even neighbors in her dorm. Had she not made the first move, she would never have known how many people around her were concerned about the campus climate, even at a progressive place like NYU. Because they had all been biting their tongues for fear of being canceled, they never knew they weren’t alone.

Looking back, she wished she’d opened up earlier. And she’s enormously grateful to her friends at NYU who, despite some *serious* political differences,

support her in her endeavors now.

One of the most chilling aspects of campus culture at NYU was actually a vestige of the First Great Age of Political Correctness: the bias response team. It's hard to imagine a better way to undermine trust than to introduce a program that makes even private conversations fair game for investigation and punishment. Rikki wrote about this in an op-ed:

On the back [of my school ID], I found a list of phone numbers: who to call if I was in danger, who to call if I was sick, and... a bias response line? Not long after, I found posters with the same number on the back of bathroom stalls, urging students to call and report bias on campus.

Discrimination and harassment are one thing, but I found myself wondering what exactly constituted "bias." Since I had watched students and professors canceled for all manner of perceived transgressions, it left me wondering what range of incidents could fall under this umbrella....

In a world where saying epithets in a class about epithets could jeopardize your reputation—or your job—encouraging students to call a hotline on transgressors is downright dystopian.

If we can't discuss touchy subjects and wrestle with controversial ideas on campuses, where can we? We come to college to ask the unaskable and answer the unanswerable questions of our time. Sometimes that means we might express something inartfully—or, yes, sometimes offensively. But discussion, debate and resolution are the remedies to that tension. Not a hotline.¹⁵

In 2017, FIRE found that 231 public and private universities around the country had instituted some form of a bias response team, impacting 2.84 million students.¹⁶ Many such mechanisms allow students to anonymously report classmates and even professors—oftentimes for their clearly protected speech.

“Bias response teams create—indeed, they are founded to create—a chilling effect on campus expression,” FIRE warned in the 2017 report.¹⁷ At the time,

FIRE projected that the number of bias response teams would “grow rapidly,” and it sure did.

A 2022 analysis of 824 schools by Speech First, a group devoted to defending student’s First Amendment rights, found that the majority of schools had bias reporting systems in place.¹⁸ Speech First identified *twice as many* such systems as FIRE had five years before.

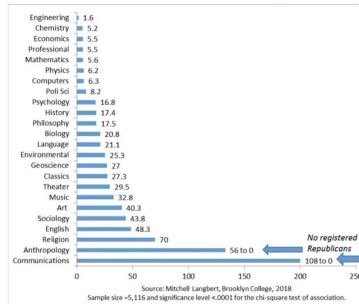
Cancellations have exploded thanks to major structural changes that crept into the higher education system during the Ignored Years (1995 to 2013). College has become more expensive, campuses more bureaucratized, and viewpoints more homogenous.

Between 1994 and 2018, the inflation-adjusted tuition price for a public college education nearly doubled.¹⁹ Meanwhile, the administrative class exploded. While there was only one administrator for every two full-time faculty members on average at non-research public institutions in 1990, they reached parity numbers by 2012.²⁰ Today, Yale University has more employees than it does students. In fact, the school has 2.44 administrators for every faculty member,²¹ and one administrator for every four students.²² That’s the same ratio the government recommends for childcare of *infants under twelve months*.²³

According to the Higher Education Research Institute at the University of California, Los Angeles, the ratio of self-identified liberal to conservative professors was three to one in 1995.²⁴ By 2011, it was five-to-one.²⁵

A 2018 analysis by Brooklyn College professor Mitchell Langbert found that within the social sciences and humanities, the Democrat-to-Republican voter registration ratio for faculty at fifty-one elite liberal arts colleges ranges from a low of six to one in economics to a high of one to *infinity*.²⁶ He found zero registered Republicans in anthropology and communications departments. That same year, researcher Samuel Abrams found similar numbers among administrators.²⁷

Voter Registration Ratio by Department



University faculties first drifted and then sprinted to the left. Democrats now outnumber Republicans 8.5 to one.²⁸ According to recent numbers from the Higher Education Research Institute, merely one in ten professors consider themselves conservative.²⁹ Meanwhile, one in four identify as “Socialist.”³⁰

As the faculty transformed into a left-wing supermajority, it’s little wonder opinions on academic freedom changed. It’s a predictable cycle that’s unfolded time and again throughout history: once your side dominates the rules of decision-making, free speech starts to look more like a problem than a solution. In that context, overt ideological discrimination seems acceptable.

Nonconformist professors have taken notice. FIRE’s 2022 Faculty Survey found 76 percent of conservative faculty reported feeling that the climate in their department is hostile toward people with their political beliefs. And 72 percent were worried that they may lose their job or reputation because someone misunderstands something they have said or done, takes it out of context, or posts something from their past online. These results fit in with a robust³¹ and consistent³² research literature.

These professors are right to be concerned. A 2022 national survey found that 45 percent of liberal faculty indicated they would be *willing* to discriminate against a conservative job candidate.³³ These patterns have also been found in studies involving California faculty,³⁴ academic philosophers,³⁵ and social psychologists.³⁶

And, according to 2021 research by Eric Kaufmann of the Center for the Study of Partisanship and Ideology, one in five faculty members *admitted* to

having discriminated against a grant proposal they considered right-leaning.³⁷ One in ten go as far as to admit that they have discriminated against conservative candidates in paper submissions and promotional opportunities.³⁸

Thanks to this hostility, the already dire state of viewpoint diversity only promises to worsen on campus. Ideological homogeneity is self-perpetuating: dominant viewpoints run unchecked, while heterodox voices are viewed as a threat. The result is a conformist campus culture that weeds out dissenters—and sometimes attempts to strip professors of tenure.

Nothing encourages conformity quite like the threat of losing your job or livelihood. And that's why Cancel Culture proved the most lethal arrow in the quiver of political correctness. Regardless of whether or not they end up being successful, attempts to get professors fired matter because they inculcate fear in onlookers.

Campus cancellations picked up in pace and intensity over the course of the Second Great Age of Political Correctness. And then the political unrest of the summer of 2020 brought things to the next level. Stories like Professor Richard Taylor's have practically become routine in the years since.

Not long after, law professor Jason Kilborn was suspended by the University of Illinois, Chicago, after a student complained that a question on a test in his civil procedure course included *censored* slurs—appearing as “n_____” and “b_____” on the exam—in reference to a hypothetical employment discrimination case. As Bill Maher joked on *Real Time with Bill Maher*: “He was teaching his students how to fight racism in the place that it matters most, the criminal justice system. But because he merely alluded to those words, again in the service of a good cause... he was made to wear the dunce cap. No, not really the dunce cap part, but our American version of that: eight weeks of sensitivity training.”³⁹

The list goes on and on. To get a sense of how bad things have gotten, let's dig into the numbers.

As we discussed in Chapter 1, 16 percent of professors say they were threatened or investigated for their speech, and there have been more than 1000 professor cancellation attempts since 2014. Of these, nearly two thirds resulted in the professors' getting sanctioned, and one fifth losing their jobs.

That means more professors have been terminated during the era of Cancel Culture than in the era of McCarthyism, which is arguably more concerning in a number of ways: (1) professors today are supposed to enjoy much stronger First Amendment rights than existed in the 1950s, (2) cancellations are still taking off even though viewpoint diversity is at record lows among professors, and (3) while threats to speech were largely coming from off campus during the McCarthy era, today the threat to academic freedom comes from within, from administrators, fellow professors, and, sadly, students.

And, although tenure used to provide rock-solid protection for professors, that is no longer the case in the age of Cancel Culture. Tenured professors are less likely to be fired, but they still are often punished to lesser degrees. In fact, about six in ten professors who were targeted for sanction since 2014 were tenured.

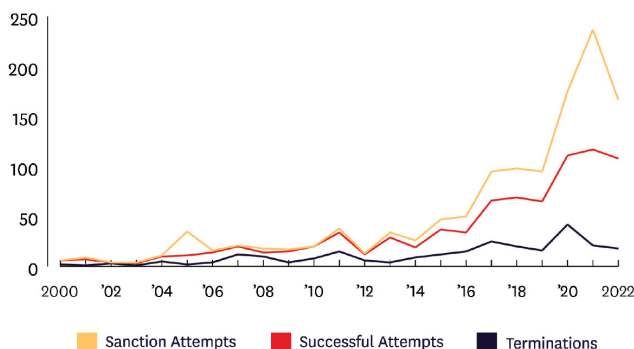
And students are also being targeted more and more for their speech, too. Take Emerson College, for example, where a conservative student group was suspended for distributing stickers clearly aimed at the Chinese government that read “China Kinda Sus” (meaning suspicious). They were accused of anti-Asian bigotry, despite the fact that several members of the group were Asian.^{[40](#)}

In another incident, FIRE had to sue Clovis Community College after its president personally ordered the flyers of a conservative group removed. The posters called out 20th-century communist atrocities and celebrated the tearing down of the Berlin Wall. And yet the college took them down, citing its speech code banning “inappropriate or offens[iv]e language” on posters. Thankfully a federal district court agreed with FIRE that the speech codes used to justify the censorship were unconstitutional.^{[41](#)}

And sometimes student censorship feels downright Victorian. For instance, the University of Tennessee’s administration voted to expel Kimberly Diei from the school’s graduate program in pharmacology because she celebrated Cardi B’s often racy lyrics on social media. The administration rescinded its vote and allowed Diei to stay only after FIRE wrote to the school.^{[42](#)}

As professors and students alike are attacked for their speech, it comes as no surprise that students are biting their tongues.

Professor Cancellations, 2000–2022



According to a 2022 FIRE survey, a considerable majority of students feel the pressure of conformity. Students were asked: “On your campus, how often have you felt that you could not express your opinion on a subject because of how students, a professor, or the administration would respond?”

More than 80 percent said they have self-censored their beliefs. Eighty-one percent said that they feel pressure to avoid discussing controversial topics in their classes.⁴³ And almost two-thirds of students are worried about damaging their reputation because someone misunderstands something they have said or done.⁴⁴

Campuses are meant to be places of discovery, where bright young minds with diverse viewpoints debate the most important issues. And yet today it’s the most consequential topics that students are most uncomfortable discussing. The top five most dodged issues in 2021 included racial inequality, abortion, gun control, the George Floyd protests, and transgender issues.⁴⁵ In 2022 the top five included abortion, racial inequality, Covid-19 vaccine mandates, transgender issues, and mask mandates.⁴⁶ These high-stakes hot-button issues are *precisely* the difficult questions students on campus should be wrestling with.

As meaningful debate putters out and Cancel Culture thrives on campuses, the rest of the country has taken notice. Increasingly, Americans are distrustful of academia as an institution. A 2022 survey found that the percentage who believe colleges and universities have a positive impact on society has dropped by

fourteen points in just two years.⁴⁷ Today, just 73 percent of Democrats and 37 percent of Republicans agree they're a force for good.

Cancel Culture has devastated the trust we have in the very institution we rely on to produce knowledge... and to educate future generations of Americans.

Case Study: The Story of Mike Adams

“When you say someone is canceled, it’s not a TV show. It’s a human being. You’re sending mass amounts of messaging to this person to either shut up, disappear, or it could also be perceived as, ‘Kill yourself.’”¹
—Taylor Swift

When talking about Cancel Culture on college campuses, it’s easy to get lost in the statistics. But the cost of campus illiberalism is greater than academic freedom—sometimes, there’s also a human cost.

Take the case of University of North Carolina, Wilmington, criminology professor Mike Adams, a liberal atheist turned conservative Christian columnist. Greg’s and Mike’s paths first crossed in 2001, when he asked FIRE for help after he found himself under investigation by his university for responding critically to an email from a student who blamed the U.S. government for the attacks on 9/11.

The student, upset at Adams’s response, demanded that the university grant her access to his private email correspondence so that she could sue Adams for a litany of frivolous claims, including intimidation and defamation. While the school correctly found the student’s claims without merit, they nevertheless invaded Adams’s privacy and examined his personal correspondence.

FIRE took UNC-W on, and Greg personally wrote to the Board of Trustees, denouncing the school for a retaliatory investigation over a professor’s clearly protected speech at a public school bound by the First Amendment. The university backed off, for the time being. During the course of this case, Greg and Mike spoke frequently on the phone and struck up a friendship in spite of their political differences.

In one call, Greg casually mentioned that he had just finished the irreverent satirist Lenny Bruce's autobiography, *How to Talk Dirty and Influence People*. The iconic sixties comedian died young while on trial for the dirty jokes he told. Mike read the book at Greg's recommendation—and later told him it inspired him to take on a stronger, more satirical tenor in his conservative political commentary.

The result of this more provocative tone was book titles like *Feminists Say the Darndest Things: A Politically Incorrect Professor Confronts "Womyn" on Campus* and *Letters to a Young Progressive: How to Avoid Wasting Your Life Protesting Things You Don't Understand*. (Provocateurs have a role in society which until very recently had been understood as valuable.) After all, the shock factor can be an effective tool for shaking people out of complacency.

In 2006, Mike was involved in a landmark court case for academic freedom. After twenty years of tension with the school on account of his outspoken commentary, Adams was denied tenure—despite, in his memory, no professor with a similar résumé being denied tenure in twenty-five years. In response, he sued the school. The outcome of *Adams v. University of North Carolina-Wilmington* in favor of the professor surprised many, Greg included. A federal appellate court actually held that the First Amendment rights of professors at public colleges supersedes the general policy that public employees can be disciplined for otherwise protected speech related to their official duties.

Mike's commentary was often deliberately provocative. Yet in spite of the outward image of a conservative provocateur, he was a warm, friendly, and funny person. He seemed preternaturally confident. He had weathered two decades of targeting at his school and petitions to get him fired, including one with north of sixty thousand signatures that dubbed him a "thorn on the side of UNC Wilmington."²

Yet the controversy Mike would ultimately find himself caught up in over tweets about Covid proved to be the last straw.

During the early days of the pandemic, he frequently slammed lockdown policies with tweets like "Don't shut down the universities. Shut down the nonessential majors. Like Women's Studies." But a May 29, 2020, tweet he wrote insinuating similarities between lockdown and slavery became an object of

outrage: “This evening I ate pizza and drank beer with six guys at a six seat table top. I almost felt like a free man who was not living in the slave state of North Carolina. Massa Cooper, let my people go!”

What ensued was an intense effort to get Mike fired—a classic cancellation. But this time the university seemed poised to cut ties. Knowing they would be sued if they fired a tenured professor outright, UNC offered him an early retirement package, to which Mike agreed. The school marked his planned August 1 departure from the university public with a Facebook post.

This only triggered yet another online mob, this time angry with Mike’s \$500,000 settlement—a number the university saw as a bargain considering their last legal battle over his tenure had cost them \$700,000 in fees. Plus, Mike was only in his mid-fifties at the time and therefore had at least another decade of teaching and income ahead of him otherwise.

The months following George Floyd’s murder turned out to be the busiest in FIRE’s history. Professors and students were being investigated and expelled at such an astronomical rate that we had to move staff from other departments just to manage the caseload. It was scary. But Greg wasn’t all that worried about Mike.

The day after the UNC settlement was announced, Greg reached out to Mike, expecting to hear him chipper as per usual. Mike shot back a quick email, saying they should talk. To his eternal regret, Greg didn’t actually get to speak on the phone with Mike until mid July. And when he did, the details he learned were harrowing. For a man who had weathered (and at times invited) so much backlash, Mike had been taken aback by the intensity of this new cancellation attempt.

He reported being barraged with threats by phone and email. People said all manner of bizarre and outlandish things, like claiming they’d seen his wife and children (who do not exist) at Black Lives Matter rallies performing sex acts on black men. Mike actually even went to the police to file a criminal complaint against one person—something that seemed entirely unlike him. He must have been genuinely scared.

Mike asked if he might be able to sue the university again, and Greg informed him that his legal recourse was severely curbed by his agreement to the

retirement payout. But, in a last email to Mike, Greg sent the name of a First Amendment lawyer who might be able to help. He signed off, “Good luck, sorry it took so long, please keep me updated.” But Greg never heard from him again.

Mike Adams, fifty-five, was found dead by suicide on July 23, 2020, mere days before his retirement settlement was due to come in.

The reaction on social media was truly ghoulish. Even mainstream media outlets reported on Mike’s death with a special focus on his most controversial moments in life. *USA Today* ran the headline “North Carolina Professor who resigned amid controversy over his ‘vile’ tweets found dead.”³ Meanwhile, *BuzzFeed* published “A Professor Who Was Known for His Racist, Misogynistic Tweets Was Found Dead in His Home.”⁴

And just like that, Mike’s story was reduced down to headlines and 140-character social media posts.

Commentators like Bérubé and Ruth even talked about the Adams case as a travesty *for the University of North Carolina*. They argued his severance package would inspire future professors to purposefully get themselves fired so they could secure some cash and a sweet job with a right-wing think tank. Bérubé and Ruth’s take was that the university had been *too lenient* on Mike. They also opted to hide the fact that Adams killed himself in an endnote so most readers would not understand how callous they were being when they wrote this:

We applaud UNCW for rejecting option one [(1) Have him continue as a faculty member and accept the ongoing disruption to our educational mission, the hurt and anger in the UNCW community, and the damage to the institution.], which would have meant continuing, however reluctantly, to give Adams a comfortable perch from which to spew bigotry. We just wish it had not come at such a steep cost to a cash-strapped public institution. We also worry that the precedent set here has generated the perverse but distinct possibility that some faculty may calculate that persisting in, and even escalating, attacks on their own university communities may result in their own golden parachutes. It would be nice to receive a handsome retirement and then, by virtue of the publicity generated by the conflicts over the years,

*land a gig with a conservative think tank for the remainder of one's work years.*⁵

Suggesting that the real tragedy was a multibillion-dollar state system paying Mike a few years' salary, while hiding the fact that the man killed himself, was nothing short of despicable.

Greg reflected on the tragedy in December of 2020: "Those of us who knew Mike, and those who didn't are reminded that these 'campus horror stories' are not cute, silly, or trivial. For those who are vulnerable, they can quite literally be a matter of life and death...."⁶

When Greg spoke out publicly about his struggle digesting the news of Mike's death, he heard the cruelest reaction of all: another professor at the University of North Carolina Wilmington (whom FIRE had once defended) said Greg shouldn't feel bad about his friend killing himself because, after all, he was a right-winger.

But he was also a human being.

Chapter 4

DEI Statements and the Conformity Gauntlet

“I never express my religious identity and views, or my identity and struggles with gender, sexuality, and race with MIT people as a group, only with trusted individuals in contexts far removed from academics and campus culture. For me as a centrist, biracial, bisexual, gender nonconforming individual who is also a member of the Church of Jesus Christ, it is just not worth having to defend myself. I don’t want to field questions and have to speak for my religion or my identity/identity group, and I refuse to let myself become invalidated by people who happen to be loud and pushy. As individual students and professors, MIT people are willing to deal with complexity and offer patience, but as a group people are all afraid of one another, so they either create an awkward atmosphere by saying nothing and assuming everything, or a confrontational atmosphere by questioning and opposing everything without affirming.”

—Anonymous MIT student, class of 2024¹

Since 2014, an unprecedented number of college professors have been targeted, punished, or fired for what they said, published, or taught. Meanwhile, colleges and universities are becoming even less ideologically diverse than they already were. Professors around the country are reporting their speech chilled in an increasingly homogenous environment.

While you might expect universities to respond by making efforts to mitigate groupthink, just the opposite has occurred. Instead, over the past several years universities across the country have decided that it’s time to add a new ideological litmus test: the diversity, equity, and inclusion (DEI) statement.

While some people argue that DEI statements are not litmus tests, we think that defies common sense and the evidence in front of us. Take this statement from Vassar College’s office of the dean of faculty:

All department and program hiring for tenure-track and multi-year faculty positions are requesting all candidates to submit a diversity statement. This statement should provide the candidate’s unique perspective on their past and present contributions to and future aspirations for promoting diversity, inclusion, and social justice in their professional career. The purpose of the diversity statement is to help departments and programs identify candidates who have professional experience, intellectual commitments, and/or willingness to engage in activities that could help the College contribute to its mission in these areas. [emphasis ours]”²

Even if you completely agree with the importance of DEI, there really isn’t any reason to ask a potential physics professor to discuss their prior, past, and future “intellectual commitments” to “social justice”... other than to test their political outlook. Its purpose is obvious, and professors themselves know it.

In 2022, FIRE conducted a survey of university professors.³ Fifty percent said they believed DEI statements are political litmus tests that violate academic freedom. It’s notable that ideological minorities on campus agree at even higher rates: 56 percent of moderates and 90 percent of conservatives.

Perhaps most shocking is that in another study, about 23 percent of tenured or tenure-track professors who responded said that they saw the DEI question as an ideological test *and* that the use of DEI statements is appropriate.⁴

Let that sink in.

Twenty-three percent of those surveyed had no problem admitting they endorsed behavior that was ruled unconstitutional by the Supreme Court in the seminal 1967 decision in *Keyishian v. Board of Regents*. In that ruling, the court held that academic freedom is “a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.” They

extended this protection even to speech that was arguably “treasonable,” “seditious,” or “advocat[ing] the overthrow of government by force.”⁵

The Supreme Court has struck down far narrower litmus tests than this expansive review of candidates’ “commitment to social justice.” Therefore, we have little doubt that the kind of DEI statements being unleashed on potential faculty members right now would be found unconstitutional as well.

Nonetheless, a 2022 report by the American Association of University Professors found that 46 percent of large institutions surveyed already use DEI criteria in their tenure standards.⁶ An additional 36 percent are considering doing the same.

One common defense of DEI statements is the claim that there are any number of valid answers to that prompt, and the applicant just needs to show interest in *some* sort of diversity—be that political, socioeconomic, regional, or religious diversity. Our colleague Nate Honeycutt decided to test whether this is actually true.

He conducted an experiment⁷ where faculty were randomly assigned to evaluate one of a number of different DEI statements: one focusing on race and gender diversity, another one on socioeconomic diversity, one on viewpoint diversity, and another on rural diversity. He found that DEI statements failing to discuss race and gender were penalized—even if they did explicitly address another form of diversity.

An amazing 35 percent of faculty who evaluated a diversity statement advocating for greater socioeconomic diversity said they would *not* recommend that the candidate advance for further review. That means an effective rejection of people who would argue that socioeconomic diversity is the most lacking kind of diversity in elite higher education today.

Worse yet, a staggering 52 percent of faculty who evaluated a diversity statement advocating greater viewpoint diversity would not recommend that candidate for advancement. That means advocating for diversity of thought and opinion could often actually hurt your employment prospects in academia.

And we know that evaluators actually *are* eliminating candidates after reading just their diversity statements alone.

A self-survey conducted by the University of California, Berkeley, found that, during a search for faculty in the life sciences department, 76 percent of applicants were eliminated solely on the basis of their diversity statements.⁸ Another departmental search found that the number was 78 percent.

Welcome to the never-ending Conformity Gauntlet!

Imagine you're an independent-minded high-schooler who longs to be a famous scientist one day. You don't consider yourself a conservative, but you're highly critical of lefty groupthink. By today's standards in higher education, you're labeled a conservative, and therefore you will find a shocking number of hurdles between you and your dream that make up the Conformity Gauntlet.

First, you have to get through high school without getting canceled. This can be quite the challenge considering school administrators can be overzealous with their speech policing. If you manage to get yourself disciplined or expelled, you'll jeopardize your college admissions prospects in a big way. Just ask any member of Gen Z how easy it is to say the wrong thing in the current high school environment.

Now it's time to apply to your dream school: the Massachusetts Institute of Technology. Many of the schools on your application list require you to fill out a DEI statement. All of them ask for a personal statement, too. You know it's in your best interest to conform politically, because professors and administrators alike are willing to openly admit to discriminating against more conservative viewpoints.

The data is there to support your concerns that such statements are an ideological hurdle. One study of American faculty found 22 percent were willing to explicitly discriminate against a Trump supporter in a hiring decision, and nearly half of the graduate students surveyed endorsed ousting faculty members who expressed conservative views.⁹

Numerous other surveys have found similar results.^{10, 11} That means having any contrarian view is a big risk from the moment you enter higher education's application process.

But let's say you pass that hurdle and make it into MIT. You've landed in perhaps the greatest science university in the entire world... only to find the

environment on campus quite chilled. MIT came in 120th out of 203 schools listed in FIRE's campus free speech rankings.

As one member of the class of 2023 put it, "I never feel like I can express my views around my classmates, even a lot of my close friends. They frequently talk about how evil all conservatives are and even talk about how they'd wish they'd all just die." FIRE's rankings rely heavily on student surveys,^{[12](#)} which found that at MIT:

- 68 percent of students are uncomfortable "publicly disagreeing with a professor about a controversial topic."
- 68 percent of students are worried about damaging their reputations because someone misunderstands something they've said or done.
- 48 percent of students are uncomfortable "expressing [their] views on a controversial political topic to other students during a discussion in a common campus space, such as a quad, dining hall, or lounge."

But, despite overwhelmingly reporting a chilled environment on campus, your fellow MIT students don't have such a great record on free speech themselves. Only 48 percent say it's never okay to block students from attending a speech. And just 23 percent of your classmates say it's *never* okay to shout down a speaker.

While this social pressure alone is enough to silence most people, your school and many others have set up bureaucratic systems in the form of bias response teams to report your classmates and professors for offensive speech.

As an MIT student, you will surely be aware of prominent geophysics professor Dorian Abbot's canceled speech about exoplanets. Why was he disinvited? Because in the summer of 2020 he wrote an op-ed in *Newsweek*^{[13](#)} arguing that promotions should be based on merit rather than race. Affirmative action has nothing to do with exoplanets—but MIT canceled the event anyway.

It's clear that the unhelpful ways of thinking you've seen play out on social media and in society at large are alive and well on your campus. But, hey, let's say you made it through and dodged all the attempts to tear you down.

Now the next stop on the road to becoming a professor is applying to PhD programs. Good luck with that! Here comes another round of DEI statements which, again, are evaluated by administrators and faculty who are willing to openly admit they would discriminate against conservatives in the evaluation process.

If you manage to hop that hurdle and make it into a PhD program at a top school, what's next?

Well, you'll continue to face all the previously described pressures to conform or be silent—but this time in an even *less* politically diverse environment. At least at MIT the faculty Democrat-to-Republican ratio is only seven to one.¹⁴ At Princeton it's forty to one.¹⁵ And Harvard's is a whopping eighty-eight to one.¹⁶ (It should be noted that the MIT ratio is drawn from a survey of the entire faculty, while the Princeton and Harvard ratios come from a survey of faculty only in anthropology-sociology, biology, chemistry, economics, English, mathematics, philosophy, and psychology.)

Now it's time to start doing some student-teaching. This is an easy time to get canceled, though, considering that at MIT:

- 38 percent of faculty believe the administration is “not very” or “not at all” likely to defend controversial speech.
- 41 percent of faculty believe the administration's stance on free speech is “extremely” or “somewhat” unclear.
- 40 percent of faculty were “more” or “much more” likely to self-censor on campus in summer 2022 compared to before the start of 2020.
- 40 percent of MIT faculty are more likely to self-censor than they would have prior to 2020.¹⁷

And here's something you probably don't know—unless you learned it the hard way: there are secret hearings at universities all over the country. And too often they are focused on investigating and/or punishing professors for protected speech. FIRE has worked firsthand for more than twenty years with professors wrapped up in these hearings.

Their Kafkaesque nature has been highlighted by authors like the *Atlantic's* Anne Applebaum¹⁸ and Northwestern professor Laura Kipnis in her 2017 book *Unwanted Advances*.¹⁹ Readers may recall that Kipnis was herself subjected to a secret hearing after she published an article saying Title IX was being used to squelch speech on campus.²⁰ She was subsequently investigated by Northwestern's office of Title IX!

With that ever-present threat, it shouldn't be a surprise, then, that faculty reported enormous concerns over academic freedom in FIRE's most recent faculty survey:²¹

- A whopping 91 percent of professors said they were at least somewhat likely to self-censor in their speech on social media, in class, in their publications, or online. (Compare this with the 9 percent of social science faculty during the McCarthy Era who answered yes to the question "Have you toned down anything you have written lately because you were worried that it might cause too much controversy?"²².)
- 16 percent said they had either been disciplined or threatened with discipline for their speech, teaching, or academic research.
- 29 percent say they'd been pressured by administrators to avoid controversial research.
- 7 percent said they had actually been investigated for speech—extrapolate to the population of professors across the country and that equals tens of thousands of professors.

If you've gotten this far in your quest, that means you've managed to get through another round of personal and DEI statements, navigated a system that allows your coworkers and students to anonymously report you, avoided cancellation attempts online, and *also* that you are somehow not totally sick of this venomous environment and still want to continue in academia.

So now you want to become a faculty member.

Well, good luck getting tenure. It's increasingly rare, and the process is entirely opaque. That means those biases against you can be confidently aired and the rationale behind decisions kept entirely secret. As author Tim Urban told us, "The entire purpose of tenure was to protect faculty from mobbish fads, and what we're seeing today is faculty being left unprotected by a mobbish fad. Completely defeats the purpose."²³

Honestly, we think the odds you get through the tenure approval process are probably pretty low. But let's just say you do.

Unfortunately, then you'll find that your tenured status actually provides less protection to your academic freedom today than ever before. Since 2000, a total of sixty tenured professors have been fired for speech that is—or in public settings would be—protected by the First Amendment.²⁴ More than two-thirds of those firings have happened since 2015 alone. Tenure is increasingly toothless.

It seems like just about everyone is coming for your academic freedom. Even representatives of the American Association of University Professors—a group meant to support you—are agitating for a more constrained view of academic freedom that would make it even easier than it already is to get you fired.

And in the extremely unlikely event that you make it to tenured professorhood with your independent mind intact, your research will still be called into question. If anything you discover is too controversial, it might not get published. The journal *Nature and Human Behavior* has admitted as much with its dedication not to publish anything that could subjectively "harm"²⁵ certain groups.

Even if you do manage to somehow publish controversial research, be prepared to be labeled as a conservative and face the possibility of cancellation. And if you manage to anger the right wing, watch out also for professor watchlists that could target you.

As you can see, conformity in higher education is a serious problem begging for reforms. We need a system of academic advancement that is non ideological enough that, at every stage, it *encourages* professors and students alike to do what the 1974 Woodward Report at Yale so loftily outlined:

The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. To curtail free expression strikes twice at intellectual freedom, for whoever deprives another of the right to state unpopular views necessarily also deprives others of the right to listen to those views.^{[26](#)}

Unfortunately, as you will see in our case study about Yale, the very university which commissioned this report has drifted far away from that ideal in the years since. For that matter, most of our elite schools come nowhere near meeting these lofty goals.

If we want a better society that produces better solutions to the problems it faces, we need to be teaching *nonconformity* at every single level of the education process. Not even our most sacred cows can be spared from devil's advocacy and thought experimentation.

And yet our education system is incentivizing conformity and groupthink. Unless this environment drastically improves—and quickly—we shouldn't be surprised that trust in the accuracy of professors' and experts' findings diminishes. Mistakes abound when groupthink goes unchallenged.

As Walter Lippmann once wrote, "Where all think alike, no one thinks very much."^{[27](#)}

Part Two

How Cancel Culture Works

Case Study: Covid-19

“A lot of the dangers of cancel culture and ‘we’re just going to be condemning people all the time,’ at least among my daughters, they’ll acknowledge that sometimes among their peer group or in college campuses, you’ll see folks going overboard, but they have a pretty good sense of, look, we don’t expect everybody to be perfect, we don’t expect everybody to be politically correct all the time.”¹

—Barack Obama, 2021

“I never set out to be contrarian. I don’t like to fight,” Jennifer Sey recalled. “But the attacks would not stop.”²

When Sey, Levi Strauss & Co.’s president, started Tweeting about endless school closures in the depths of the pandemic, the cancel mob descended on her. But she refused to be silenced. A former champion gymnast, Sey had spent two decades rising up the ranks at Levi’s while advocating on the side for children’s rights—mainly against their exploitation in the world of gymnastics. She enjoyed tremendous success at the company, and their support in her activism... until she began questioning the efficacy of school lockdowns.

“This didn’t seem at all controversial to me,” she wrote in an article for Bari Weiss’s *Common Sense* newsletter in February 2022. “I felt—and still do—that the draconian policies would cause the most harm to those least at risk, and the burden would fall heaviest on disadvantaged kids in public schools, who need the safety and routine of school the most.”³ It’s a view a significant plurality of Americans held at the time. But, for voicing her concerns, Sey was tarnished online as a racist, a eugenicist, and a QAnon conspiracist.

Levi’s wasn’t by her side. Despite the fact that the company has taken public stands on gun safety, voting rights, and LGBTQ rights, she says they refused to tolerate any questioning of school closures. Sey was flooded with calls from the

head of corporate communications, company lawyers, human resources, board members, and ultimately the CEO, urging her to “think about” what she was saying.⁴

Her decision to appear on Laura Ingraham’s show to discuss the issue was the final straw. After the interview aired, town hall meetings with coworkers erupted into widespread castigation, complete with accusations that Sey—a mother of mixed-race children—didn’t care if black and brown kids died from Covid. The head of diversity, equity, and inclusion at Levi’s suggested she go on an “apology tour” and tell her coworkers she was an “imperfect ally” to mitigate the damage done. Meanwhile, she says the CEO told her she was on track to become head of the company—if she held back on the school closure rhetoric.

Things amped up when Twitter erupted with calls to boycott Levi’s, and their ethics hotline was flooded with complaints. All the while, nobody within the organization came to Sey’s defense. Finally, the CEO decided it was “untenable” for her to stay. She was offered \$1 million severance under the condition that she sign a nondisclosure agreement about the ordeal. It’s a deal she declined.

“The money would be very nice. But I just can’t do it. Sorry, Levi’s,” she wrote, announcing her resignation. “I’ll always wear my old 501s. But today I’m trading in my job at Levi’s. In return, I get to keep my voice.”⁵

As we reflect on school closures in late 2022, Sey has been repeatedly vindicated⁶ by findings about the harm done to kids by school closures. But, to be clear, this cannot all be chalked up to hindsight being 20/20. Many of the things she warned about were concerns that much of the public *shared at the time*, especially regarding the cost-benefit analysis when it came to the relative risk of adverse outcomes from Covid-19 in children. By the end of 2020 there had been only 199 deaths from Covid-19 among American children (0–17 years old),⁷ and 70 percent of Covid-related deaths among those under 25 years old involved a pre-existing condition.⁸

Every single death is a personal and devastating tragedy, but it’s the responsibility of public health officials to weigh the projected benefits of any intervention against the potential costs of exaggerating the risk of Covid to

children's health. By emphasizing the small risk to children's health from Covid—a risk that maybe could have been better addressed by protecting the most vulnerable children—policy makers lost sight of the catastrophic harm done by the protective measures they put in place. Shuttering children inside, gluing their eyes to Zoom screens, and robbing them of social contact were the policy response to a disease that killed less than one-third of the number of American children in 2020 as pneumonia did that year.

According to the latest national test scores in 2022, pandemic-related learning losses erased a staggering two decades of progress in math and reading.⁹ And, just as Sey and many others predicted, students from disadvantaged backgrounds bore the brunt of this learning loss.

As we write this, the harm lockdowns did to children has become relatively mainstream knowledge. But, even if she had been wrong, canceling Jennifer Sey and others like her prevented the kind of devil's advocacy and thought experimentation necessary to reach better solutions. But Cancel Culture is at its most destructive when it silences voices that eventually turn out to have been right.

Sey's fall from grace for voicing an honestly held concern is shocking. But she is just one of the many Americans who were canceled for voicing their opinions in 2020. We know her story because of her high profile and her decision not to sign an NDA, but there are undoubtedly *many* others like her whose stories we will never hear.

When Covid-19 burst onto the scene, there were many questions to be answered: How dangerous is this disease? To whom? Where did it come from? How long should we lock down? In the face of an evolving threat, a Free Speech Culture would have welcomed debate and different theories. But we instead embraced Cancel Culture. Those who dissented from the Covid orthodoxy like Sey were unceremoniously torn down. And, in the process, faith in the institutions we rely on to produce knowledge was undermined.

Nothing devastated trust quite like the cocksure attitude of the expert class. On issue after issue, authorities insisted the science was settled. And, as more and more time passes, it turns out that in many cases they were wrong to rush to judgment—and *insist* everyone else go along.

Canceling dissenters undermines faith in all of the institutions we rely on to understand the world. When trust in experts crumbles, the result is an *epistemic crisis*.

According to the *Oxford English Dictionary*, epistemology is the “theory of knowledge and understanding, especially with regard to its methods, validity, scope, and the distinction between justified belief and opinion.” Therefore an epistemic crisis, as author Jonathan Rauch defines it, is “when a society, small tribe, major nation, whatever, loses the ability to agree on what facts are and how we get to facts for public purposes.”¹⁰ Signs of a crisis under way, Rauch says, include “polarization, forking realities, extreme incivility, and hostility.”¹¹

During an epistemic crisis, many find themselves wondering: *If we can't trust experts, who do we listen to?* The result is a fracturing of trust, and people picking up the pieces of our collective and putting them back together in completely disparate ways. Unfortunately for us, the pandemic foisted us into a crisis of institutional faith. In the face of Covid-19, our shared body of knowledge vanished.

How Covid Cancel Culture Undermined Faith in Expertise

In early March 2020, the global community was only beginning to understand the threat posed by coronavirus. Greg wore a mask as he stocked up on groceries from Trader Joe's, while Rikki wore a mask as she flew from New York to Los Angeles to hunker down at her mother's home. We were each met with scowls from those around us, and it's no wonder.

We had been told by government officials that you shouldn't wear masks because they wouldn't keep you from getting sick. But we were also told not to wear them because they needed to be reserved for medical responders. This raised the obvious question: If masks couldn't keep civilians from getting sick, then why would they protect frontline medical workers?

From there, official policy—both federal and local—remained a confusing morass of sometimes self-contradictory advice. The face-mask bait and switch

right at the beginning of a pandemic was the most harmful kind of misstep. It wasn't a mistake. It was a "noble lie," in which authorities were apparently trying to convince people to do the right thing (save masks for frontline medical workers) by lying to them rather than explaining the rationale.

When it becomes clear that someone is lying to you "for your own good," trust is badly eroded. By dabbling in noble lies, institutional authorities sent a message that they were most likely to lie to the public when it mattered most, thus devastating public faith in experts when it mattered most.

And the kicker, after all that, was that by 2023, the most comprehensive study of its kind about mask mandate efficacy would find, in the words of its author Tom Jefferson, that "there is no evidence that they make any difference. Full stop."¹²

The next major dividing line in the pandemic proved to be the lab leak vs. natural origin debate. The argument that the pandemic originated in a lab in Wuhan rather than a nearby wet market is still controversial. But it should never have sounded entirely crazy, considering China's secrecy and their dogged insistence that the food market was the source. As comedian Jon Stewart pointed out, there is an actual lab in Wuhan that was studying the coronavirus.¹³

A ninety-day 2021 investigation by the FBI,¹⁴ a 2022 Senate Minority Oversight Committee report,¹⁵ and a 2023 Energy Department report all expressed decent confidence that Covid-19 originated in a lab-related accident.¹⁶ But even if this theory turns out to be flatly false, the removal of social media posts and the ostracization of skeptics were disturbing. Early floaters of the theory, like *New York Times* science writer Nicholas Wade and Senator Tom Cotton, were dragged for spewing conspiracy theories. The *New York Times* even called out Cotton in February 2020 with the headline "Senator Tom Cotton Repeats Fringe Theory of Coronavirus Origins."¹⁷

The lab leak's falsehood was treated as an established fact. That naturally led onlookers to ask, "Hold on, we don't know that for a fact. Nobody knows that for a fact. So why are you acting like it's rock solid?"

Meanwhile, trust in expertise certainly wasn't helped by President Trump's frequent off-the-cuff statements about Covid-19, many of which proved to be demonstrably false. During an interview in July 2020, he bragged that "we have one of the lowest mortality rates in the world,"¹⁸ while, in actuality, we had the fifth highest of any nation at the time.¹⁹ The following month he described a "big surge in New Zealand" that was "terrible."²⁰ That day, New Zealand reported a mere *nine* new cases after one hundred days without community spread.²¹

And who can forget Trump's February 2020 declaration about the pandemic: "It's going to disappear. One day it's like a miracle, it will disappear... from our shores."²² And yet, years later, we're still grappling with new variants of Covid-19.

Time and again the public was let down by a whole host of leaders who butt-headedly insisted that they were right and that was that. And in so many instances, skeptics of that insistence have since been vindicated.

Stanford professor of economics and of health research policy Dr. Jay Bhattacharya perhaps put it most succinctly in a tweet: "[It's] almost impossible to overstate how wrong so many news corporations were on the science of covid: lab leak as conspiracy, efficacy of lockdown, harmlessness of school closures, recovered immunity, toddler masking, vax mandates."²³ A perfect record of anti-science failure."²⁴

While the gaslighting of Covid dissenters was underway, those who dared to question the received wisdom—like Sey—found themselves on the other side of a cancel mob. People were torn down for asking questions that crossed the emerging lines of Covid political correctness, including Dr. Bhattacharya.

In October of 2020 he teamed up with epidemiologists from Harvard and Oxford to co-author the Great Barrington Declaration, which advocated for targeted lockdowns that would keep at-risk populations safe while mitigating collateral damage done to the rest of society—a concept they dub Focused Protection.

"Current lockdown policies are producing devastating effects on short and long-term public health... with the working class and younger members of

society carrying the heaviest burden,” they declared. “Adopting measures to protect the vulnerable should be the central aim of public health responses to Covid-19.”²⁵

The Great Barrington Declaration has since amassed nearly a million signatures from those who viewed it as a sensible approach to lockdown policy. And yet Bhattacharya and his co-authors found themselves castigated on social media. “I started getting calls from reporters asking me why I wanted to ‘let the virus rip,’ when I had proposed nothing of the sort. I was the target of racist attacks and death threats,” he told *Reason*.²⁶

Bhattacharya wasn’t just castigated by the public. He also was targeted by the director of the National Institute of Health, Dr. Francis Collins. In an email to Dr. Anthony Fauci, Collins responded to the declaration by describing Bhattacharya and his co-authors as a group of “fringe epidemiologists” (remember: Stanford, Harvard, and Oxford).²⁷ He proceeded to call for a “quick and devastating published takedown” of their findings.²⁸

He added, “This is not mainstream science. This is dangerous.”²⁹

The explosion of Cancel Culture during the pandemic sent the message to the public that our institutions cannot be trusted to produce an accurate, unbiased body of shared facts. *If experts are all compelled to think the same way and say the same things, how can we trust them to tell us the truth?*

When it came to Covid-19, our experts fumbled the epistemic football. But it didn’t have to be that way.

The pandemic *could* have been an opportunity for competent leaders to talk to the American people like adults—to admit what they didn’t know, to remain open to possibilities, to encourage robust debate, and to explore a variety of solutions. The antidote to an epistemic crisis is an expert class that exhibits epistemic humility. That means acknowledging when they might be wrong. It also means not canceling the dissenters who challenge the prevailing tides.

Chapter 5

No-Man's-Land

“Wokeness is a problem and everyone knows it. It’s hard to talk to anybody today—and I talk to lots of people in the Democratic Party—who doesn’t say this. But they don’t want to say it out loud.... Because they’ll get clobbered or canceled.”¹

—James Carville, Democratic strategist

A classic example of no-man's-land was the desolate, crater-filled area between enemy trenches in World War I, littered with land mines and booby traps set to kill the enemy. And as battle lines shifted, the traps and explosives sometimes killed the very same soldiers who'd planted them.

Similarly, the no-man's-land between our rhetorical fortresses is littered with argumentative traps and land mines. As both left and right attempt to ensnare or explode each other's arguments, they just as frequently injure themselves. With such shortsighted tactics, it's no wonder we make so little progress in today's ideological battles.

Before we talk about the differences between the left and the right's debating tactics, let's first discuss the cheap rhetorical dodges both sides use. Keep in mind, when two ideologues argue on social media, the goal is often to “keep arguing until the other side gives up.” In other words, simply running out the clock. All of the following tactics can be used to run out the clock for all but the most energetic trolls.

These dirty tricks that both the right and the left weaponize are critical to understanding our culture's dysfunctional discourse. First comes the obstacle course, which consists of:

1. Whataboutism: *Defending against criticism of your side by bringing up the other side's alleged wrongdoing.*

Whataboutism took center stage following the January 6 Capitol riots. When pressed about the event, many conservative leaders avoided introspection, instead pointing out rioting on the left. Likewise, left-wingers confronted about riots in the name of Black Lives Matter pointed to the Capitol riots.

Of course, riots—on all sides—should be condemned. But responding to legitimate questions about one event by pointing to another allows the whatabouter to avoid any serious analysis of either.

As comedian John Oliver put it, “The problem with whataboutism is it doesn’t actually solve a problem or win an argument. The point is just to muddy the waters, which can make the other side mad.”²

2. Straw-manning: *Misrepresenting the opposition's perspective by constructing a weak, inaccurate version of their argument that can be easily refuted.*

NPR’s popular *On the Media* radio program has distinguished itself as one of the most consistent purveyors of straw man arguments against freedom of speech. In one episode in August of 2021, titled “Constitutionally Speaking,” they assembled a group of free speech critics.

Andrew Marantz, the author of the 2019 *New York Times* article “Free Speech Is Killing Us,” argues that free speech supporters believe that all you need is free speech and then you can just “sit back and automatically wait for the arc of history to carry you to where you want to go.”³

Literally no free speech activist argues this. Freedom of speech is necessary for a free society, but it is not alone sufficient. *Pretending* that’s what advocates of free expression believe, however, makes it way easier to dunk on us.

3. Minimization: *Claiming that a problem doesn't exist or is too small-scale to worry about.*

This is a great tactic for running out the clock. And it's used quite a lot to dismiss Cancel Culture itself. The conversation tends to follow the trajectory of...

A. *"This isn't happening."*

"Cancel Culture isn't real," Sarah Hagi wrote in a 2019 *Time* article. "It's turned into a catch-all for when people in power face consequences for their actions or receive any type of criticism, something that they're not used to."⁴

B. *"This is happening, but not in large enough numbers to warrant attention."*

"The total [number of cancellations] is small relative to both the size of the populations they are drawn from and the time period over which they occur," journalist Adam Gurri argued in 2021. "If any other problem in social life was occurring at this frequency and at this scale, we would consider it effectively solved."⁵ The confidence of this assertion was remarkable, as it showed zero historical knowledge of the fact that modern Cancel Culture has claimed more professors than were ousted in any period since the 1930s, well before First Amendment protections for academic freedom were established—and before the most influential statement on the meaning of academic freedom (the 1940 statement of the American Association of University Professors) had even been written.

C. *"This is happening, and it's actually a good thing."*

Courtesy of JSTOR linguist Chi Luu: "While it can be problematic, certainly very messy, and even judgemental, it's Cancel Culture that also gives power to minority groups that historically have not had the luxury of speaking out."⁶

D. *"The people who oppose this thing are the real problem."*

According to Alexandria Ocasio-Cortez, the term "Cancel Culture" itself "comes from entitlement" and is bemoaned by

“spicy ‘contrarians’ who want to play devils [sic] advocate w/ your basic rights in the NYT.”⁷

4. Motte and Bailey arguments: *Conflating two arguments—a reasonable one (the motte) and an unreasonable one (the bailey)*.

This term was coined by Nicholas Shackel to describe an instance “in which a debater retreats to an uncontroversial claim when challenged on a controversial one.”

Psychiatrist and blogger Scott Alexander provides a litany of examples of such arguments in action.⁸ A conservative, for instance, might support the latest war (the bailey) but then when challenged retreat to “so you don’t support our troops, then?” (the motte). A leftist similarly might argue that real feminists embrace radical tenets (the bailey), then retreat to the assertion that feminism “is just the belief that women are people” when challenged.

In 2020, this was on wide display when “defund the police” (the bailey) was conflated with simply “reimagining community safety” when challenged.⁹ Even Iran’s supreme leader Ayatollah Ali Khamenei used this tactic when he claimed that “death to America” really just means “death to U.S. policies, death to arrogance.”¹⁰

5. Underdogging: *Claiming your viewpoint is more valid than your opponent’s because you speak for a disadvantaged party*.

This tactic takes advantage of a classic American sentiment that an underdog deserves some special preference. But that charitable moral intuition can easily be abused by opportunists who ride on the back of the underdog in order to force their point across.

Throughout history, those who claimed to be sticking up for the little guy have been responsible for humanity’s finest moments... *and* humanity’s grimmest. The terror of the French Revolution, Nazis’ claims to be acting on behalf of the German *volk*, and the mass murders sanctioned by Lenin, Stalin, and Mao are just a few such examples of the latter. There’s a truth that seems to make people uncomfortable:

There is nothing about standing up for an underdog (or simply claiming to be) that means you are right. And even if you are genuinely representing the little guy, that fact does not absolve your side from scrutiny.

Entering the Minefield

Somewhere around here, no-man's-land changes. All of the argument-sabotaging obstacles so far have been classic rhetorical dodges. But from here on everything is about attacking the *person* making the argument. You will see that the Great Untruth of Ad Hominem (“bad people only have bad opinions”) underpins these tactics:

6. Accusations of bad faith: *Asserting that your opponent is being disingenuous or has a sinister, selfish, and/or ulterior motive.*

Humans have a natural instinct to engage in binary and tribal thinking. And surely, ignorant and evil people *do* exist. However, some of the worst trolls erroneously believe that *everyone* who opposes them falls into one of these two categories.

New York Times journalist and lawyer David French frequently encounters this sort of bad-faith dismissal. He is a staunch conservative and “Never Trumper,” and some of his sloppier critics unfairly accuse him of being motivated not by principle but by greed. However, if his primary aim is money, he has pursued it in a roundabout way.

French graduated from Harvard Law School in the mid-nineties, then devoted his life to working for nonprofits, forgoing his potential to make millions of dollars a year as a partner at a law firm. From 2004 to 2005, he worked to defend religious liberty at FIRE. Then, in his late thirties, he enlisted in the army, where he was deployed to Iraq and earned a Bronze Star.

These don't sound like the actions of someone motivated by greed, but that doesn't stop critics from using the claim to disregard French's

beliefs and, in doing so, avoid any discomfort they might provoke. In fact, David is the unique example of someone whom both the left and right try to cancel fairly regularly.

7. Hypocrisy projection: *Asserting that your opponent is hypocritical about a given argument without actually checking the consistency of their record.*

Hardly a week passes in which FIRE does not defend the free speech rights of both liberals and conservatives. Nonetheless, a favorite tactic of critics seeking to dismiss FIRE is to accuse the organization of hypocrisy when we do not instantaneously comment on a free speech issue that pops up in the Twitterverse.

One FIRE critic—referring to Florida’s House Bill 7, which banned the teaching of “divisive concepts” in higher education—tweeted, “The most direct challenge to free speech on campus is Republicans literally preventing teachers from teaching HISTORY in schools through actual legislative maneuvers... but @TheFireOrg just wants to do tweetstorms about freaking [liberal] hecklers.”^{[11](#)}

In a matter of minutes, another Twitter user pointed out that FIRE had, in fact, been warning of the danger of the Stop Woke Act and that FIRE had already filed a lawsuit challenging its constitutionality. We ultimately defeated it in court.

Sometimes, those who most often see hypocrisy in others are projecting their own hypocrisy. The accuser holds everyone else to the standard of caring about all cases across the political spectrum, even if the accuser themselves fails to do the same.

8. “That’s offensive”: *Responding to an idea you don’t like with “that’s offensive,” rather than engaging with its substance.*

In the middle of an argument, seeing someone step back, extend grace, and ask, “Can you clarify?” is an increasingly rare occurrence. More often, members of both the political left and right are quick to

label speech offensive, then exploit this designation to shut down their opponent.

From the left, we've seen speaker shout-downs occurring at alarming frequency on college campuses, resulting in cancellations of planned events featuring conservative commentators like Charles Murray, Matt Walsh, and Ann Coulter—all because their views subjectively offended.

From the right, for the same reason, we've seen politicians advocate for limiting academic freedom to police what instructors say about race, sex, and gender.

9. Offense archaeology: *Digging through someone's past comments to find speech that hasn't aged well.*

If you can't find something immediate to take offense to, you can turn to offense archaeology—the act of retroactively applying today's morality to yesterday's words in order to unearth controversy.

Alexi McCammond, a black political writer hired to be editor in chief of *Teen Vogue*, was forced to step down after tweets from her teenage years—for which she had already apologized—resurfaced. We discuss this case at greater length in our journalism case study.

Niel Golightly might hold the record as the unlucky subject of offense archaeology that reaches farthest into the past. The Boeing communications chief was forced out of his job for an article he wrote *thirty-three years prior* in which he argued that women in combat roles “would destroy the exclusively male intangibles of war fighting.”¹² Once again, the fact that he had since renounced those beliefs did not matter to his employer.

Digging up past statements that can be read as offensive isn't hard to do when social norms constantly shift. But it contributes to creating a suspicious and guarded culture—as people will likely refrain from expressing themselves honestly if they believe that expression will later be used against them.

10. Making stuff up: *Fabricating information to bolster a weak argument—and asserting it with confidence!*

When all else fails, why not just lie?

No one has experienced the “just make stuff up” approach more often than journalist Jesse Singal, who is constantly falsely accused of engaging in outright criminal behavior against trans people, by critics who target him for his reporting about detransitioners (people who once identified as transgender and have since transitioned back to their natal sex).

Singal has been pummeled with everything from vague insinuations of wrongdoing to entirely unsubstantiated allegations that he inappropriately pursued dates with trans women, threatened to out a closeted trans person, sent photos of his genitals on Grindr, and even “sexually exploited” “at least a dozen” trans women.^{[13](#)}

He was even accused of being a “proponent of trans genocide” in a bizarre Twitchy thread that provides *zero* evidence of that.^{[14](#)}

To be sure, fabrications can be an effective tool to shut down debate of Singal’s writings. However, they’re far less effective at improving our understanding of the issues he raises.

So, even before approaching either partisan rhetorical fortress, we have discovered ten techniques, used by both the left and the right, that allow an arguer to avoid addressing an argument’s substance. And the best part about them is you can weaponize them at your own discretion. If you like someone, you can let them breeze on through. If you don’t like them, you can erect any of these barriers to protect yourself from having to grapple with their ideas.

Indeed, each and every one of these practices can run out any clock and help its users expertly avoid “losing” arguments by dodging substantive conversation entirely. And they do nothing to help us get closer to the truth.

And sadly, we are just getting started.

Case Study: Journalism

“On the left, liberalism is under siege by a new, illiberal orthodoxy that has taken root all around, including in the very institutions meant to uphold the liberal order. And cancellation is this ideology’s most effective weapon. It uses cancellation the way ancient societies used witch burnings: to strike fear into the hearts of everyone watching. The point is the assertion of power. By showing the rest of us that we could be next, it compels us to conform and obey, either by remaining silent, or, perhaps, offering up our own kindling.”¹

—Bari Weiss

On June 7, 2020, *New York Times* editorial page editor James Bennet was forced to resign after spending nineteen years of his career at the paper of record. His exit came just days after the publication of an op-ed by Senator Tom Cotton titled “Send in the Troops.” In it, the Arkansas Republican advocated a show of military force to quell civil unrest that had erupted after the murder of George Floyd.

Backlash was immediate. Critics—including *New York Times* employees—decried the piece as fascist and unconstitutional. *Times* staffers took to Twitter to argue the op-ed “puts Black @NYTimes staff in danger.”²

The following day, Bennet penned a response article titled “Why We Published the Tom Cotton Op-Ed,” prefacing the piece by saying, “I strongly oppose the idea of using federal troops.”³ But he made the case for publishing Cotton’s article nonetheless because it was, after all, an opinion piece and by a person of significant standing.

He pointed to the paper’s recent publication of articles advocating defunding the police, praising the power of protest, and even refuting Cotton’s argument

—not to mention the articles they’d run which were written by “terrorists with blood on their hands” and “authoritarian leaders with dissidents in jail.”⁴ Bennet also noted that Cotton’s perspective was well worth listening to because he was a sitting senator on the Senate Armed Services Committee and the Select Committee on Intelligence.

And, while Cotton’s suggestion was a frightening possibility to defenders of civil liberties (deploying heavily armed “peacekeepers” tends to escalate situations) it wasn’t exactly a fringe opinion.

Cotton’s stance was shared by then President Trump and 58 percent of the American public, according to a Morning Consult poll.⁵ This group included 40 percent of the self-described liberals and 37 percent of the Black Americans surveyed. This is probably in no small part due to the fact that protests in 2020 did eventually lead to at least nineteen deaths⁶ and \$1 billion to \$2 billion of property damage⁷ during that summer alone.

“We published Cotton’s argument in part because we’re committed to *Times* readers to provide a debate on important questions like this,” Bennet wrote. “It would undermine the integrity and independence of the *New York Times* if we only published views that editors like me agreed with, and it would betray what I think of as our fundamental purpose—not to tell you what to think, but to help you think for yourself.”⁸

“To me, debating influential ideas openly, rather than letting them go unchallenged, is far more likely to help society reach the right answers,” he concluded.⁹

This fell on deaf ears. Eight hundred *Times* staffers signed an open letter¹⁰ addressed to Bennet and other leaders at the paper. In it, they equated the publication of Cotton’s op-ed to a threat to physical safety in the newsroom. They argued that the piece both made readers “vulnerable to harm” and “[jeopardized] reporters’ ability to work safely and effectively.”¹¹

Under immense pressure, Bennet spoke at an all-staff meeting and agreed to tack an editor’s note onto the piece, noting its “needlessly harsh” tone and declaring, “The essay fell short of our standards and should not have been published.”¹² But when appeasement still failed, resignation was the only

answer. Not long after Bennet's departure, the deputy opinion editor, James Dao, who had assigned the op-ed, stepped down and was internally reassigned.

It wasn't until October 2022 that Bennet finally went on the record about the experience, in an interview with Ben Smith for *Semafor*. He said he had waited all that time to speak out in part because "I was so bewildered for so long after I had what felt like all my colleagues treating me like an incompetent fascist."¹³ He recalled the incident and clarified that, despite erroneous reporting, he never apologized for publishing the piece but nonetheless regretted the editor's note. "My mistake there was trying to mollify people," he explained.¹⁴

The experience Bennet describes is classic Cancel Culture in practice: "When push came to shove at the end, [the *Times*] set me on fire and threw me in the garbage and used my reverence for the institution against me."¹⁵

And the whole ordeal revealed a very real issue in the news media: that ideological concerns were taking precedence over objectivity, even at the "paper of record." By letting him go so unceremoniously, Bennet says his former employer "blew the opportunity to make clear that the *New York Times* doesn't exist just to tell progressives how progressives should view reality."¹⁶

After Bennet's exit, the paper tapped deputy editorial page editor Kathleen Kingsbury to fill Bennet's place. Upon assuming her role, she set an entirely new tone in the newsroom. Kingsbury told staffers, "Until a more 'technical solution' is in place, anyone who sees any piece of Opinion journalism—including headlines or social posts or photos or you name it—that gives you the slightest pause, please call or text me immediately."¹⁷ (It should be noted that, since Kingsbury's takeover, The *Times* has actually made some strong pro-free speech moves, including standing behind controversial reporting about transgender issues and hiring heterodox writers such as John McWhorter and David French).

The paper of record was becoming a safe space—something that didn't sit well with Bari Weiss, an editor and writer in the opinion department.

On July 14, Weiss publicly resigned from the paper following the Cotton op-ed controversy, and she didn't go silently. She posted her resignation letter

online, alleging her exit from the *New York Times* was the result of “unlawful discrimination, [a] hostile work environment, and constructive discharge.”¹⁸

She described her former colleagues as “activist journalists who treat the paper like a high school cafeteria.”¹⁹ Weiss recalled fellow staffers demeaning her as a liar and a bigot on Twitter and smearing her on company-wide Slack channels. She saw ax and guillotine emojis next to her name in messages from coworkers that Weiss says were clearly visible to higher-ups in the company, who did nothing to stop the unprofessional and childish behavior. Leaked Slack messages from the *Times*’ internal message board later revealed just how unprofessional, ad feminam, and frankly *Mean Girls*-esque staffers’ treatment of Weiss was.

“My own forays into Wrongthink have made me the subject of constant bullying by colleagues who disagree with my views,” Weiss wrote. While she says higher-ups at the time quietly praised her for her bravery while facing down the mob, she asserted, “Showing up for work as a centrist at an American newspaper should not require bravery.”²⁰

“A new consensus has emerged in the press, but perhaps especially at this paper: that truth isn’t a process of collective discovery, but an orthodoxy already known to an enlightened few whose job it is to inform everyone else,” Weiss wrote in her letter. “The paper of record is, more and more, the record of those living in a distant galaxy, one whose concerns are profoundly removed from the lives of most people.”²¹

In the following weeks, Weiss was flooded with emails from those who felt the same way in their respective workplaces, including one young journalist who admitted to her, “I never thought I’d practice the kind of self-censorship I now do when pitching editors, but these days I have almost no power to do otherwise. For woke-skeptical young writers, banishment and rejection awaits if you attempt to depart, even in minor ways, from the sacred ideology.”²²

And this was true in newsrooms across the country in the aftermath of George Floyd’s murder.

Just the night before Bennet left the *Times*, Stan Wischnowski resigned under similar pressure as editor of the *Philadelphia Inquirer*, a nearly two-

hundred-year-old daily paper at which he was a twenty-year veteran. His exit followed the publication of an article about the protests' impact on American cities written by the *Inquirer's* architecture critic, Inga Saffron. Playing on the Black Lives Matter tagline, the paper published her piece under the headline "Buildings Matter, Too."

Social media users immediately pounced on the perception that the title made light of the Black Lives Matter movement—as did staffers. The following day, the paper's leadership, including Wischnowski, issued an apology on the paper's website, calling the headline "deeply offensive" and agreed with critics that "we should not have printed it." The title of the piece was changed online to read, "Damaging buildings disproportionately hurts the people protesters are trying to uplift." The apology concluded, "We're sorry.... We also know that an apology on its own is not sufficient."²³

And they were right. The apology didn't appease the staffers. An already scheduled Zoom meeting transformed into what *Inquirer* weekend editor Diane Mastrul described to the *New York Times* as "an hours-long discussion of newsroom diversity, pay inequity, and other issues." She added, "This week, the pain was just so palpable."²⁴

The following day, forty-four staff members of color sent an open letter to the paper's management, pledging to call in sick in protest. "We're tired of shouldering the burden of dragging this 200-year-old institution kicking and screaming into a more equitable age," they lamented. "We're tired of being told to show both sides of issues there are no two sides of."²⁵

The following day, dozens of employees then participated in a sick-out in place of a walk-out, since the paper was still operating remotely due to the pandemic. Two days later, a defeated Wischnowski stepped down.

Meanwhile, at the *Intercept*, investigative reporter Lee Fang was being accused of racism by his coworkers—and even ultimately questioned by HR. Outrage erupted after he tweeted an interview of "Max from Oakland," a young man at a BLM protest, who, in recalling the deaths of his cousins, asked: "Why does a Black life only matter when a white man takes it?... If a white man takes my life

tonight, it's going to be national news, but if a Black man takes my life, it might not even be spoken of.”²⁶

“Stop being racist Lee,” fellow *Intercept* politics reporter Aleka Lacy shot back on Twitter. “This isn’t about me and him, it’s about institutional racism and using free speech to couch anti-blackness. I’m so fucking tired.”²⁷ Then, the typical social media pile-on ensued, both from within and outside the *Intercept*.

Under pressure, Fang issued a public apology for his “insensitivity to the lived experience of others.”²⁸ And, although he ultimately did not lose his job, it was an experience he later described to Matt Taibbi as “jarring” and “deeply isolating.”²⁹ Max, the interviewee in the video at the center of the controversy, also told Taibbi, “I couldn’t believe they were coming for the man’s job over something I said. It was not Lee’s opinion. It was my opinion.”³⁰

That October, Glenn Greenwald also made a very public exit from the *Intercept*, a publication he had cofounded in 2013. Greenwald alleged that editors had refused to publish an article he wrote unless he removed all criticism of then presidential candidate Joe Biden and demanded he not publish it elsewhere. In response, Greenwald announced his decision to move to Substack for the sake of editorial freedom.

“I could not sleep at night knowing that I allowed any institution to censor what I want to say and believe—least of all a media outlet I cofounded... because I have written an article critical of a powerful Democratic politician,” Greenwald wrote. “This was not an easy choice: I am voluntarily sacrificing the support of a large institution and guaranteed salary in exchange for nothing other than a belief that there are enough people who believe in the virtues of independent journalism and the need for free discourse who will be willing to support my work by subscribing.”³¹

Less than a month later, writer Matt Yglesias departed from *Vox*, a publication he also had cofounded. The departure shortly followed his decision to sign the *Harper’s* Letter, which was treated like secular blasphemy. His coworker Emily VanDerWerff told leadership at *Vox* that working with someone who signed the letter made her feel “less safe at Vox.”³²

Lamenting that the company urged him to maintain a “restrained, institutional, statesman like voice,” Yglesias opted to bring his writing to Substack in search of editorial independence. “There was an inherent tension between my status as a co-founder of the site and my desire to be a fiercely independent and at times contentious voice,” Yglesias tweeted. “I’m looking forward to really telling everyone what’s on my mind to an even greater extent than I do now.”³³

These examples are just a glimpse into the meltdown that ensued in the summer of 2020, as newsrooms tore themselves apart from the inside in a nationwide purge. But the death of George Floyd was merely a catalyst for the exacerbation of a pre-existing illiberalism plaguing the world of journalism. The phenomenon of newsroom cancellations is nothing new.

One of the earliest signs of the Cancel Culture to come was the 2018 cancellation of Megyn Kelly, which we will cover in our right-wing Cancel Culture case study. In an interview with Ben Shapiro in 2020, she expressed her concern for the generation coming of age during Cancel Culture’s reign: “I’m worried about the teenagers who get maligned as awful bigots, racists, xenophobes, or transphobes just for having an opinion that may not go with the mainstream now.”³⁴

In fact, newsroom Cancel Culture has claimed younger and younger victims, just as Megyn Kelly warned. Case in point: Alexi McCammond.

The up-and-coming journalist had already made a name for herself as a politics reporter for *Axios*, covering race issues and Joe Biden’s presidential campaign. Also a contributor to NBC and MSNBC, McCammond had at age twenty-five been named emerging journalist of the year by the National Association of Black Journalists. So when *Teen Vogue* found themselves in the market for a new editor in chief, she seemed a perfect fit.

Just as she was set to start her new role, screenshots of McCammond’s since-deleted, decade-old tweets began recirculating on social media, and her future coworkers at *Teen Vogue* publicly condemned her. Comments about Asian features (including “swollen, Asian” eyes), Asian stereotypes (like academic achievement), and slurs for gay people (“homo” and the derogatory use of “gay”) were among the tweets in question. Mind you, these were ten-year-old tweets

from a *then-twenty-seven-year-old*, meaning she was but a teenager when she posted them in 2011.

When the tweets first surfaced in 2019, McCammond promptly deleted them and publicly apologized. According to the *New York Times*, Condé Nast was aware of her tweets when they offered her the role, and she had even spoken about them in vetting interviews with the company.³⁵ But when the tweets resurfaced and circulated once again, more than twenty *Teen Vogue* staffers publicly admonished her “past racist and homophobic tweets” in a statement they posted to social media, writing that they had contacted leadership at Condé Nast over concerns about her being hired.³⁶

In the following days, McCammond apologized to her future coworkers in private meetings and engaged in one-on-one talks with some of the offended *Teen Vogue* staffers. She also tweeted a public apology, reiterating, “I’ve apologized for my past racist and homophobic tweets and will reiterate that there’s no excuse for perpetuating those awful stereotypes in any way,” and adding that she was “so sorry to have used such hurtful and inexcusable language.”³⁷

Nonetheless, pressure to can McCammond continued to mount, not just from *Teen Vogue*’s staffers—but from their advertisers, too. Burt’s Bees and Ulta Beauty both halted advertising campaigns in response to the tweets. When the public shaming became too much to bear, McCammond resigned.

For a new generation of journalists, Cancel Culture horror stories serve as a filtering mechanism for new hires. Rikki, who identifies as a classical liberal and libertarian and would have no problem working for a left-leaning outlet, found herself instinctively gravitating toward right-leaning outlets after seeing how like-minded journalists like Bari Weiss were treated in the field.

These cancellations also send a loud and clear message to the rest of the country. The result of these public-facing newsroom purge sessions has been a pronounced erosion of public trust in the very institutions that we rely on for sharing facts.

A 2022 Gallup poll revealed that just 16 percent of Americans said they had a great deal or quite a lot of confidence in newspapers.³⁸ And, although that

includes 35 percent of Democrats, just 5 percent of Republicans said the same.³⁹ And television news did even more abysmally than newspapers, coming in at only 11 percent—making broadcast news the second-least trusted institution in the Gallup poll, beating only Congress.⁴⁰

And, according to a 2023 survey by the Knight Foundation, a mere 26 percent of Americans have a favorable opinion of our news media—a rate that dropped across the political spectrum in the years since the pandemic.⁴¹ Just 23 percent think that national news organizations have their consumers’ best interests in mind.⁴² And a staggering 55 percent feel national news organizations *intend* to mislead, misinform, or persuade the public.⁴³

Similarly, a survey conducted by Edelman the year prior found that 58 percent of Americans agreed with the statement “most news organizations are more concerned with supporting an ideology or political position than with informing the public.”⁴⁴ And this is a particularly pronounced issue in America. According to a 2021 Reuters Institute report, the United States ranked 46th out of 46 countries in trust in the media.⁴⁵ While Finland led at an impressive 65 percent, only 29 percent of Americans said they trust their media.⁴⁶

This loss of public faith is the inevitable result of a widening divide between journalists and the outside world. And why are reporters losing touch with the rest of the country? One reason is that our modern journalistic recruiting process filters for those from privileged backgrounds—able to live on the low salaries of reporters while also able to afford degrees from the fanciest schools.

For most of American history, journalists were scrappy, everyday folks pursuing a relatively low-status career and speaking truth to power. Batya Ungar-Sargon argues in her 2021 book, *Bad News*, that this has very much changed. Today, breaking into a newsroom requires not only an elite degree and the right connections—but also the external financial support necessary to get reporters through low-paying internships and entry-level jobs in some of the most expensive cities in the world.

“There was a status revolution among journalists,” she explained to us. “They used to come from the working class and stay working class in a low-status job.

But now they come from affluent families, become even more successful, and stay in the upper middle class. Now it's a very glamorous job."

This exclusionary divide has created a journalistic elite, concerned more with ideological purity and luxury beliefs (a term coined by writer Rob Henderson to describe "ideas and opinions that confer social status in the upper class while inflicting costs on the lower class") than the day-to-day concerns of typical Americans. "They have class solidarity with the powerful. They go to the same universities as them. They know their kids," Ungar-Sargon lamented. "It's been a real shift in attitude, and that's the result of a class shift."

The consequence of this class shift, according to Ungar-Sargon, is the media's focus on issues alien to the typical American: "What you see in the liberal press is an obsession with race and gender, an obsession with luxury concerns. Nobody who is living paycheck to paycheck cares. They're not speaking to an audience that is feeling the pinch of inflation or experiencing this horrific rise in crime."

She also sees the emergence of an elite journalistic class as a root cause of newsroom Cancel Culture. "The progressive penchant for 'We just can't handle the ideas we disagree with' is a class thing for sure," she said.

And, even though these young employees might be disruptive to office culture, news institutions are financially incentivized to employ as many of them as possible. Replacing an expensive older journalist with decades of experience with a younger, cheaper reporter cuts down on payroll so much that it might just be worth dealing with their baggage.

But this upcoming generation's zeal for collecting the scalps of transgressive coworkers just isn't resonating with the rest of the country. "That's very much a vanity posture that comes from having gone to a fancy university," Ungar-Sargon explained. "Across the nation, working-class Americans work and pray side by side with people who they disagree with all the time—and they don't care at all."

As Cancel Culture mobs continue to enjoy a profound level of influence in newsrooms, the result has been a more partisan media that rejects the aspirational ideal of journalistic objectivity in favor of ideological purity. Inevitably, that has left ordinary citizens wondering: *If having the wrong opinion can get employees fired from the companies we rely on to tell us what the outside*

world looks like, why should we ever trust them to come to conclusions that contradict their worldview?

The media's role as the fourth estate—charged by society with holding those in power to account—has been of central importance to American life and democracy since our nation's founding. In the words of Thomas Jefferson: “Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”⁴⁷

Jefferson declared, “Our liberty depends on the freedom of the press, and that cannot be limited without being lost.”⁴⁸ He was almost certainly warning of a governmental limitation of the free press. But in the age of Cancel Culture, we're learning what it looks like when the press tears apart newsrooms and destroys its own freedom from within.

In our opinion, the result of this predicament is our worsening epistemic disaster—the destruction of the shared universe of facts democracy needs to survive.

Chapter 6

The Perfect Rhetorical Fortress

“There is a core idea that authentic blackness requires fetishizing and exaggerating our victimhood and prioritizing white people being made aware of their responsibility for it. Plenty of ‘diversity’ is allowed beyond that—but this is what is behind the idea that someone like me is ‘not really black.’ Of course I have heard that quite often. Somewhere back in the aughts I remember expressing my opinion to a white interviewer in her 20s who asked afterwards, ‘Do you consider yourself black?’ She was so convinced of the fundamental victimhood of black people, and encountered alternate views from black people so seldom, that all she could see in me was a weird quisling.”

—John McWhorter¹

Finally we have arrived at the left wing’s Perfect Rhetorical Fortress. Inside its walls lie layer after layer of argumentative dodges, ad hominem diversions, and rhetorical defenses that protect those inside from ever having to address the substance of their opponent’s arguments. We call it the “Perfect” Rhetorical Fortress because using its full power allows you to divert or derail *any* possible debate.

The key factor that makes these dodges so effective is optionality: you are never *obligated* to use them. You can apply the barricades to dismiss arguments you don’t like, while letting other people just waltz through.

In this chapter, we’re going to discuss identity markers like race, sexuality, and gender. And while some critics might want to claim we dismiss the importance of identity, we don’t. In fact, we think every single one of these characteristics really does matter in the real world. But we simply believe that

these characteristics should not be rhetorically weaponized as a way to get out of meaningful discussions.

Besides, more often than not, those who use the Perfect Rhetorical Fortress to dodge debate are people from rather privileged backgrounds themselves. There's a certain perverse irony in watching them use the supposed "collective experience" of less privileged people as a rhetorical trap to shut up and even cancel their opponents.

And rest assured that in Chapter 8 we'll explore the right wing's corresponding, Efficient Rhetorical Fortress. But first let's delve into the left's winding and cavernous Perfect Rhetorical Fortress.

Barricade 1: Is the Speaker Conservative?

As we know, it's common for anyone deemed "conservative" to be flatly dismissed. This mindset gained popularity in academia and has been exported to society at large. Today, it's the first barricade of the Perfect Rhetorical Fortress.

Shutting down anyone who is a conservative allows you to dismiss the 36 percent of the American population who self-describe as conservatives.² Plus, if you can make the case that someone who doesn't identify as a conservative is somehow "right adjacent," you can toss out their points, too.

Essentially every single liberal critic of Cancel Culture has been dismissed as right wing—including authors Jon Ronson, Jonathan Chait, Alice Dreger, Meghan Daum, and Greg himself. Even signatories of the *Harper's* Letter like Noam Chomsky, Gloria Steinem, and Salman Rushdie have been dismissed as right-wingers, which is a truly ludicrous accusation.

This assumption that you can dismiss people's arguments because they are allegedly conservative is a childish dodge. We will never get anywhere if it is treated like a substantive argument.

After this first barricade we depart the realm of political identity and shift to discuss immutable identity characteristics like race, gender, and sexuality. Therefore, we need to dig into some population data.

You'll be amazed by how each identity-related barricade of the Perfect Rhetorical Fortress allows anyone inside of it to cover their ears when they don't want to meaningfully engage with an argument they don't like.

Barricade 2: What's the Speaker's Race?

When Greg was growing up, applying overgeneralizations about a racial group to an individual was considered the very definition of racism by the mainstream left. By the time Rikki was growing up, it was normal for those on the left to make sweeping generalizations of people on the basis of race.

This paradigm shift came down to a change in the definition of racism itself, which made hostile stereotyping of *dominant* racial groups acceptable. The argument goes that minorities cannot be racist because they do not have institutional power, and therefore any generalizations about white people are excusable.

Most of us by now are used to gross generalizations about white people that would have themselves been dismissed as racist only a decade ago. In her bestselling books *White Fragility* and *Nice Racism*, for instance, Robin DiAngelo claims that white people are automatically racist—and denial of that fact is evidence in itself that you are racist and fragile.

Race2Dinner is an organization that capitalizes on this idea by charging wealthy white women thousands of dollars to be lectured over a meal about their inherent racism. Its cofounder Saira Rao has even tweeted out that “white folks are violent, bored and pathetic”³ and that “white people’s hurt feelings are killing us all.”⁴

From a rhetorical standpoint, this sort of mindset allows for anyone who is white to be summarily dismissed based on their supposed baked-in prejudices. That means someone in the Perfect Rhetorical Fortress can dismiss 76 percent⁵ of the population if you count Hispanics who consider themselves white, or 59 percent⁶ if you don't.

By this point, the first two barricades have already eliminated the 80 percent of Americans who are white and/or conservative.⁷ And you can broaden the

dismissal pool by widening the definition of white to encompass certain non-white people, too.

It's often argued today that Asian Americans are not really minorities—or, at the very least, that their status as so-called “model minorities,” due to demographic successes in education and employment, overrides their minority classification.

The term BIPOC (Black, Indigenous, and people of color) uses a semantic sleight of hand to exclude Asians and Indians from the conversation. Meanwhile, STEM and tech programs at organizations such as the NIH⁸ adopted the term “historically underrepresented populations” to strategically exclude Asians. Both these terms effectively dissolve their racial differentiation from white people.

Similarly, it has also been suggested that dissenting Hispanics either “aren't even really Hispanic” or engage in “trans-racial whiteness.” Dominican writer, and now our colleague at FIRE, Angel Eduardo has experienced this firsthand. In 2021, he wrote an op-ed entitled “Stop Calling Me ‘White’ for Having the Wrong Opinions.”⁹ As Eduardo put it, “Disagree with the orthodoxy and your ‘of color’ card gets revoked. Toe the line or your very being will be called into question by the ideological powers that be.”

So, by now, you've arrived at a point where the definition of “white” can be broadened to include anyone who is not black or Native American. In the process, you have dismissed more than 85 percent¹⁰ of Americans.

But lest you think that being black absolves you from elimination, we have disappointing news: if a black person says something deemed “conservative,” that person can be accused of not “actually” being black. In the cringeworthy words of then presidential candidate Joe Biden, “If you have a problem figuring out whether you're for me or Trump, then you ain't black.”¹¹

Author and economist Thomas Sowell, Supreme Court Justice Clarence Thomas, Professor Glenn Loury, pundit Candace Owens, and author Wilfred Reilly have been accused of “not really being black.” A *Los Angeles Times* columnist even went as far as to argue that black conservative California gubernatorial candidate Larry Elder was “the Black face of white supremacy.”¹²

And, at times, this accusation of not being “authentically black” can even be extended to Democrats, as has been the case with political analyst Juan Williams, New York Civil Rights Coalition founder Michael Meyers, author John McWhorter, and, yes, even Barack Obama.

As politically independent Gen Z writer Coleman Hughes told us, “I’ve met people who say that being Black is the key qualification needed in order to have a valid opinion on race issues. Strangely enough, the moment they realize that I have the ‘wrong’ opinions, they are quick to say that I must not *really* be Black. It’s a worldview perfectly protected from challenges: the non-Blacks who disagree can be dismissed because they’re not Black, and the Blacks who disagree can be dismissed because they aren’t either.”

Barricade 3: What’s the Speaker’s Sex?

The next identity layer is sex. Any argument made by a man can be dismissed as “mansplaining.” The term is a critique of men who explain things to women, especially situations in which a female expert is lectured on her topic of expertise by a male layperson. That is undoubtedly obnoxious.

But, over time, the accusation of mansplaining has been lazily used to shut down any argument uttered by a man, barring 50 percent of the population from participating in some conversations.

Greg experienced this barricade firsthand in a rather bizarre way during a conference at Bard College. That’s where a non-lawyer told him he’d been “mansplaining” Title IX—a complex body of law that affects everything from how sexual assault is handled on campus to college sports—to a fellow panelist. While Greg has been neck-deep in Title IX law for over two decades of his career, his copanelist was a recent law school graduate.

The implication of the critique: that the female copanelist had some sort of special understanding of a body of law simply by merit of being a woman. That’s plainly not how expertise works. But in the Perfect Rhetorical Fortress, all the expertise in the world doesn’t matter if you aren’t a specific identity.

This gender-based barricade can be combined with others to whittle down the pool of “valid” voices even further. Combined with the race barricades, we already can shut down anyone who is conservative, male, or non-black-or-Indigenous... and all of a sudden we’ve hit the mute button on 94 percent of the population.¹³

In the current environment, there’s something particularly sinister about attempts to dismiss men categorically: by numerous objective standards men—and especially black men—are struggling. As Brookings scholar Richard Reeves wrote in his 2022 book *Of Boys and Men*:

The gender gap in college degrees awarded is wider today than it was in the early 1970s, but in the opposite direction. The wages of most men are lower today than they were in 1979, while women’s wages have risen across the board. One in five fathers are not living with their children. Men account for almost three out of four “deaths of despair,” either from a suicide or an overdose.”¹⁴

It’s a little cruel to harp on “toxic masculinity” in a society where men are dying at record numbers from “deaths of despair.” They account for 80 percent¹⁵ of all suicides, 75 percent¹⁶ of deaths by excessive drinking, and 70 percent¹⁷ of deaths by opioid overdose.

This has resulted in an unprecedented decline in life expectancy.¹⁸ After a century of steadily increasing life spans,¹⁹ male life expectancy dropped by an entire year in 2020 alone.²⁰ This was at least in part because men were substantially more likely to die of Covid.

And on top of all those increased risk factors, black men also face homicide as their fifth leading cause of death.²¹ Allegations of “black male privilege” (like those made by Arizona State University, which released a checklist on the topic²²) are especially tone-deaf.

Barricade 4: What’s the Speaker’s Sexuality?

The next criteria is sexuality. The accusation of straight privilege is now a fairly venerable part of the Perfect Rhetorical Fortress. The Queer Ally Program at the University of California, Merced, defines heterosexual privilege as “unearned, often unconscious or taken for granted benefits afforded to heterosexuals in a heterosexist society based on their sexual orientation.”²³

Things get a bit trickier when taking bisexuality into account, but it’s estimated that 3 percent of the male population is bisexual or gay.²⁴ That means this barricade allows you to tune out 97 percent of the male population. Estimates for women are harder to ascertain.

When laid on top of other qualifications like politics or race, the sliver of palatable voices gets even smaller. Ninety-three percent of the population is heterosexual or conservative.²⁵ Ninety-eight percent is heterosexual or white.²⁶ Ninety-eight point nine percent is heterosexual or non-black.²⁷ Ninety-nine point one percent is heterosexual, non-black, or conservative.²⁸

Now we’re down to just 0.9 percent of the population that’s still worth listening to.²⁹

And thanks to all the other barriers of the Perfect Rhetorical Fortress, merely being gay isn’t enough to make your voice worth listening to. For example, when gay conservative Peter Thiel publicly supported Donald Trump, Jim Downs argued in the LGBTQ magazine the *Advocate* that “by the logic of gay liberation, Thiel is an example of a man who has sex with other men, but not a gay man. Because he does not embrace the struggle of people to embrace their distinctive identity.”³⁰

Barricade 5: Is the Speaker Trans or Cis?

It is with a mild sense of dread that we even approach the topic of gender identity. It has become by far the most radioactive cause for cancellation. And it has inspired perhaps the newest dismissive insult: being dubbed “cis” (or, more simply, not transgender). An estimated 98.4 percent of the U.S. adult population is cisgender,³¹ and therefore by this logic not worth listening to.

This often comes up in discussions about trans issues. When the *New York Times* published stories by cis journalist Pamela Paul on the medical transition of transgender children, she was met with an open letter signed by twelve hundred past *Times* contributors³² as well as a letter from the LGBTQ organization GLAAD³³ which demanded that the paper hire four trans journalists, declaring, “It is clear the cisgender writers and editors at the *Times*—regardless of their sexual orientation or membership in the queer community—just are not able to cover trans people and issues accurately.”³⁴ The subtext: the journalist’s identity superseded the content of her work based on a lack of “lived experience.”

And even transgender people aren’t safe. Those with the “wrong opinions” can be dismissed in the Perfect Rhetorical Fortress. Of course, prominent trans conservatives like Caitlyn Jenner and eminent transgender libertarian economist Deirdre McCloskey can be eliminated by the first barricade.

And all white or “white adjacent” transgender voices can be discounted by the second barricade. One Twitter user did just this in an attempt to dismiss transgender *Euphoria* star Hunter Schafer’s views on nonbinary identification by declaring, “A white woman is a white woman before anything else. hunter schaffer, regardless of being trans, has chosen to align herself with white and/or cis people and place blame on nonbinary people. It’s very easy to pick a scapegoat instead of challenge your own internalized transphobia.”³⁵

By the time you are through this barricade, the percentage of people you can’t dismiss is essentially zero—*many times over*. At this point, those who can find themselves on the wrong side of the Perfect Rhetorical Fortress’s walls include black men, white lesbians, white gay men, the cisgender disabled, and white transgender people. Check out these headlines:

- “Black Men Are Privileged—Just Ask Black Women” (*Medium*, 2018)³⁶
- “White Gay Men Are Hindering Our Progress as a Queer Community” (*Them Magazine*, 2017)³⁷
- “5 Ways White Transgender People Have Privilege Over Transgender People of Color” (*BDG*, 2015)³⁸

- “The Peculiarity of Black Trans Male Privilege” (*Advocate*, 2014) ³⁹

Barricade 6: Can the speaker be accused of being “phobic”?

And once you’ve finished this dance around your identity, you’ll find none of it really mattered when you encounter the sixth barricade. If you can be accused of any kind of “ism,” be it racism or sexism, or having any kind of “phobia,” like transphobia or Islamophobia, then your point doesn’t matter. Whether or not you’re actually guilty of being “phobic” is beside the point.

Africa Brooke, a London-based consultant, articulated her own experience in an open letter: “I’ve noticed that despite [‘we are not a monolith’] being a popular mantra—when someone ‘steps out of line’ or dares to think differently... it’s a different story. You will often have the pleasure of being told that you are in denial and have some kind of internalised disorder; ‘internalised racism,’ ‘internalised anti-blackness,’ ‘internalised misogyny,’ ‘internalised sexism,’ ‘internalised homophobia,’ ‘internalised transphobia,’ ‘internalised white supremacy’... Meaning NOTHING can be questioned.”⁴⁰

As we’ve seen time and again, minorities on the “wrong side” of an issue are the subject of special contempt and often accused of being “traitors.” That’s what makes the common assertion that Cancel Culture helps minorities take back their voice so hard to believe. Oftentimes, cancellers come down hardest on minorities who disagree with them.

Barricade 7: Are They Guilty by Association?

If you can connect the speaker to someone considered morally “beyond the pale,” then you can accuse them of being guilty by association. It’s essentially The Great Untruth of Ad Hominem by proxy: bad people—and *all the people who are somehow associated with them*—only have bad opinions.

We saw this on spectacular display in Moira Weigel's *Guardian* review of *The Coddling of the American Mind*.⁴¹ In a piece full of menacing hints of guilt by association, Weigel went to great lengths to link Greg and Jonathan Haidt to everyone from conservatives like Roger Kimball and Dinesh D'Souza to alt-right figures like Milo Yiannopoulos.

She linked us to Jordan Peterson because he wrote a foreword to a later-released edition of *The Gulag Archipelago* by Aleksandr Solzhenitsyn, and we happened to quote that book in *Coddling*. Dismissing the great Solzhenitsyn so glibly merely as an attempt to dismiss Jon and Greg is perhaps the strangest criticism we've seen. Ironically the quote in question was "the line separating good and evil passes not through states, nor between classes, nor between political parties either—but right through every human heart—and through all human hearts."⁴²

Guilt by association can even transform objecting to Cancel Culture into something that can get you canceled. The idea goes that if you defend someone else against cancellation, you must by association be guilty somehow, too.

This happened in the case of *The Bachelor* host Chris Harrison. He was canceled for attempting to pour cold water on the attempt to cancel a *Bachelor* contestant after photos of her as a college student at an antebellum-themed sorority party resurfaced years later.

When asked on *EXTRA* about the scandal, Harrison responded, "This is where we need to have a little grace... because I have seen some stuff online—this judge, jury, executioner thing—where they're just tearing this girl's life apart.... It's unbelievably alarming to watch this."⁴³

For simply promoting forgiveness and compassion, Harrison was forced to unceremoniously step down from the *Bachelor* franchise after nineteen years hosting the show.

Barricade 8: Did the Speaker Lose Their Cool?

We dub this the "don't get angry" barricade, in which someone hastens their own demise by voicing frustration. It happens when they've reached their wits'

end over keeping track of the impossible list of PC rules and/or the general crazy-making nature of Cancel Culture.

Take the example of NBA player Enes Kanter Freedom. In a 2021 interview with Tucker Carlson, the Turkish émigré said, “People should feel really blessed to be in America. They love to criticize it, but when you live in a country like Turkey or China, you appreciate the freedoms you have here. I feel like they should just keep their mouths shut and stop criticizing the greatest nation in the world.”⁴⁴

The Twitterverse assumed he had the worst possible intentions and was essentially telling black players to, in the words of Laura Ingraham, “shut up and dribble.” One Twitter user even suggested that Kanter Freedom—an unabashed defender of free speech—was essentially saying, “Americans should stop using their freedom of speech to criticize their government, like they do in Turkey.”⁴⁵

And even though Kanter Freedom subsequently clarified the remark, people still wrote him off and decided they never had to listen to him again—simply because he got momentarily frustrated by protesters who he thought lacked a global perspective.

Barricade 9: Did the Speaker Violate a “Thought Terminating Cliché”?

In 1961 Robert J. Lifton coined a term that’s perhaps more useful today than it was in his own time: the thought terminating cliché. It refers to overused terms that are employed to shut down discussion. As British author and social critic Andrew Doyle put it in *The New Puritans*:

How often have we heard commentators intuiting the motives of their opponents through accusations of “dog-whistling,” the practice of sending out secret signals that only one’s followers can hear? Or the kind of amateur clairvoyance that denounces people for being “on the wrong side of history”? Or dismissals of legitimate opinions as “right-wing talking points”? The implication of all such clichés is that there is no further discussion to be had,

*but those who utter them tend to give the impression that they are determined to evade serious argument. They act as hermeneutic shortcuts which disoblige the speaker from considering carefully whether or not his or her ideas have merit.*⁴⁶

One thought terminating cliché is the accusation that someone is “punching down”—essentially the suggestion that you should never mock or even criticize someone with less power or privilege than yourself.

We were particularly struck when cartoonist Garry Trudeau condemned *Charlie Hebdo* just a couple months after twelve of their staffers were murdered by Islamic extremists for “punching down” by satirizing the Prophet Muhammad.⁴⁷ It seems bizarre to argue that the twelve murdered French satirists somehow exerted power over an estimated 1.8 billion Muslims.⁴⁸ Was Salman Rushdie “punching down” at the man who nearly stabbed him to death?

Barricade 10: Can you emotionally blackmail someone?

When it seems like you’re starting to lose the argument, you can always fall back on emotional blackmail. Even if it’s sincere, emotional outbursts are frequently used to get people, events, and even books canceled. Oftentimes, they’re successful.

The tactic is now used routinely in higher education and the corporate world alike. It often takes place in forums and town halls. And while these sessions are supposed to be ways of bringing people together in conversation, they often devolve into browbeating sessions.

Perhaps the most high-profile example is the attempt by Penguin publishing employees to get Jordan Peterson’s book canceled. And it’s happened time and again on campuses, from Hamline University to Stanford. Sadness and outrage are used to derail the possibility of actual discussion.

Barricade 11: Darkly Hint Something Else Is What's Really Going On

If it seems pretty clear that you were wrong on the facts and you're losing the argument, there's one more tool at your disposal: ominously allude to the notion that something other than the issue at hand is really what the problem is. Say, "Well, really this was all about 'a context' in which *other* bad things were happening, so the community was rightfully upset—even if I was wrong."

This is precisely what happened in the case of law professor Jason Kilborn, who was punished for using the expurgated "N_____" and "B_____" in a hypothetical on an exam about workplace harassment. When the situation was rightfully dubbed ridiculous, a rumor arose that the *real* problem was that he had once referred to minorities as "cockroaches." And, again, a school investigation found that claim to be totally bunk.⁴⁹

By this point any speaker could have been dismissed countless times over with the Perfect Rhetorical Fortress's barricades. But more dodges exist and more will evolve as long as we continue to permit the Perfect Rhetorical Fortress to derail important discussion and undermine the pursuit of truth.

If we want to truly strive toward truth, we have to relearn how to address the *argument* and not the *person*. The only way to circumvent the Perfect Rhetorical Fortress is to refuse to play by its unfair rules.

Case Study: The Fortress in Action: Stanford Law School

“Stanford must either be admitting politicized, limited thinkers or be failing to educate them. Protest is great! Counter-speech is great! But you cannot stop your fellow students from hearing a speaker they want.”

—Nicholas Christakis¹

On March 9, 2023, federal appeals court judge Kyle Duncan was slated to speak to Stanford Law School’s chapter of the Federalist Society. There was to be a lunch where Duncan delivered a talk titled “The Fifth Circuit in Conversation with the Supreme Court: Covid, Guns, and Twitter.” The judge had set a condition before committing to come to Stanford, to which the school agreed: If students disrupted the event, administrators would give them one warning and then have them removed.

What unfolded was a protest that doubled as a master class in virtually all of the unhelpful rhetorical techniques we have been exploring, including the Obstacle Course, the Minefield, and the Perfect Rhetorical Fortress. But it all started with *the Great Untruth of Ad Hominem*. Duncan is socially conservative, an evangelical Christian, and was nominated by President Trump. For student protesters at Stanford Law this makes him a “bad” person who couldn’t possibly have anything valuable to say.

Hosting an appellate court judge is typically an exciting event at a law school. The circuit courts are just one step below the Supreme Court. But Duncan arrived on campus to find flyers had been posted around the school calling out the Federalist Society for inviting him.² “You should be ashamed,” one read. Individual members of the society had had their names and faces plastered on posters all over the school.

An email signed by seventy students had been circulated, asking that the event be canceled because Duncan's talk "proudly threatened healthcare and basic rights for marginalized communities."³ Organizing to get an invitation revoked before an event even happens is a prime attempt to *win an argument without actually winning the argument*. And even some administrators joined in the backlash. In the lead-up to the event, Tirien Steinbach, the law school's associate dean for diversity, equity and inclusion, emailed students, doubling down on their concerns.⁴

"For some members of our community," she wrote, "Judge Duncan, during his time as an attorney and judge, has 'repeatedly and proudly threatened healthcare and basic rights for marginalized communities, including LGBTQ+ people, Native Americans, immigrants, prisoners, Black voters, and women,' and his presence on campus represents a significant hit to their sense of belonging," though she did also suggest the event be allowed to proceed.⁵

On March 9, protesters gathered in the student lounge long before the lunch and confronted Federalist Society members who arrived to get ready.⁶ Later, they disrupted preparations. "They came into the room and plastered the walls and desks with the same fliers as were posted around campus, preventing us from preparing the space for our event," first-year law student and Federalist Society member Spencer Segal told us. And the protesters pushed them out of the adjacent student lounge for hours leading up to the event, telling Segal they were creating a "safe space."

When the event began, roughly a hundred protesters screamed and heckled and waved signs reading "FEDSUCK," "BE PRONOUN NOT PRO-BIGOT," and "JUDGE DUNCAN CAN'T FIND THE CLIT."⁷ (The pronoun allusion is a reference to a case in which Duncan authored a decision denying a prisoner in jail for child pornography her request to be addressed by the name and pronouns of her choosing. Duncan said the district court that originally decided this case did not have jurisdiction and cited the slippery slope of the judiciary compelling the use of preferred pronouns.)

It's worth zooming out now to get a sense of proportionality. Stanford Law School has only around 180 students in each class. Break-ups, interpersonal

feuds, and gossip can all make the place feel kind of claustrophobic. As Segal notes, “You knew at least the face and probably the name too of every single person there.” Or, as a protester shouted to Duncan, “This room has a capacity of 120, so actually this is like, kind of about a fifth of our school.”

Over the course of ten minutes, student protesters went to town on Duncan without any intervention from the school. And the result was *emotional blackmail* in both flavors, fury and sadness. Every time Duncan opened his mouth, a student shouted over him, dismissing him summarily by using *every single one* of the Perfect Rhetorical Fortress’s barricades and shouting hyperbolic accusations.

“Do you want people to die from Covid?”

“Our speakers don’t tell us our lives aren’t worth living.”

“How many people get killed for who they are?”

“You were nominated by someone who committed treason” (note the *guilt by association*).

Growing frustrated, Duncan said: “The depth of contempt that you are showing to me is appalling. You are supposed to be in law school, where you are listening to other points of view, to your fellow students. Instead you want to be in an echo chamber where you only hear what you agree with. It’s appalling.”

When he added that he was glad he didn’t go to a school like this, one protester shouted, “Doubt you could get in here!”

The protesters employed the *don’t get angry* trap spectacularly. This was an extended and intentional campaign to make the speaker mad so that students could claim they were the real victims—and mock a federal judge for losing his cool. The hecklers that made the biggest impression on Duncan were the students who shouted before the event, “We hope your daughters get raped.”⁸ At one point, he called them “juvenile idiots” and noted that “prisoners were now running the asylum.”⁹

“This is so embarrassing,” a protester said. “He’s literally having a mental breakdown. Have you tried crying about it?”

Duncan began looking around for an administrator to fulfill the promise they made to step in when things got out of hand. But it wasn’t long before he regretted it. Dean Steinbach, who had been sitting in the audience along with

half a dozen other administrators who were doing nothing to stop the heckling, emerged from the crowd. According to her account, she was asked to be there by the administration and the Federalist Society to keep things from escalating—something she was a bit late to do.

When Duncan didn't recognize her, a protester shouted, "Your racism is showing. Read the room! Did you know women can be administrators?" But as Segal and other eyewitnesses point out, "He has no idea who she is. She walked up out of the crowd and he's never met her because she never introduced herself."

As the judge later told legal commentator David Lat, "The fact that the administration was in on it to a certain degree makes me mad."¹⁰ And Segal agrees it seemed as though Steinbach was well aware of what would transpire.

Steinbach had prepared remarks and proceeded to deliver a speech using up a not insignificant portion of Duncan's allotted time.¹¹ As Segal recalls, "I already knew this was gonna be a mess when she got up because you could tell that she was just so emotionally invested in it."

"This event is tearing at the fabric of this community that I care about and am here to support," Steinbach decried. "And I have to ask myself, and I'm not a cynic to ask this: Is the juice worth the squeeze? Is this worth it?"¹² In a spectacular show of *hypocrisy projection*, she asserted that Duncan himself was the one tearing apart the Stanford community. This completely glossed over the fact that the law school routinely hosts prominent judges, including very conservative ones, and these events garner little attention, let alone sow division.

"This is a setup," Duncan tried to interject. But Steinbach marched forward with her remarks as students came to her defense, shouting, "You're censoring her speech" and "Don't raise your voice at a black woman."

Meanwhile, they snapped in support of nearly all of her points. Duncan asked, "What's with the creepy snapping? I mean, what is that?"

A student shouted back, "You're creepy!"

Steinbach continued, "I hope you can learn... I hope you can look through the spectacle and the noise to the people holding signs. The people who are here to learn.... We believe that the way to address speech that feels abhorrent, that feels harmful, that literally denies the humanity of people, that one way to do

that is with more speech and not less. And not to shut you down or censor you or censor the student group that invited you here.”

The idea that speech “literally denies the humanity of people” is an increasingly popular *thought terminating cliché*. Then she went on to ask, once again, “Is the juice worth the squeeze?... Do you have something so incredibly important to say about Twitter and guns and Covid that it’s worth this impact?... Is it worth it?”

Given that Duncan is one of only 179 circuit court judges, this is a little like asking if there is any point to having a top scientist at NASA talk to a group of prospective scientists. Even if you think he’s personally vile or wrong on important issues, there’s no question that he has insight and experience relevant to law students.

What’s perhaps most remarkable is that Duncan didn’t give up in attempting to address students. Even after the ten minutes of heckling and Steinbach’s seven-minute speech, he agreed to stick around for a question and answer session. The questions were exclusively hostile.

One protester asked, “I fuck men. I can find the prostate. Why can’t you find the clit?”¹³

Duncan said the experience was akin to being asked “how many times did you beat your wife last week”—a famous leading question which every single law student knows. And yet he was greeted with accusations that he was making light of domestic abuse—pure *strawmanning*.

He wondered aloud, “What court are you going to go in and act like this?”

By the time the hostile Q&A concluded, the event had been shortened by about 35 minutes. After ten minutes of shouting down, a seven-minute speech from Steinbach, and ongoing taunts that “you can leave,” the students had succeeded in *running out the clock*. Duncan ultimately had to be escorted out by federal marshals.

It’s clear that these Stanford Law students believed they spoke for the oppressed, and they employed *underdogging* to derail the event at all costs. But this is an ultra-elite institution that always ranked near the top of law schools, with nearly as many Stanford students from the top 1 percent of the economic distribution as the bottom 60 percent.¹⁴ Rather than standing up for the little

guy, they were bullying members of political and religious minorities on campus, in the form of Duncan and Federalist Society members alike.

This was one of the more spectacular shout-downs in the history of elite law schools. Duncan told¹⁵ the *Washington Free Beacon*, “Don’t feel sorry for me. I’m a life-tenured federal judge. What outrages me is that these kids are being treated like dogshit by fellow students and administrators.” And, indeed, according to Segal and members of the Federalist Society, student-organizers have been subjected to continued hate mail and threats.

In the fallout, many attempted to minimize the event, sweep it under the rug—or even claim that the student-protesters were the real victims.

One protester quoted in the *Stanford Daily* exercised¹⁶ the Perfect Rhetorical Fortress’s *accusation of “phobia,”* declaring, “The way that he was treating Dean Steinbach shows the way he treats people who are different from him, which is [anyone who is not] a cis-het white man. That is all we need to know.”

On the American Association of University Professors blog, *It’s Not Free Speech* author Jennifer Ruth applauded¹⁷ Steinbach for “[defending] the humanity of the students” and said, “it might appear that universities are normalizing a dehumanizing far-right political agenda.”

And *whataboutism* was on grand display, too.

In an article, attorney and political commentator Elie Mystal brought up Marjorie Taylor Greene, asserting that he’s “old enough to remember the last State of the Union address” where Greene “[spent] the president’s entire speech braying like a howler monkey.”¹⁸ Similarly, Ruth evoked conservatives’ claims that those on the left are “groomers” or “woke zealots.”¹⁹ Time and again, other issues were brought up to distract from the actual shout-down at hand.

Accusations of bad faith abounded, like the *San Francisco Chronicle* headline²⁰ which read “Trump Judge Kyle Duncan got exactly what he wanted out of Stanford: Fame.” Meanwhile, Elie Mystal declared,²¹ “The entire escapade sure seems like a setup. Duncan went into a hostile environment spoiling for a fight, got one, videotaped it, and then ran to his media spokes-buddies to cast him as a victim.”

And, in the ensuing weeks, Dean Steinbach attempted to rewrite history with an op-ed²² published by the *Wall Street Journal*. She claimed that her speech robbing Duncan of his allotted time was actually pro-free speech all along. “I stepped up to the podium to deploy the de-escalation techniques in which I have been trained,” she wrote. “My intention wasn’t to confront Judge Duncan or the protesters but to give voice to the students so that they could stop shouting and engage in respectful dialogue.”

Steinbach also went on to clarify her famous question “*Is the juice worth the squeeze*”: “I was referring to the responsibility that comes with freedom of speech: to consider not only the benefit of our words but also the consequences.” As Greg tweeted²³ at the time, “This is profoundly dishonest. Her job was to stop a disruption. She didn’t. Instead she took a student group’s designated time to give her own pre-planned speech in which she... questioned the value of free speech in general.”

“This is gaslighting—pure and simple,” he added.

Stanford University purports²⁴ to be a beacon of free speech. “As an institution committed to the exchange of ideas, freedom of speech is core to the mission and academic life of our university,” it claims. But the school falls abysmally short of this ideal. Although this event might be Stanford’s crown jewel of free speech faux pas, it shouldn’t be all that shocking, considering the school’s track record.

Stanford came in the middle of the pack at number 106 out of 203 in the 2022 Campus Free Speech Survey. The school has seen some pretty egregious censorship moments, including an investigation of a law student for a satirical email aimed at the Federalist Society and Senator Josh Hawley and the denial²⁵ of funding for a College Republican event featuring Mike Pence, which was ultimately reversed upon appeal.

And who can forget when Stanford’s IT department released its Elimination of Harmful Language Initiative²⁶ in 2022, which they touted as a “multi-phase, multi-year project to address harmful language in IT at Stanford.” Some notable words they suggest nixing from your vocabulary: *lame, tone deaf, Philippine*

Islands, preferred pronouns, ballsy, freshman, American, grandfather, white paper, and trigger warning.

The official response to the Duncan meltdown, however, offered a glimmer of hope.

Dean Steinbach was placed on leave, and the judge was sent an apology letter²⁷ from Stanford president Marc Tessier-Lavigne and Law School dean Jenny Martinez. “Staff members who should have enforced university policies failed to do so, and instead intervened in inappropriate ways that are not aligned with the university’s commitment to free speech,” they wrote. “We are taking steps to ensure that something like this does not happen again.”

Even just the fact that Duncan received an apology sparked²⁸ yet another protest at the school, where protesters taped up signs reading “COUNTER SPEECH IS FREE SPEECH” and “WE HAVE FREE SPEECH RIGHTS TOO.”

But a separate statement²⁹ issued by Jenny Martinez was especially laudable. “The way that this event unfolded was not aligned with our institutional commitment to freedom of speech,” she asserted. “Freedom of speech is a bedrock principle for the law school, the university, and a democratic society, and we can and must do better to ensure that it continues even in polarized times.”

One of the worst shout-downs we’ve seen ultimately produced one of the best administrative statements. While Steinbach was suspended, no student has faced, or is likely to face, discipline. Only time will tell whether Stanford will begin living up to those stated ideals.

Chapter 7

Legislating Censorship on the Right

“And these days freedom of speech needs defenders, for when I look around, I find it under attack everywhere. Blacklisting, cancel culture, libraries being closed or defunded, classic works of literature being banned or bowdlerized or removed from classrooms, an ever growing list of ‘toxic’ words the mere utterance of which is now forbidden no matter the context or intent, the erosion of civility in discourse. Both the Rabid Right and the Woke Left seem more intent on silencing those whose views they disagree with, rather than besting them in debate. And the consequences for those who dare to say things deemed offensive have been growing ever more dire; jobs lost, careers ended, books canceled, ‘deplatforming.’”¹

—George R.R. Martin, bestselling author

Our definition of Cancel Culture is concerned with the punishment of individuals. But we also recognize it as a general term for the illiberal period we are living through. Therefore, even though the examples here do not involve individuals getting fired or otherwise canceled, in this chapter we will widen our gaze to a troubling national trend: the legislation of censorship coming from the political right.

The Crusade Against “Divisive Concepts” in Schools

As of 2022, Republican lawmakers in thirty-six states have introduced anti-“Critical Race Theory” bills aimed at regulating the goings on in K-12 classrooms and even colleges and university lecture halls. We prefer to call these

bills “divisive concepts” bills rather than “critical race theory” bills because, in the end, that’s what they really seek to regulate. While critical race theory has become a cultural buzzword, it’s generally being used as a stand-in for a broader ideology which analyzes the world through systems of oppression.

The divisive concepts bills contain hundreds of amendments between them, which makes them difficult to discuss summarily. Many of them do, however, contain similar language. In Pennsylvania, for instance, House Bill 1532 would have banned requiring “a student to read, view or listen to... learning material that espouses, advocates or promotes a racist or sexist concept” both in K–12 public schools and higher education, and also would have barred schools from hosting any speaker who “espouses, advocates, or promotes any racist or sexist concept.”²

Bills from Arkansas, Iowa, and Oklahoma all prohibit educational materials that could cause “any individual [to] feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.” Others explicitly state what’s banned and merely reiterate policies already in place under state and federal antidiscrimination law.

When applied to public K–12 education, these bills tend to be constitutionally sound. That’s because the K–12 curriculum is democratically decided through the collaboration of state legislatures, school boards, and schools themselves.

The lawmakers who introduce divisive concepts bills are tasked with ensuring public K–12 educational systems are in line with the citizenry’s will. This has been the case since the dawn of American public education, and a federal appellate court reaffirmed this duty in 2006, saying “central among [states’] discretionary powers is the authority to establish public school curricula which accomplishes the states’ educational objectives.”³

Unlike the pursuit of higher education, K–12 is mandatory. Because students are compelled to be in class, they cannot be forcibly indoctrinated as a young, captive, and impressionable audience. K–12 students have a right to freedom of conscience as enumerated by the Supreme Court’s landmark *West Virginia State Board of Education v. Barnette* decision in 1943, a case that held students can’t be forced to say the pledge of allegiance against their will. And, in their

capacity as state actors, K–12 teachers in public schools relinquish most of their First Amendment protections at the classroom door.

But just because they're constitutional as applied to K–12 doesn't mean that divisive concepts bills are immune to criticism.

Although the culture war is central to the debate over these policies, some seemingly hyperbolic concerns are rooted in a genuine and widespread flaw: the bills tend to be quite vague. Therefore, they will almost undoubtedly have a chilling effect on speech. Some are actually so vague that a reader might infer that teaching about slavery and racism would be out of the bounds of permitted discussion, even though none of these bills expressly say so.

The 2022 Parental Rights in Education Act of Florida—dubbed the “Don’t Say Gay Bill” by its critics—was derided for its vague prohibition on “instruction” on issues of gender and sexuality in kindergarten through third-grade classes. And because the prohibition was so vague, teachers were left unsure about where the contours of acceptable speech really were.

To make matters worse, many of these divisive concepts bills allow parents, families, or even just concerned community members to sue if they believe a statute has been violated. Because feelings like “discomfort” are both vague and subjective, such provisions are sure to invite frivolous lawsuits. And under the threat of unpredictable lawsuits, such bills will likely cause grade school teachers to over-police speech, well beyond the scope of the bill, leading to the censorship of students and parents, who have the strongest free speech rights in the K–12 setting.

In a March 2022 op-ed for the *Washington Post*, the Republican political strategist and same-sex couple mom Sarah Longwell laid out her own concerns:

My children talk about their families in class. They bring home pictures they drew of us.... When our children explain who's in their pictures or talk about their upcoming vacation plans, their classmates sometimes have questions like 'Why does Bobby have two moms?'... Now, teachers will have to ask themselves if simply telling the truth—that families come in different forms—means that they've given instruction on sexual orientation. And, in the absence of any clear definition of 'instruction,' these educators have to

*wonder if a parent will end up suing them over a simple explanation that's intended to put a child at ease.*⁴

And while we understand that many parents are sympathetic to, or supportive of, avoiding instruction about sexual orientation and gender identity before fourth grade, in the months since the bill's passage there have been efforts in Florida and other states like Kentucky to extend these restrictions all the way up through senior year of high school. But we submit that removing any discussion about LGBT issues through high school is at best pointless, considering teens no doubt know LGBT classmates, and at worst does a great disservice to young people.

None of this is to say that parents don't have legitimate concerns about the goings-on in classrooms. FIRE is frequently contacted by worried parents. In her 2021 book *Undoctrinate: How Politicized Classrooms Harm Kids and Ruin Our Schools—And What We Can Do About It*, Bonnie Snyder, formerly FIRE's director of K-12 outreach, laid out some particularly shocking examples of divisive lessons in classrooms. Just a couple of which are listed here:

- A biracial high school student in Las Vegas filed a lawsuit against his school because he says a teacher accused him of having “internalized privilege,” demanded he “unlearn” his Judeo-Christian values, and ultimately failed him and sent him to counseling after he refused to complete so-called identity confession assignments.
- The head teacher of a Manhattan school that teaches pre-K through twelfth grade was recorded saying the school teaches white students they're “evil” and admitted “we're demonizing white people for being born.”

We have recommendations for what concerned parents can do in Chapter 10, but the unfortunate truth is that while these bills are predicated on legitimate concerns, they are ultimately mere Band-Aids being placed over a deeper societal issue. Legislators are playing Whac-A-Mole with divisive concepts on behalf of

parents while losing sight of positive, restorative visions. Laws won't make these ideas go away. What this debate really boils down to is a breakdown in societal trust.

Those who champion divisive concept bills do so with a sense that K-12 teachers might not do the right thing if the guardrails aren't expressly defined. Those who oppose them do so with a sense that Republican legislators are doomed in their quest to weed out divisive concepts without trampling on someone's rights in the process. Unfortunately, both sides have been proven right.

Conservative Legislative Threats to Higher Education

While bills regulating K-12 curriculum are generally constitutional, a line is crossed when legislators encroach on college and university classrooms. In recent years, there has been an alarming uptick of bills looking to ban discussion of certain topics in higher education.

Florida's Individual Freedom Law—often referred to as the Stop WOKE (short for “wrong to our kids and employees”) Act—passed cleanly along party lines and was signed into law by Governor DeSantis in April 2022. It prevents the proliferation of certain divisive concepts at workplaces, K-12 schools, *and* public universities alike... all under the guise of championing “individual freedom.”

The legislation expressly bans “[engaging] with discriminatory content” or “rhetoric,” “advancing” certain viewpoints, or providing “instruction” on expressly listed “concepts” which relate to “race, color, national origin or sex.”⁵ It also restricts discussion about unconscious bias, whether certain racial or gender groups have particular advantages, and whether “merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness” are racist.

The Stop WOKE Act threatens to withhold funding from public universities found to be in violation, incentivizing schools to crack down on anyone who “advances” disapproved opinions, even if they're playing devil's advocate or engaging in thought experimentation. Some colleges have even encouraged

community members to snitch on one another if they violate the Stop WOKE Act. The University of Southern Florida, for instance, updated its website to “strongly encourage” campus members to report violations.⁶

Meanwhile, North Florida College warned professors about the shifting contours of acceptable speech in a presentation to faculty that included a slide with an example scenario:⁷ a fictional Mr. Allen is teaching about the Civil Rights Movement, Martin Luther King Jr., and Jim Crow laws. “Can Mr. Allen make a sweeping statement that white people are responsible for enacting these laws?” the presentation asks. The answer: “No, Mr. Allen should avoid making any statements that assign the blame for an act on any particular race, though exploring the motives of the specific individuals that enacted such laws would be permitted.”

In September 2022, FIRE challenged the bill on behalf of Florida history professor Adriana Novoa and the University of South Florida’s First Amendment Forum,⁸ arguing the legislation violates both the First and Fourteenth Amendments. Ultimately, key provisions of the Stop WOKE Act were blocked by federal court just two months later, thanks to a suit filed by FIRE and the ACLU. In the ruling, the judge declared that it was “positively dystopian” that the legislation “officially bans professors from expressing disfavored viewpoints in university classrooms while permitting unfettered expression of the opposite viewpoints.”⁹

He was right.

When applied in the context of college and university classrooms, the Stop WOKE Act and bills like it are without question unconstitutional. Legislators have broad authority over the public K–12 curriculum, but the long established principle of academic freedom prevents them from meddling in higher education curriculum. First Amendment law and legal precedent bar legislators from deciding which ideas are too controversial or challenging to be discussed by college students or their professors. In *Keyishian v. Board of Regents* (1967), the Supreme Court ruled that “the First Amendment... does not tolerate laws that cast a pall of orthodoxy over the classroom.”¹⁰

Yet those very laws have been introduced in states across the country, including Alabama, Florida, Indiana, Iowa, Kentucky, Missouri, New Hampshire, New York, Oklahoma, and South Carolina. Oklahoma and Iowa's legislatures even specifically took aim at the teaching of Nikole Hannah-Jones's controversial *New York Times* initiative the "1619 Project" in colleges. No matter how you may feel about the project, banning the use of 1619 materials is no good way to criticize its historical shortcomings. And when it comes to higher education, that's also an infringement on academic freedom.

Since the Stop WOKE Act was introduced, legislators in Florida have proposed arguably *worse* legislation. In February 2023, Florida state legislator Alex Andrade proposed House Bill 951, which threatened to undo protections provided by *New York Times Company v. Sullivan* (a 1964 Supreme Court ruling which prevents public officials from abusing defamation lawsuits to silence critics).

The bill seeks to limit who is considered a public figure, opening the possibility of litigation to a broader swath of important people. This is startling. It would fundamentally undermine a pivotal ruling that ensures that journalists can speak truth to power without unreasonable fear of litigation. As FIRE's Legislative and Policy Director Joe Cohn put it:

The result will be far less discussion and debate on matters of public concern, as powerful public figures will be able to bully citizens and critics into silence via costly lawsuits. By presuming anonymous sources are lying, the law would kneecap investigative journalism. And by awarding costs and attorney's fees to successful plaintiffs, the law would effectively dismantle Florida's anti-SLAPP law, incentivizing meritless defamation claims and dissuading lawyers from representing defendants who can't afford counsel.^{[11](#)}

And, in rapid succession, Andrade also introduced House Bill 999 that same month,^{[12](#)} which would further expand the scope of the Stop WOKE Act and allow legislators to get even more involved in the goings-on in higher education.

The bill threatens to intrude into the classroom by prohibiting faculty from using material that “teaches identity politics” and by scrapping any major or minor in Critical Race Theory, Gender Studies, or Intersectionality.

House Bill 999 would also intrude into extracurriculars by stifling funding to “programs or activities” that “advocate for diversity, equity, and inclusion or Critical Race Theory Rhetoric.”

The regulation of which ideas are permissible in the college classroom has already had a chilling effect. Individual faculty members have been singled out and canceled as a result, including Christopher Busey, an associate professor of education at the University of Florida, who says he was threatened with discipline for using the term “critical race” in his curriculum.¹³ And in Idaho, Boise State abruptly canceled fifty-two classes of a diversity-related course because of an unsubstantiated rumor about a video of a white student being made to feel uncomfortable. A subsequent independent investigation by an outside law firm found no evidence that any such incident ever occurred.¹⁴

Ironically, the right and the left have traded places when it comes to imposing what are effectively campus speech codes. While the right once decried the dangers of curtailing campus discourse in the name of political correctness in the nineties, some conservatives are today wielding the very same tool to influence campus discourse for their own ends.

Even those strictly dedicated to advancing a conservative agenda are being shortsighted when they advance bills like the Stop WOKE Act. They’re ignoring the dangerous precedent being set. Handing administrators the right to fire professors who think the wrong way is something that with near certainty will backfire on conservatives by legitimizing speech codes that will be used against them.

Although these bills might be a powerful cudgel in the culture wars today, they’re actually not very popular with the general public. According to an October 2022 YouGov survey,¹⁵ only 19 percent of Americans support bills that regulate what college professors can say in class. Even though Republican lawmakers are advancing these bills across the country, only 30 percent of everyday Republicans actually support the legislation.

The bottom line: Bills that dictate what can and cannot be said on college campuses are unconstitutional *and* unpopular.

Book Banning

Fighting attempts to ban books from both the left and the right has been a decades-long struggle for free speech activists. In recent years, the conservative war on ideas has crept from classroom curriculum into the library. An explosion of book banning has taken libraries by a storm. As Will Creeley, FIRE legal director, put it, “There’s always been some amount of book banning, but this is unprecedented. It is a tsunami—it is an avalanche of censorship.”¹⁶

According to a report from the American Library Association,¹⁷ 2021 saw the largest number of banning attempts recorded in their twenty-year history. The group recorded 729 individual challenges to 1,597 book titles—up from just 273 in 2020 and 377 in 2019. School boards across the country are yanking titles left and right from library shelves in their districts, often prompted by parental complaints. These are just a few examples:

- Canyons school district in Utah pulled *The Bluest Eye* by Toni Morrison from library shelves in response to an emailed complaint from a mother.¹⁸
- In Katy, Texas, *New Kid* by Jerry Craft was pulled from the school library in 2021, and a visit by the author was canceled on the grounds that the book was “inappropriate instructional material” that made “white children... feel like oppressors.”¹⁹
- The Spotsylvania District school board in Virginia pulled titles with LGBTQ themes and demanded a library-wide review of inventory in search of what one official dubbed “bad, evil-related material.”²⁰ While that move was ultimately reversed²¹ following backlash, the next year the district decided five “inappropriate” titles needed to be removed from *high school* libraries.²²

- Alpine School District, which is the largest in Utah, removed 52 titles from its school libraries.²³ They also flagged an additional 32 books for “later review” by school board members. Although they ultimately returned the books to shelves, they only did so following public backlash.
- In November 2022, the school board in Keller, Texas, adopted new guidance which bans books from all libraries (including high school ones) with *any* references to “gender fluidity,” the view that “gender is merely a social construct” or that “it is possible for a person to be any gender.”²⁴

And it’s not just school boards who are moving to limit what ideas students can engage with in the library. Often, the legislature also intervenes. Some examples include:

- In February 2022, Oklahoma lawmakers proposed Senate Bill 1142, which would expressly prohibit school libraries from carrying certain books.²⁵
- In October 2021, the Texas House Committee on General Investigation distributed a letter to the state’s Education Agency and every single school district.²⁶ It contained a 850-title-long list of books and a request that each school library return tallies on how many copies of each title were in their possession and how much money had been spent on them. If that doesn’t already sound deliberately burdensome enough, they also asked that libraries “identify any other books or content” pertaining to an enormous variety of topics, including human sexuality and sexually transmitted diseases, or any title that may “contain material that might make students feel discomfort, guilt, anguish, or any other form of psychological distress because of their race or sex... whether consciously or unconsciously.”

It's clear that these attempts to strip certain materials from schools have consequences. But just how much power do lawmakers have over what titles populate public school libraries' shelves? To answer that question, we turn to the 1982 Supreme Court decision in *Board of Education, Island Trees Union Free School District No. 26 v. Pico*.²⁷

The case was spurred by a Long Island school board's motion to remove nine "objectionable" books off their libraries' shelves. Members argued they had a "moral obligation [to] protect the children in [their] schools from this moral danger" (an eerily familiar line of defense to those watching modern book bannings take place). Four students sued, arguing their rights were abridged. And the case ended up before the Supreme Court.

Ultimately the bottom line conclusion was: the state may not remove books already in a K-12 library due only to hostility to their viewpoint.

The court reaffirmed that the content of *in-class* K-12 curricula is cleanly under the jurisdiction of school boards because students are captive audiences of the state and therefore democratic will should be applied to deciding what happens in that context. But a plurality of the court drew a line at the library door, where students are free to explore ideas at their own discretion.

As FIRE legal director Will Creeley puts it, "The library is different. Unlike the classroom, information does not travel down a one-way street; in the library, students have the freedom to choose their own adventure."²⁸

Writing for the plurality, Justice Brennan acknowledged that officials can only make decisions about what titles libraries carry if they are completely neutral and apolitical in applying their standards. School boards "rightly possess significant discretion to determine the content of their school libraries," he wrote. "But that discretion may not be exercised in a narrowly partisan or political manner.... Our constitution does not permit the official suppression of *ideas*."²⁹

Justice Brennan also recognized the importance of ensuring young Americans could use their library for free and unfettered engagement with ideas. In his estimation, the school library is a practice ground for "active and effective participation in the pluralistic, often contentious society in which they will soon

be adult members.”³⁰ And so *Pico*’s framework was established: the school board’s reach into the library is severely limited, and any sort of review process for books must be clear, consistent, and nonpolitical.

But *Pico* certainly doesn’t imply that there are no instances in which it’s appropriate for a school board to intervene and censor particular material. While removing a title because you don’t like the viewpoints expressed is a no-no, decisions on age appropriateness are within the jurisdiction of a school board. Some of the titles frequently singled out for banning could conceivably hit the threshold of inappropriate for school-aged children.

The most targeted title in 2021 was *Gender Queer*,³¹ a graphic memoir by Maia Kobabe which depicts the author’s exploration of gender identity. Illustrations in the book are at times extremely graphic and include an illustration of oral sex. In this case and others like it, the question of age appropriateness is most likely something legislatures can exercise some power over, particularly when it comes to libraries servicing younger children.

But while titles like *Gender Queer* could be censored for their age appropriateness at school libraries, the same is not true when it comes to public libraries. In that scenario, a book would have to reach the threshold of obscene by depicting or describing patently offensive “hard-core” sexual conduct while also lacking “literary, artistic, or scientific value”—something this title comes nowhere near. Yet *public* libraries are seeing more and more book banning attempts pour in. For instance:

- Residents of Jamestown Township, Michigan, voted in favor of defunding the town’s only public library in November 2022,³² following a local conservative campaign against LGBTQ titles in the library. The funding cut sparked resignations and staffing shortages and put the library at risk of closing permanently.
- In the summer of 2022, two Virginia politicians petitioned to have two books (*Gender Queer* and *A Court of Mist and Fury*) declared obscene,³³ reviving a long-forgotten state statute to pull the titles from bookstore shelves. Ultimately, their attempt was overturned in court.

- An Iowa public library had to temporarily close³⁴ after an interim director who is gay resigned following reported intense local pressure to censor books with LGBTQ themes.
- In November 2022, the town of St. Mary's City, Kansas, threatened to pull a regional library's lease ³⁵ after it refused to remove "divisive" titles from its shelves.

Censorial moments like these are precisely why FIRE moved to cosponsor a resolution from federal lawmakers to officially recognize Banned Books Week. Introduced in September 2022 by Maryland representative Jamie Raskin and Hawaii senator Brian Schatz, the week is meant to call attention to a growing problem that ultimately threatens the constitutional rights of the censored and the censors alike.

As Will Creeley put it, "No matter what your beliefs, no matter what your party affiliation, you should be very nervous because that axe swings both ways. Today, folks are coming for books dealing with the LGBTQ community, tomorrow they'll be coming for books dealing with faith.... Once you start banning books, it is a very slippery slope."³⁶

While conservatives have taken charge of the war against Cancel Culture, they must practice what they preach, whether they are a legislator or an ordinary citizen. But many on the right continue to reflexively engage in their own form of Cancel Culture in spite of their fight against it.

Case Study: Campus Cancel Culture from the Right

“What is the solution to right-wing Cancel Culture? It’s the same as the solution to left-wing intolerance. Reform has to come from within. Right has to reform Right, and Left has to reform Left. And that means that the in-group moderates have to find their voices. They have to confront the scorn and the threats and respectfully but firmly make their dissent known.”¹

—David French

In January 2020, Babson College was flooded with outraged tweets demanding the takedown of a supposedly dangerous professor. “Why does @Babson ‘College’ have an America-hating terrorist supporter on their payroll?” one post read.² “Ask them,” the user suggested, sharing the school’s phone number and inviting Twitter users to barrage the college with demands to fire Asheen Phansey.

What did the professor say to invoke such a strong reaction?

When President Trump threatened to bomb fifty-two Iranian cultural sites if Iran retaliated for the assassination of General Quasem Soleimani (a move by the then president that almost certainly would have constituted a war crime according to Article 53 of the Geneva Conventions had it been carried out), Phansey took to social media to criticize the president, jokingly suggesting American targets Iran could strike back at.

“In retaliation, Ayatollah Khomeini should tweet a list of 52 sites of beloved American cultural heritage that he would bomb,” he wrote on his private Facebook page. “Um... Mall of America?... Kardashian residence?” The post started gaining attention after a screenshot was shared with a local gossip blog, and soon a Twitter pile-on swooped in and began willfully misreading his joke as a literal threat. Phansey found himself in a standoff with a Cancel Culture mob.

It was a stereotypical and outrageous case of campus censorship, in all ways but one: It wasn't the left coming for him. Instead, he was facing down outraged conservatives.

Babson almost instantaneously caved to the pressure, suspending Phansey pending investigation.³ The next day, after a *single* day spent conducting a "thorough investigation," he was fired for his speech clearly protected under the school's own promises of free speech and academic freedom. In a statement, Babson condemned his "threatening words and/or actions condoning violence" and even implied they had completed their investigation with police cooperation. An investigation by FIRE revealed that public records do not support such claims.

Babson unceremoniously parted ways with Phansey after he'd been at the college for more than a decade... over a Kardashian joke on his personal Facebook page.

Conservative Cancel Culture on Campus

Campus Cancel Culture typically evokes the image of a woke mob coming for an embattled conservative professor; right-leaning media does have a virtual monopoly on tales of campus craziness, after all. But Phansey's story is, unfortunately, not at all uncommon. In fact, a large proportion of professor cancellations come from the right.

Examples of conservative intolerance for voices on the left are numerous, and every year more and more professors find themselves losing their jobs because of it. Just to name a few:

- Michael Phillips,⁴ Suzanne Stateler Jones,⁵ and Audra Heaslip⁶ were terminated by Collin College after criticizing the college's Covid-19 policies for not being strict enough. And just in the past year, the college dug in deeper by firing two professors who called for the removal of Confederate statues.

- The University of Florida⁷ barred professors Jeffrey Goldhagen, Sharon Austin, Daniel Smith, Michael McDonald, Teresa Jean Reid, and Kenneth Nunn from testifying and assisting plaintiffs in various lawsuits against the Republican-led state of Florida in 2021.
- Louis Kwame Fosu asserts that the University of Rhode Island retaliated against him for advocating for greater diversity among the campus leadership by firing him in 2021.⁸
- A group of roommates at Montana State University were told by the administration to remove a Black Lives Matter flag in their dormitory room window because it could be “offensive.”⁹
- The University of Kentucky investigated a group of female students after they danced in front of an anti-abortion display and one student said “no uterus, no opinion.”¹⁰

FIRE’s analysis¹¹ of professor-targeting incidents—defined as a campus controversy involving efforts to investigate, penalize, or otherwise professionally sanction a scholar for engaging in constitutionally protected forms of speech—reveals that more than 400 instances have occurred since 2014 coming from the right, representing approximately 40 percent of all recorded cancellations and about one third of professor sanctions.

Easily the highest-profile cancellation attempt was directed toward Nikole Hannah-Jones at the University of North Carolina, Chapel Hill. In April 2021, UNC announced that the *New York Times* journalist who spearheaded the controversial “1619 Project” would join its Hussman School of Journalism and Media, holding the tenured position of Knight chair in race and investigative journalism. Following outrage by conservatives, the Board of Trustees refused to approve the offer of tenure, and instead, Hannah-Jones was offered a five-year contract with the option for tenure review.¹²

Instances of conservatives targeting professors go back to Cancel Culture’s earliest days. In a notable case from 2013, University of Kansas journalism professor David Guth found himself canceled for tweeting at NRA members in reaction to a mass shooting in Washington, D.C.’s Navy Yard neighborhood

which claimed twelve lives, “Next time, let it be YOUR sons and daughters. Shame on you. May God damn you.”¹³

Even after Guth was put on administrative leave and the university condemned the tweet, he was targeted by Republican legislators who demanded the tenured professor be fired. Republican state senator Greg Smith even went so far as to threaten¹⁴ that he would not “support any budget proposals or recommendations for the University of Kansas” until further action was taken against Guth.

It may come as a surprise to readers that more professors came under fire from the right than the left in 2017. The uptick of conservative outrage directed toward professors that year came at a time of renewed conservative interest in campus craziness—and the launch of actual initiatives to cancel lefty professors.

Just a year earlier in 2016, conservative advocacy group Turning Point USA had published their Professor Watchlist, a distinctly illiberal database of professors accused of being too radical. It launched with the express mission of “[exposing] and [documenting] college professors who discriminate against conservative students and advance leftist propaganda in the classroom.”¹⁵

By the end of its first year, entries on the watchlist had already grown into the hundreds. Both high- and low-profile professors found their names, faces, and places of work plastered on the database, along with blurbs about the allegations made against them. While Turning Point USA has the right to call out professors, many entries have explicit calls to report professors for protected speech.

The watchlist has come under fire for its very apparent illiberal tactics. George Yancy, an Emory University professor who found himself on the watchlist, wrote about his experience for the *New York Times* in 2016.¹⁶ “The new ‘watchlist’ is essentially a new species of McCarthyism, especially in terms of its overtones of ‘disloyalty’ to the American republic,” he wrote. “It is a form of exposure designed to mark, shame, and silence.”

In the years since the watchlist’s launch, conservative public shaming campaigns have been ratcheted up to a new level by the now-infamous Twitter account @LibsofTikTok, which aims to expose left-wing excesses. But the

account often targets specific individuals in the process, unleashing its 2 million followers on unwitting woke targets for cancellation. FIRE has stepped in on numerous occasions to defend the speech rights of faculty targeted by Libs of TikTok.

And it's not only professors who face campus censorship from the right. Students do, too. In June 2021, Stanford Law School student Nicholas Wallace was investigated for a clearly satirical email he sent in which he claimed to be writing on behalf of the Federalist Society and promoting an event called "The Originalist Case for Inciting Insurrection" featuring Senator Josh Hawley and Texas attorney general Ken Paxton. In response to a FedSoc officer's claim that the satirical email defamed the two elected officials and the organization, Stanford put the granting of Wallace's diploma on hold.^{[17](#)}

It's clear by now that both the left and the right can perpetuate Cancel Culture. And the only way out of this sticky situation is for both sides to adopt an attitude that it's okay for people in our society to have radically different points of view on any number of issues.

And yet, for some on the right, a false sense has arisen that the way out of Cancel Culture is more Cancel Culture.

Chapter 8

The Efficient Rhetorical Fortress

“Despite its complaints about ‘cancel culture,’ the MAGA right has enthusiastically embraced retaliation against Trump’s critics, while using the power of the state to punish private actors who engage in wrongthink.”

—Charlie Sykes¹

He endorsed the Covid-19 vaccine. And for that he lost his job.

On August 1, 2021, as the Delta variant swept the country, the spokesman for the National Religious Broadcasters association, Daniel Darling, published an op-ed entitled “Why, as a Christian and an American, I Got the Covid Vaccine” in *USA Today*.²

“We are experiencing a deficit of trust in our institutions,” he wrote. “At almost every level—political, business, religious—we have seen profound and catastrophic failure by those we’ve asked to lead us.... And yet, in spite of this cloud of confusion and era of mistrust, I felt it was important for me and my family to get the vaccine. As a Christian and an American, I was proud to get it.”

The evangelical author then appeared on MSNBC’s *Morning Joe*,³ where he further explained his choice to get vaccinated, despite relatively high rates of vaccine hesitancy in the Evangelical community:⁴ “We are to love our neighbors, and one of the things we do when we get a vaccine is... do our part in not spreading the virus and hurting our neighbors. The way to persuade people from getting a vaccine is not gonna come from top down, it’s not gonna come from elites. It’s gonna come from people closest to people—their doctors, their pharmacists, their pastors.”

In response, the National Religious Broadcasters, America’s largest Christian communication association, accused Darling of violating their policy of

neutrality on the vaccine. He was asked to accept a demotion and sign a statement admitting his statements were an act of insubordination.⁵

Darling refused, and on August 27, he was “terminated for willful insubordination.” T A. Miller, the group’s CEO, a friend of seven years, and the fellow church elder who’d personally hired Darling, responded by wishing him “God’s best in all his future endeavors.”⁶

And yet, just months earlier, Miller had called the vaccine “stunningly effective”⁷ in a bid to get members to come to an in-person conference. And his organization, according to its own website, upholds a mission of “[working] to protect the free speech rights of our members.”⁸

“I’m grieved that the issues that divide our country are also dividing Christians,” Darling lamented in a subsequent statement. “My desire is to build bridges and bring Christians together around our common mission of loving Jesus and loving our neighbor, but sadly we are sometimes tempted by the same things that tempt the world.”⁹

In Chapter 5, we explored the no-man’s-land of cheap tactics both sides share (whataboutism, strawmanning, accusations of bad faith, etc.). And in Chapter 6 we discussed the Perfect Rhetorical Fortress, a multilayered, identity-based tool the left weaponizes against its ideological enemies.

But the right has its own special tactics for dismissing arguments it doesn’t like. Unlike the convoluted Perfect Rhetorical Fortress, the right’s Efficient Rhetorical Fortress is... well, *efficient*. That’s because in one fell swoop it gets rid of so many viewpoints with three simple rules:

1. You don’t have to listen to liberals (and anyone can be labeled “liberal” if they have the “wrong” opinion).
2. You don’t have to listen to experts (even conservative experts, if they have the “wrong” opinion).
3. You don’t have to listen to journalists (even conservative journalists if they have the “wrong” opinion).

4. And, among the MAGA wing, there's a fourth provision: You don't need to listen to anyone who isn't pro-Trump.

With this handful of quick categorical eliminations, you can cover your ears anytime anyone claiming to have authority opens their mouth.

The right's rhetorical fortress is far simpler than the left's—and therefore the “efficient” fortress—for a simple reason: where each came from. The Perfect Rhetorical Fortress was crafted on campus and refined in college dorm rooms and academic departments, where layer upon layer of rhetorical dodges were added on. The right's efficient fortress, on the other hand, arose largely out of everyday politics and talk radio. As a result, it's much leaner.

The Efficient Rhetorical Fortress is rooted in the right's growing distrust of authority—a distrust that's sometimes been well earned by the experts appointed to lead us. This suspicion was only exacerbated by the Covid-19 pandemic, when unscholarly certainty about the developing crisis came down from on high and was often parroted by journalists.

But, rather than take each and every statement from authority at face value, the response by those who weaponize the Efficient Rhetorical Fortress is to group all experts together and automatically shut them down, no matter the content of their speech. A similar instinct was at play when those on the right who criticized, doubted, or even questioned Trump were summarily dismissed for turning their backs on the emerging MAGA “team.”

As David French pointed out in a 2022 article in the journal *Sapir*, where those on the left tend to cancel those who (at least in their view) are on the right, conservatives more often take aim at one another: “Note that in many of the Cancel Culture incidents [on the right], the cancellation is fratricidal. They represent Right-on-Right aggression, with radicals taking aim at perceived disloyalty.”¹⁰

French explained, “In-group moderates represent a far more immediate threat to any radical enterprise than out-group opponents. The in-group moderate is often speaking to the same constituency as the radical, and the battle for hearts and minds of a party or an institution is immediate and tangible.” The

pejoratives abound: RINO (Republican in name only), Never-Trumper, traitor, etc.

This demand for in-group purity has reached to the highest echelons of conservative America. Even Megyn Kelly (who gave Rikki her first job in the media world) was torn down by conservative Cancel Culture. It all started on August 6, 2015, when Kelly asked then presidential candidate Trump a tough question in the first Republican debate.

“One of the things people love about you is that you speak your mind and you don’t use a politician’s filter; however that is not without its downsides, in particular when it comes to women. You’ve called women you don’t like fat pigs, dogs, slob, and disgusting animals.... Does that sound to you like the temperament of a man we should elect as president?”^{[11](#)}

That’s when Trump decided to tear Kelly down. The following day, he told CNN she had “blood coming out of her wherever,” presumably an allusion to menstruation. Then came a months-long Twitter campaign against the *Kelly File* host in which he continuously called her “crazy” and said she was “average in so many ways.”^{[12](#)}

Trump even went so far as to directly demand his viewers no longer watch her show, tweeting on March 18, 2016, that “everybody should boycott the @megynkelly show. Never worth watching. Always a hit on Trump! She is sick, & the most overrated person on tv.”^{[13](#)}

With a contract running up, Kelly made the jump to NBC, where she encountered... even more Cancel Culture, this time from the opposite side of the political aisle.

In October 2018, Kelly was unceremoniously fired from her show *Megyn Kelly Today*^{[14](#)} for her comments during a segment about political correctness and Halloween costumes in which she said of blackface, “Back when I was a kid, that was okay, as long as you were dressing up as a character.”

Despite a public apology she says she later regretted, her three-year contract was terminated just two years in. She later reflected on the experience of getting canceled by both sides in an interview with Bill Maher.^{[15](#)} “The country’s going through something right now,” Kelly said. “Marginalized groups are rising up

and are trying to find equal positions at the table—and that is a good thing... but the question is do we do it with grace and humanity and understanding that people make mistakes and that we're all imperfect and that we're going to screw up?... We can't expect a perfect score from any person."

Kelly was just one of *countless* right-leaning journalists Trump took aim at in his first election cycle. In 2015, he also personally called for Charles Krauthammer, a media star and regular Trump critic, to be fired by Fox.¹⁶ He said *National Review's* Rich Lowry "should not be allowed on TV" and that the "FCC should fine him!"¹⁷

Following his Nevada caucus victory in February 2016, then candidate Trump tweeted that "dopey" Karl Rove "should be fired" because he was "the only one who said anything bad about last night's landslide victory."¹⁸ And that same month, he called on the *Wall Street Journal* to fire its pollster and its *entire* editorial board.¹⁹ These are just a handful of examples.

Then, after the 2020 election, Trump's demands for allegiance and his casting of doubts on the election's integrity caused a second mass exodus in conservative media.

After over a decade on the Fox News election analysis team, Chris Stirewalt found himself at the center of controversy when the network's Decision Desk called Arizona for Biden in the 2020 election well before other networks officially made a decision on the state—much to the chagrin of the Trump coalition.

He was terminated²⁰ in a January 2021 network restructuring and alleged in his book *Broken News*, "I got canned after very vocal and very online viewers—including the then-president of the United States—became furious.... Me serving up green beans to viewers who had been spoon-fed ice cream sundaes for years came as a terrible shock to their systems."²¹

But it's not just journalists and commentators who have found themselves in the cross fire of conservative Cancel Culture. Regular people have, too. This was the case especially when it came to 2020 and Trump's claim the election was stolen, which caused his supporters to take aim at election workers across the nation.

Colorado's secretary of state Jena Griswold was the target of hundreds of threats following the election,²² including one on Facebook which read, "Watch your back. I KNOW WHERE YOU SLEEP. I SEE YOU SLEEPING. BE AFRAID, BE VERY AFRAID." Another Instagram message read, "Penalty for treason? Hanging or firing squad. You can pick, Griswold."

The wife of Georgia's secretary of state Brad Raffensperger received an anonymous text reading, "We plan for the death of you and your family every day" after Trump's defeat. It was followed by another warning that her family was "going to have a very unfortunate incident." And the texts kept piling in.²³

One former Georgia election worker named Ruby Freeman, whom Trump personally referred to as a "professional vote scammer,"²⁴ testified before the January 6 Committee about how the 2020 election fallout impacted her personally: "I've lost my name, and I've lost my reputation. I've lost my sense of security—all because a group of people... scapegoat[ed] me."²⁵

And even conservatives in red areas weren't spared harassment. Leslie Hoffman, an election official in Arizona, resigned from her post in 2022 on account of the "nastiness." She explained, "I'm a Republican recorder living in a Republican county where the candidate that they wanted to win won by 2-to-1 in this county, and still getting grief."²⁶

In fact, a survey from New York University's Brennan Center for Justice found 17 percent²⁷ of local election officials across the country have received threats in the wake of the 2020 election. And a Reuters analysis²⁸ that investigated 850 threats made against election workers by Trump supporters found more than 100 reached a threshold for prosecution.

And the Efficient Rhetorical Fortress has even been weaponized by administrators to cancel anti-Trump students on college campuses. Perhaps the most egregious such incident occurred at Liberty University, a private Baptist university in Lynchburg, Virginia.

According to a report from *WORLD* magazine,²⁹ the school intervened on numerous occasions to stop anti-Trump content from being published in the

student-run newspaper the *Liberty Champion*. In 2016, a column by then sports editor Joel Schmieg criticizing Trump for his “grab them by the pussy” remark was removed.

Then in 2018, an article by editor in chief Jack Panyard about unmarried pregnant students was cut before publication—the second piece of his that had been pulled in a year. That’s when he blew the whistle and revealed that he was being targeted by the administration for publishing inconvenient content.

Panyard says he was warned by Dean of School of Communication and Digital Content Bruce Kirk that the school was reorganizing the *Liberty Champion* and would be axing his editor in chief role.

Kirk apparently told *Liberty Champion* staffers:³⁰ “Your job is to keep the LU reputation and the image as it is.... Don’t destroy the image of LU. Pretty simple. OK? Well you might say, ‘Well, that’s not my job, my job is to do journalism. My job is to be the First Amendment. My job is to go out and dig and investigate, and I should do anything I want to because I’m a journalist.’ So let’s get that notion out of your head. OK?”

A subsequent 2019 op-ed³¹ by former editor in chief Will E. Young described a “culture of fear” and “censorship regime” that “worsened during [his] four years on campus because of the 2016 presidential election”—something Liberty University president Jerry Falwell Jr. has effectively admitted to by saying, “Do the students have complete autonomy to print anything they want? Of course not.”³²

And yet in 2019 Falwell promised to “uphold freedom and put its ideals into practice” and asserted “free speech and intellectual diversity are two of the most important pillars of a college education.”³³ But these words fall flat when looking into Liberty University’s record on freedom of the press *and* freedom of association on campus.

Bear in mind, these guarantees came from the president of a college that even went as far as to de-recognize its College Democrats club.³⁴ Back in 2009, the student group was told it couldn’t be officially recognized because of its affiliation with the national Democratic Party.

As Mike Hine, the vice president of student affairs, explained at the time, “The Democratic Party is contrary to the mission of Liberty University and to Christian doctrine” because it “supports abortion, federal funding of abortion, advocates repeal of the federal Defense of Marriage Act, promotes the ‘LGBT’ agenda, hate crimes, which include sexual orientation and gender identity, socialism, etc.”

Another example of conservative Cancel Culture came in 2022 when Sarah Isgur, conservative former Justice Department spokeswoman during the Trump administration, spoke at Yale Law School. There she found herself being heckled by a fellow conservative student she says went on a “tirade” against her for “buddying up” to the school administration after he saw her hug the associate dean of students, who happened to be a longtime friend. The political tension on college campuses is so severe that even a cross-aisle hug is traitorous.

“My own interaction with a conservative student shows how much today’s students—across the ideological spectrum—are incapable of separating the personal from the political, how they view the opposing side as enemies unworthy of being listened to,” Isgur wrote in *Politico* about the ordeal, nodding to the Great Untruth of Us Versus Them. “The result is intellectual close mindedness on both sides: Neither side needs to engage with the other because there is nothing left to debate in their view.”³⁵

Although twenty-first-century conservatives typically fashion themselves as the champions of free speech standing in the face of “woke” illiberalism, there’s a steady creep of reflexive illiberalism creeping into mainstream right-wing discourse.

A new strain of “common good conservatism” is normalizing free speech skepticism on the right. Also dubbed “post-liberals” and “integralists,” this cohort of conservatives are united by, as Ian Ward of *Politico* puts it, “a shared desire for a more muscular judiciary, one that sheds the guise of judicial neutrality in favor of a more assertive right-leaning posture.”³⁶

Adherents to this new strain of right-wing thought generally subscribe to an alternative legal theory to conservative originalism called “common good constitutionalism.” It’s been popularized by Harvard constitutional law professor Adrian Vermeule, who claimed in a March 2020 *Atlantic* article that

“the central aim of the constitutional order is to promote good rule, not to ‘protect liberty’ as an end in itself.”³⁷

Vermeule advocates for “an *illiberal legalism* that is not ‘conservative’ at all, insofar as standard conservatism is content to play defensively within the procedural rules of the liberal order.” He also promotes “a candid willingness to ‘legislate morality’—indeed, a recognition that all legislation is necessarily founded on some substantive conception of morality, and that the promotion of morality is a core and legitimate function of authority.”

Vermeule even goes as far as to make the case that “constitutional words such as *freedom* and *liberty* need not be given libertarian readings; instead they can be read in light of a better conception of liberty as the natural human capacity to act in accordance with reasoned morality.”

His theory of “common good” constitutionalism has drawn criticism from many on the right and left, including First Amendment lawyer Robert Corn-Revere, who wrote:

*Common Good Constitutionalism appears to be a fringe theory from the Opus Dei wing of the conservative movement. It is more than a little ironic that critics of substantive due process as a source of individual rights would embrace what they call an unwritten set of legal principles and moral norms as a source of governmental authority to impose their view of the common good. Like the critical race theorists on the left, they seem to read the Constitution as a policy document that can be bent to serve their political preferences.*³⁸

And yet the theory’s influence continues to spread among fellow conservative thought leaders. That includes *Newsweek* opinion editor and syndicated columnist Josh Hammer, who argued in a February 2021 article for his publication, “An intense focus on free speech as an intrinsic end... misunderstands the historical understanding of free speech, which was not that of an intrinsic good unto itself but instead that of a merely convenient instrumentality in pursuit of genuine truth and knowledge.”³⁹

Instead of free speech absolutism, Hammer urges conservatives to adopt a more limited understanding of First Amendment rights: “Conservatives who are confident in their convictions should not be afraid to defend their substantive beliefs, whether about human sexuality, immigration levels or any other contemporary issue of public policy, without pleading to be left alone due solely to pluralistic commitments to religion or speech.”

This new faction includes Missouri senator Josh Hawley, who argued in a June 2020 speech on the senate floor that “the end of the conservative legal movement... as we know it” is nigh.⁴⁰ He continued, “If you can invoke textualism and originalism in order to reach a decision [and] an outcome that fundamentally changes the scope and meaning and application of statutory law, then textualism and originalism and all of those phrases don’t mean much at all.”

And it’s not just right-wing thought leaders who are dabbling in illiberalism. Polling reveals that anti-free speech tendencies are spreading among the entire conservative populace—who have a decreasing affinity for democracy and an increasing acceptance of violence as a legitimate means of opposing political enemies.

Some conservatives are turning their backs on argumentation and are embracing the Great Untruth of Us Versus Them. A CBS/YouGov 2022 poll found that, while 51 percent of Republicans consider Democrats their “political opposition,” 49 percent say they are more accurately described as “enemies.”⁴¹

Another CBS-YouGov poll from 2021 also found that nearly half of Republicans said the better strategy for success in the 2022 and 2024 election cycles was changing the voting rules in states and districts, rather than developing “popular policies and ideas.”⁴²

Where ideas don’t prevail, violence is often resorted to. A survey released by the *Washington Post* days before the first anniversary of January 6⁴³ found that 40 percent of Republicans said committing violence against the government was sometimes justified—a figure that’s “considerably higher” than similar polls years earlier.

And an American Perspectives poll from that same month found similar results, with 39 percent of Republicans agreeing with the statement “If elected leaders won’t protect America, the people must act—even if that means violence.”⁴⁴

A 2022 Knight Foundation survey⁴⁵ revealed that 33 percent of Republicans thought entering the Capitol on January 6 was legitimate First Amendment expression. Meanwhile, only 56 percent of Republicans thought the same of the George Floyd protests in the summer of 2020.

It’s certainly worth noting that it’s not just conservatives who are sympathetic to these forms of illiberalism. That same CBS poll found Democrats barely fared better in terms of seeing their adversaries as enemies. Forty-seven percent reported seeing Republicans as enemies, not opposition.⁴⁶

And that same *Washington Post* poll found that 23 percent of Democrats also say violence against the government is sometimes okay.⁴⁷ And, surprisingly, the Knight Foundation found that 12 percent of Democrats—nearly one in eight—thought January 6 was legitimate First Amendment expression.⁴⁸

But, nonetheless, the right should be called out for distancing itself from democracy and cozying up to violent tendencies. Both are signs that solving conflict with debate, compromise, and free expression are falling to the wayside among conservatives who purport to be on the side of free speech.

To live up to that promise, the right must not allow its illiberal extremes to prevail.

As David French put it, “Reform has to come from within. Right has to reform Right, and Left has to reform Left. And that means that the in-group moderates have to find their voices. They have to confront the scorn and the threats and respectfully but firmly make their dissent known. Cancel Culture feeds on its own victories. It is drained by its defeats. There is no better way to end intimidation than by refusing to be intimidated.”⁴⁹

Case Study: Psychotherapy

“One of the most consistent questions that came up in my classes was ‘What do we do if someone we’re seeing expresses hateful views, like a real Trump supporter?’ This question always struck me as incredibly odd; my internal thought was ‘you treat the client, because that’s your job...’ However, others didn’t see it that way. They said that if they encountered a client with ‘hateful views’ (which basically amounts to any cultural/religious/political opinion that the therapist personally disagrees with), they would interrupt the session to ‘correct’ and ‘educate’ the client, even if it had nothing to do with the therapy!”¹

—Anonymous student in a prestigious psychology doctorate program

Imagine you’re terribly depressed. At the behest of your loved ones, you finally muster up the courage to go for help. You spend tons of money and hours of your time developing a rapport with a therapist and begin to let your guard down.

But as soon as you start really getting to the crux of your troubles and pouring your thoughts and feelings out to your therapist, something changes. Rather than lending you a sympathetic ear or constructive advice your therapist begins to lecture you about your privilege based on your race or gender.

It’s not about your problems: *You are the problem.*

It may be hard to believe, but this method of therapy—in which the patient is viewed through a lens of personal privilege and group identity—is creeping into more and more psychological schools and psychological practices.

Back in 2020, political commentator Bridget Phetasy noted the issue in a tweet: “One of the things I’m hearing over and over is people telling me their

therapist will shame them for feeling politically homeless or voting for Trump and FUCK THAT. What's the point of going to therapy if you have to self-censor. Fire them.”²

We decided to solicit input from the Twitter hivemind and found that many people have indeed experienced this firsthand, including podcaster and FIRE board member Kmele Foster, who recounted a similar experience with his therapist: “Well I wasn’t going to pay her to continue *explaining* the connection between my philosophical/political convictions and ‘internalized white supremacy.’ Seemed like a bad investment.”³

One mother shared that her teenage son went to two therapists while struggling to adjust to remote learning in the pandemic and “BOTH initiated discourse on ‘white male privilege’ with [her] despairing son.”⁴ Another Twitter user admitted, “This has kept me from looking for a therapist.”⁵

There’s perhaps no more intimate relationship between the medical establishment and the general public than the relationship between patient and therapist. And yet even psychology has been taken over by people eager to infuse activism into their practice. And it’s not just rogue therapists: major psychological organizations are starting to take a stand in favor of bringing politics into their practices.

The Governing Council for the American Counseling Association endorsed the “Multicultural and Social Justice Counseling Competencies” guidelines, which say a “social justice competent counselor” is one who is able to “assist privileged and marginalized clients in unlearning their privilege and oppression” and help clients “develop critical consciousness by understanding their situation in context of living in an oppressive society.”⁶

Even the American Psychological Association is on board. Their “Multicultural Guidelines” assert that psychologists should be on a quest to “address institutional barriers and related inequalities, disproportionalities, and disparities of law enforcement, administration of criminal justice, educational [and] other systems as they seek to promote justice.”⁷

Meanwhile, the American Psychological Association suggests viewing patients through a gender-based lens. In their first ever guidelines for practice

with boys and men released in 2019, the group said their recommendations “draw on more than 40 years of research showing that traditional masculinity is psychologically harmful and that socializing boys to suppress their emotions causes damage. The main thrust of the subsequent research is that traditional masculinity—marked by stoicism, competitiveness, dominance, and aggression—is, on the whole, harmful.”⁸

So what does that mean for boys and men seeking therapy? Well, the association suggests that “when working with boys and men, psychologists can address issues of privilege and power related to sexism in a developmentally appropriate way to help them obtain the knowledge, attitudes, and skills to be effective allies and potentially live less restrictive lives.”⁹

“A common thread in these directives,” wrote Dr. Sally Satel in an article for the *Spectator*, “is the total disregard for the patient’s agency, assuming that social forces are the singularly important determinant of their problems.”¹⁰

Dr. Satel, a lecturer at Yale Medical School and visiting professor at Columbia University, is one of the brave dissenters ringing the alarm bells in the world of psychology. Her article investigated how ideology crept into therapists’ offices in the form of “social justice therapy.”¹¹

“Good therapy helps clear a path to autonomy,” she explained. “Social justice therapy inculcates victimhood by convincing patients about how they had little choice or agency.... Of course, skilled therapists must respect cultural values and traditions and educate themselves as best as possible in local anthropology. But preparation and sensitivity of this sort is far different from bringing a largely pre-ordained, victim-oriented cultural script to a session and imposing it on a client.”¹²

This social justice approach to therapy may not only encourage patients to see themselves as victims, but also discourage people who are seen as perpetrators from seeking help. This could further increase the risk of suicide among a group already at the highest risk. The American Foundation for Suicide Prevention found that in 2020, white males—who are considered the most privileged and powerful according to the social justice framework—made up nearly 70 percent¹³ of suicide deaths in 2020.¹⁴

As the tide shifts away from individualized therapy to social justice–infused counseling, those who question this disturbing trend often find themselves on the other side of a cancellation attempt. Dr. Satel is no exception.

In January 2021, Satel, who had been a resident at Yale’s department of psychiatry for four years and a professor for five, delivered the department’s Grand Rounds lecture. Her talk, titled “My Year Abroad; Ironton, Ohio and Lessons from the Opioid Crisis,” detailed a year she spent researching drug addiction and fighting the opioid crisis. Satel had uprooted her life and moved to Appalachia for the sake of her research.

In her speech, Satel discussed the roots of substance abuse, the devastation it causes, and the misconceptions she argues have dragged out the crisis. The lecture was well received, but a month later John H. Krystal, chair of the psychiatry department, received a letter of complaint from an unnamed “group of Yale Psychiatry residents.”¹⁵

The “anonymous subset” wrote to Krystal to “express [their] disappointment” about the event. They even took issue with the timing of the event in the weeks following January 6: “This presentation was given two days after the white supremacist insurrection that occurred at the Capitol and was further traumatizing to us and many of our colleagues.”¹⁶

The letter took issue with her invitation in the first place, asserting that Dr. Satel, who is a classical liberal, is “widely known for her problematic and racist cannon.”¹⁷ To back up their claim, they cited two publications from 2001 and 2006. The former was Satel’s retort to Al Sharpton’s claims that bias is the root cause of disparate racial health outcomes. The letter describes Sharpton as “an exemplary individual and activist” (subtext: beyond scrutiny) and even calls Satel out for her “audacity to challenge” him in the first place.¹⁸ The latter example cited her book *The Health Disparities Myth*, which contends that race alone is less predictive of group health than wealth and location. The letter’s authors characterize the argument as a “claim that structural racism is a myth.”¹⁹

They also lambasted the content of the lecture itself, calling it “dehumanizing, demeaning, and classist toward individuals living in rural Ohio and for rural populations in general.”²⁰ The evidence they present for this claim:

an anecdote Satel brought up about a local historian. He owned a coffee shop in Ironton which boasted a \$35,000 coffee machine. She described the business as “an artisanal coffee shop, one I would not expect to find here.” The letter’s response to that side note: “Dehumanization should never be given a platform in Yale Department of Psychiatry.”²¹

There is something almost comical about residents at a college that disproportionately educates the top 1 percent accusing someone who upended her life to spend a year among the poor and suffering in Appalachia of being classist. Nonetheless, the authors took aim at the Department of Psychiatry’s leadership, asking, “Why should we trust that you are committed to anti-racism?” “Will her academic affiliation be re-considered?” and “What will you do differently? Will you continue to invite Grand Rounds Speakers with racist and classist mindsets, like Dr. Satel?”²²

Ultimately, the request to revoke Satel’s lectureship at Yale was not granted (perhaps her high profile outside of Yale helped in that regard). Satel later reflected on the affair in an essay, “I had my own encounter with intolerance in academic medicine,” she wrote. “In important ways, I hardly recognize my profession.”²³

And it’s not just veterans in the field who are blowing the whistle—and getting canceled as a consequence. Students studying to be counselors are, too. Take the case of Leslie Elliott, a self-identified liberal at Antioch University in Seattle, who says her quest for a master’s degree in clinical therapy was derailed when she dissented from activists in the program.²⁴

Elliott alleges that students in her graduate program were required to sign a “civility pledge” that affirmed “their privilege and marginalized identities and the power that those afford.”²⁵ In a series of YouTube videos she criticized the program for teaching that therapists should double as activists and analyze their patients through the lens of “privileged” or “oppressed.”²⁶

“Counselors are being taught not to be objective and neutral with their clients, but rather to view the emotionally vulnerable people who come to see them as opportunities to imprint and spread ‘Social Justice’ ideology,” she declared in one video. “I had a professor at Antioch for a Multicultural

Perspectives class, which was basically a social justice training class, who called white women ‘basic bitches,’ ‘Becky’s,’ and ‘nothing special,’ and told us that white women’s tears have been overvalued at Antioch,” she alleged.²⁷

In response, Antioch’s allied counseling department released a “Commitment to Social Justice in Counseling” in which they called her out for dissent, declaring, “We are aware of material posted online, by one person, expressing white supremacy, transphobia, and other harmful ideologies.... We will not engage in a battle of hate speech on social media.”²⁸ They then went on to offer counseling to anyone impacted by Elliott’s videos. As Pacific Legal Foundation attorney Ethan Blevins put it in an op-ed about the case:

*This pattern has become familiar. One wonders whether there’s a manual that college administrators consult when someone stands up to the orthodoxy. The pattern follows the three Ds of illiberal groupthink. First, Deflect: don’t engage the dissenter’s arguments; instead simply spout hollow buzzwords about the college’s commitment to social justice. Second, Demonize: rather than grapple with the merits of the dissenter’s points, label the dissenter a retrograde racist and declare victory. Third, Dote: express your deep concern for anyone reportedly harmed by the dissenter and promise to repair the wounds of any victims exposed to an alternative viewpoint.*²⁹

In fact, the situation in graduate psychology and counseling programs has gotten so bad that most of the students we spoke to asked to remain anonymous. One anonymous student in an elite doctoral program told us these are a few things he’s heard over the course of his study:

- “Wow, thanks for taking one for the team [by treating men]; I hope never to have to do that.”
- “Professionalism is rooted in white supremacy. It’s an outdated idea that we need to dismantle so we can learn.”

- “People on the wrong side of the intersectionality wheel are either evil or evil by association, having contributed to systemic racism inadvertently.”

He also confirmed that classmates accused white clients of being “fragile” and “weaponizing white tears.”

Indeed, he reports that the environment was so nasty a fellow student who lost a family member to Covid did not tell her classmates out of fear of being dismissed for “white tears” and lectured about how people of color were the real victims of Covid.

So what happens when dissenters get squashed or silenced by Cancel Culture? Well, in this case social justice therapy has been allowed to go awry and actually creep into real-life relationships between therapist and patient.

Andrew Hartz, a clinical psychologist and professor at Long Island University, claims to have witnessed “numerous acts of therapist insensitivity” as a result of politics and ideology creeping into their practices. In an article for the *Federalist*, he shared a variety of examples, including the following, which he’d witnessed at a case conference for a clinic:

In a case conference at a [psychology] clinic, one therapist described a session with a black high school student who was the daughter of African immigrants. This patient reported speaking in one of her classes to say that “all people are the same regardless of race.” In response, her teacher called her “racist” and condemned her views in front of the class.

The patient was tearful and felt humiliated. Yet the providers at the clinic responded to the situation by debating whether the therapist should focus on supporting the patient or advocating for her teacher’s views. Crazy as it may seem, convincing the patient of her teacher’s view on identity politics was seen as therapeutic. Supposedly, guiding her toward “correct thinking” was necessary for therapeutic healing.³⁰

We fear that politicized therapy will prevent people from seeking therapy. And those who do go to a psychologist might actually end up feeling *more* terrible after being berated for their privilege or disempowered on account of their “oppressed” status. In the midst of a mental health epidemic, this is nothing short of dangerous.

“A lack of mental health services for people with unorthodox viewpoints can affect people’s mental health, but it can also affect our culture more broadly,” Andrew Hartz aptly points out. “As more and more people feel voiceless and unable to process difficult experiences, dialogue and relationships can suffer. Over time, these problems can corrode discourse throughout society. Most likely, they already have.”^{[31](#)}

If therapists are more concerned with helping you overcome your group privilege than helping you overcome your personal troubles, we’ve truly reached an abysmal place.

When Greg was in the depths of his own battle with depression, he fortunately found a therapist who didn’t burden him with guilt based on his immutable characteristics. But, had he ended up with a social justice therapist who judged him, he fears he wouldn’t be here today.

Chapter 9

Social Media, Polarization, and Radicalization

“Cancel Culture has really become sort of a source of fear for many Americans, where we live in a culture where you are somehow afraid that if you say the wrong thing that your life could be changed forever.”¹

—Andrew Yang

Imagine you’re debating a contentious issue with a friend. You listen to their point, they listen as you respond, but then things start getting heated. They start condemning your views as reprehensible and beyond the pale. As you attempt to respond, they suddenly scream “Shut up!”

Would being told to shut up ever change your opinion? We imagine not. Would their unwillingness to even hear you out make you even more sure that you must be right? Perhaps.

Well, screaming “Shut up!” is effectively what social media companies are doing to radical users. Should we really be surprised that the effect of censoring them and shutting them down isn’t changing their minds—but actually just further radicalizing them?

In the digital age, social media has become our home for political discourse. It has allowed many more voices to participate in conversations and trade ideas. But it has also polarized us. We’re all guilty of following people on Twitter who confirm our beliefs. Naturally, moving into our own little spheres has made us more tribal and more hostile to the other side.

A 2019 study found that on both the left and right, people overestimate how prevalent extreme views are on the opposite side²—something that was *especially* true of those who rely on social media for their news.

This is the modern manifestation of the anthropological phenomenon *schismogenesis*, which contends that group identity is formed in opposition to competing groups. Like the ancient Athenians and Spartans, by defining ourselves as being “the complete opposite of *those* guys,” we become less and less like each other—and more and more confident that our way is the right way.

This has been true since social media’s inception. But it’s only been worsened by a series of mass bans, particularly on Twitter, the digital home for all things political. In November 2016, Twitter unleashed its first mass alt-right ban. The following year more alt-right and white nationalist accounts were purged after the “Unite the Right Rally” in Charlottesville, Virginia. And in 2018 Alex Jones and InfoWars were kicked off, too.

To be clear, these groups tout some despicable views. But has censoring them made us better off? No. In fact, it actually seems to have *increased* radicalization in these groups. When platforms “cancel” users based on their speech and beliefs, they quarantine them into circles with *less* viewpoint diversity.

Take the rise of Gab, a right-wing Twitter alternative, which the Anti-Defamation League (ADL) dubbed “an online hub for extremist and conspiratorial content.”³ The platform’s growth is tightly correlated with mass censorship events on Twitter. We know that thanks to data from the Network Contagion Research Institute (NCRI) and the ADL’s Center on Extremism.⁴

The first major spike in people flocking to Gab took place when Twitter instituted its first mass ban of alt-right users in November 2016. From there, a consistent pattern emerges wherein new Gab accounts are created following mass bans by mainstream platforms.

The most dramatic incident was a huge influx of users in August 2018 after Proud Boys accounts were purged from Twitter. According to NCRI’s analysis, “months when a Twitter mass ban took place corresponded to more than double the percent of new members on Gab than a typical month.”⁵ And it’s not just a matter of speculation—it’s a matter of conversation on Gab. The word “ban” on the platform spikes in *lockstep* with mass censorship episodes. In fact, “ban” is mentioned in 3 percent of all posts on the platform, putting it in the top 0.1 percent of word usage frequency.

This suggests that a major motivating force for getting—and staying—on Gab is the experience of being squeezed out elsewhere. As NCRI cofounder and chief science officer Joel Finkelstein told us:

Censorship underscores the formation of grievance communities, and it doesn't rehabilitate the people that have been censored. We've seen that in our research and other people's research. It tends to lock in grievances amongst people who are deeply committed, rather than actually rehabilitate them, and then, when those grievances reach a boiling point, it spills out into real world mobilizations, protests and violence.

A recent study by Tamar Mitts, Nilima Pisharody, and Jacob Shapiro⁶ found that groups removed from Facebook for promoting anti-vaccine content used between 10 percent and 33 percent more anti-vaccine keywords on Twitter afterward. And a similar phenomenon occurred when Parler was removed from the Apple app store, resulting in an influx of right-wing users on Telegram.⁷ These findings suggest that censorship on one platform may lead to an increase in the amount of similar content on other platforms. This is the unintended consequence of heavy-handed moderation policies.

Social media censorship creates new ecosystems that are ripe for group polarization. As Harvard law professor Cass Sunstein explained, “People who are opposed to the minimum wage are likely, after talking to each other, to be still more opposed; people who tend to support gun control are likely, after discussion [with each other], to support gun control with considerable enthusiasm.”⁸

For a vivid portrayal of how exclusion makes polarization, paranoia, and radicalism far worse, we highly recommend Andrew Callaghan's *This Place Rules*, which highlights some of the protests and personalities that played large or small roles in the run-up to, and day of, the Capitol riot on January 6, 2021. The documentary does an admirable job of displaying radicalism on both the right and the left, and it shows in real time how both sides participate in a cycle of provocation and reaction that makes them angrier and angrier at each other.

But Callaghan has a grave warning about how badly attempts to censor can backfire: “When you take someone who talks about a deep state conspiracy to silence him and his followers and then you silence him and his followers it only really adds to his credibility,” he says in the film. When you’re dealing with people who believe there’s a conspiracy to shut them up, *do absolutely nothing* that looks anything like a conspiracy to shut them up.

Simply put, censorship doesn’t change people’s opinions. It encourages them to speak with people they already agree with, which makes political polarization even *worse*.

The data on division is striking. A 2022 poll conducted by Rasmussen asked likely voters who the United States’ “greatest enemy” was. The result: nearly 40 percent of Americans didn’t choose a foreign country but named one of our two domestic political parties.⁹

It’s hard to say if Cancel Culture is a cause or an effect of this, but most likely it creates a feedback loop making discussion appear more homogenous, kicking out heretics and pushing us *dangerously* far apart.

Case Study: Science and Medicine

“Since no one is infallible or omniscient, our only means of understanding the world is to broach hypotheses and then discuss which ones might be true. When this process is disabled by canceling the hypothesizers or the evaluators—and recent examples are legion—a community will lock itself into error.”¹

—Steven Pinker

Howard Bauchner had been the editor in chief of the *Journal of the American Medical Association (JAMA)*, among the world’s most prestigious medical journals, for a decade. He was forced to resign because of a podcast... that he didn’t even appear on.

It all started in June 2021 when *JAMA Clinical Reviews* released a podcast entitled “Structural Racism for Doctors—What Is It?”² The short conversation between two other editors at *JAMA* quickly drew controversy when one editor said, “I grew up kind of anti-racist—that just never even even think about a person’s race or ethnicity when you’re evaluating them. Yet, I feel like I’m being told I’m a racist in the modern era, because of this whole thing about structural racism.”

Although he acknowledged “structural racism is an unfortunate term to describe a very real problem,” he went on to wonder aloud, “I’m a full-time editor at *JAMA*. And so we spend a lot of time thinking about words and what those words mean.... [People] are turned off by the whole structural racism phenomenon? Are there better terms we can use?”

The podcast was promoted with a tweet from *JAMA*’s account reading, “No physician is racist, so how can there be structural racism in healthcare?” The backlash was immediate. The American Medical Association’s leader of minority affairs declared the podcast “a dagger to the heart of those of us who’ve

worked so hard to get that work done.”³ Meanwhile, some scientists, doctors, and researchers led a boycott of the journal.⁴

Then, the target became Bauchner himself, thanks to a Change.org petition of self-described “members, representatives, and allies of the underrepresented in the medical community,” with more than ten thousand signatures, entitled “Ask JAMA (top medical journal) to stop perpetuating racism in medicine.”⁵

The petition insisted that “structural racism has deeply permeated the field of medicine,” and even went on to boldly claim that “the lives of all patients are at risk if the medical structures that provide care fail to actively name racism as a public health challenge and to commit to antiracist action.”

A list of demands included a series of town hall conversations about structural racism, a new deputy editor at *JAMA* dedicated to antiracism and health equity, and “a formal review of the leadership displayed by Dr. Howard Bauchner as editor-in-chief.”

Amid the pressure and widespread accusations of racism, Bauchner resigned. In a statement he said, “I remain profoundly disappointed in myself for the lapses that led to the publishing of the tweet and podcast. Although I did not write or even see the tweet, or create the podcast, as editor-in-chief, I am ultimately responsible for them.”⁶

Canceling dissenting voices—or even the voices of those *associated* with dissenting voices, as was the case with Bauchner—has allowed some pretty bizarre concepts to go unchecked in the medical world.

Take *Scientific American*, the nation’s oldest continuously published magazine and a preeminent publication in the world of science and medicine. From 2001 to 2019, the science writer and historian Michael Shermer wrote a column called “The Skeptic” in its pages. Over time, he noticed a concerning shift, which he described in a 2021 Substack article: “I have received many queries about why my column ended and, more generally, about what has happened over at *Scientific American*, which historically focused primarily on science, technology, engineering and medicine (STEM), but now appears to be turning to social justice issues.”⁷ In the article, he gave some examples of mission creep:

- “The August 12, 2021, article on how ‘Modern Mathematics Confronts Its White Patriarchal Past’... asserts prima facie that the reason there are so few women and blacks in academic mathematics is because of misogyny and racism.”⁸
- “Then there is the July 5, 2021, *Scientific American* article that ‘Denial of Evolution Is a Form of White Supremacy.’⁹ Because we are all from Africa and thus black, the author Allison Hopper avers, evolution deniers (aka creationists) are ipso facto white supremacists. ‘I want to unmask the lie that evolution denial is about religion and recognize that at its core, it is a form of white supremacy that perpetuates segregation and violence against Black bodies,’ she begins. ‘The fantasy of a continuous line of white descendants segregates white heritage from Black bodies. In the real world, this mythology translates into lethal effects on people who are Black.’”
- “The most bizarre example of *Scientific American*’s woke turn toward social justice is an article published September 23, 2021 titled ‘Why the Term ‘JEDI’ Is Problematic for Describing Programs that Promote Justice, Equity, Diversity and Inclusion.’¹⁰ Apparently, some social justice activists have embraced the *Star Wars*–themed acronym JEDI (Justice, Equity, Diversity and Inclusion) as a martial reference to their commitment, and it is now employed by some prominent institutions and organizations such as the National Academies of Sciences, Engineering and Medicine. The JEDI acronym is clearly meant to be uplifting and positive. It isn’t, opine the authors of this piece that is clearly not in the satirical spirit of *The Onion* or *Babylon Bee*. Make of this what you will:

“Although they’re ostensibly heroes within the *Star Wars* universe, the Jedi are inappropriate symbols for justice work. They are a religious order of intergalactic police-monks, prone to (white) saviorism and toxically masculine approaches to conflict resolution (violent duels with phallic lightsabers, gaslighting by means of ‘Jedi mind tricks,’ etc.).”

But it's not just these absurd anecdotes. Some of the world's most prestigious scientific and medical journals are proactively policing the language of the research in their pages in order to prevent offense. For instance, *Nature Human Behaviour* unveiled a new guideline in 2022: they would begin deciding which research to publish based, not solely on scientific validity, but on whether it might cause "harm" to protected groups.¹¹ Criteria this vague could easily chill discourse and scientific inquiry.

Such a standard calls the journal's entire function into question. As Harvard psychologist and bestselling author Steven Pinker pointed out, "Journalists and psychologists take note: *Nature Human Behaviour* is no longer a peer-reviewed scientific journal but an enforcer of a political creed.... How do we know articles have been vetted for truth rather than political correctness?"¹²

Journals have even moved to infuse blatant identity politics into science itself, via a newfangled concept called "citation justice." As the University of Maryland defines it in its library research guide, citation justice is "the act of citing authors based on identity to uplift marginalized voices with the knowledge that citation is used as a form of power in a patriarchal society based on white supremacy."¹³

This movement is urging scientists and medical researchers to be mindful of group inequities when they make scholarly citations. This is a fundamental inversion of the scientific ideal of objectivity. Citation justice replaces objectivity with identity. Now the very people we depend on to tell us what the world is really like are being urged to adopt subjective ideological standards in that pursuit.

This pressure to conform creates a perverse incentive for the public to take research that contradicts the left-leaning academic establishment more seriously, and to conversely take research that supports it less seriously. Trust in expertise is devastated when the public inevitably wonders, "Well, that might be what your research says, but you wouldn't tell me if you found something different anyways for fear of being canceled."

It's no wonder, then, that in a 2022 Pew study only 29 percent of Americans say they have a great deal of confidence in medical scientists to act in the interest of the public—down from 40 percent just a year earlier.¹⁴

It's not just journal editors who are finding themselves in the cross fire. If you're a professor at a medical school, you're in plenty of danger of getting caught up by the cancel mob. Such was the case for associate professor of medicine at University of Pittsburgh Norman Wang, who found himself removed from a position over a white paper.

The controversy started in March 2020 when Wang published a paper in the *Journal of the American Heart Association* titled "Diversity, Inclusion, and Equity: Evolution of Race and Ethnicity Considerations for the Cardiology Workforce in the United States of America From 1969 to 2019."¹⁵ In it, he explored how affirmative action had been utilized to affect demographics in the cardiology profession and advocated for a race-neutral medical school admissions process to avoid academic mismatch.

Wang concluded, "The [Accreditation Council for Graduate Medical Education] diversity directive must be recognized as an erosion to freedom for cardiovascular disease training programs to select trainees and even faculty. All affirmative action programs must uphold legal boundaries established by the Equal Protection Clause of the Fourteenth Amendment."

All was fine for several months, until the paper went viral on Twitter that August with outraged users accusing Wang and the American Heart Association alike of perpetuating racism. Ultimately, the association responded on Twitter, saying "JAHA is editorially independent but that's no excuse. We'll investigate. We'll do better."¹⁶

The article was retracted and Pittsburgh—a public university bound by the First Amendment—revoked Wang's teaching privileges for having a heterodox view on affirmative action.

As we saw with the Conformity Gauntlet, ensuring that community members have the "correct" view on diversity initiatives via DEI statement litmus tests is common in academia, and medical schools are no exception.

At Indiana University School of Medicine, for example, DEI statements are used to evaluate faculty seeking promotion or tenure. As approved by a faculty committee in June 2022,¹⁷ the school rolled out a new requirement that those

up for promotion “show effort toward advancing DEI in at least one mission area for which they are evaluated by including a short narrative DEI summary in their personal statement and by listing DEI-related activities on their CVs.”¹⁸

And, according to documents we obtained, the University of Massachusetts Office of Health Equity takes it a step further, providing a “Diversity, Equity, and Inclusion Evaluation” rubric for assigning candidates calculated scores based on their “knowledge and understanding of Diversity, Equity, and Inclusion” as well as their “track record” and “plans for advancing DEI.”¹⁹

Meanwhile, at the Oregon Health and Science University School of Medicine, the consequences for nonconformists are made clear via their Diversity, Equity, and Inclusion and Anti-Racism Strategic Action Plan, which advocates including “a section in promotion packages where faculty members report on the ways they are contributing to improving DEI, anti-racism and social justice. Reinforce the importance of these efforts by establishing clear consequences and influences on promotion packages.”²⁰

And the University of California, San Francisco’s Task Force on Equity and Antiracism in Research took aim at *research* itself in their 2022 Final Report, mandating the creation of an “Office of Research Advisory Board... to set Office of Research priorities, review grants, and hold the Office of Research accountable for addressing equity and anti-racism.”²¹ Any researcher whose findings don’t fit political ends should be quaking in their boots.

Medical schools are also pressuring students to be rule-followers from day one, too. A first-year medical student who asked not to be identified for fear of jeopardizing her career blew the whistle and came to FIRE when she noticed various medical school’s applications required would-be doctors to profess their ideological commitment to DEI principles. One prompt she encountered from Florida Atlantic University Charles E. Schmidt College of Medicine is especially blatant:

As a community FAU Schmidt COM has made a commitment to be anti-racist and address systemic racism in education and healthcare. Institutionalized racism can be defined as “macro level systems, social forces,

institutions, ideologies, and processes that interact with one another to generate and reinforce inequalities among racial and ethnic groups.” As a future medical student at FAU, how can you play an active role in addressing and dismantling systemic racism? (1600 characters)

The student told us, “I was overwhelmed with diversity, inclusion, and equity throughout the whole application process, whether it was doing research on the schools or the actual medical school prompts themselves.”

Other medical school applications asked endless questions about her demographics, including whether she identified as LGBTQ. “I’m going to medical school because I love helping people, but I didn’t realize I’d have to explain myself in terms of immutable characteristics when it comes to justifying why I want to be a physician and why I think I’d be a good physician. Yes I do identify with the LGBT community, but why does it matter to you? Someone can still be a great doctor if they’re not gay. That shouldn’t be the differentiating factor.”

It’s strange enough that a medical school, which should be concerned only with equipping the next generation of doctors with the tools necessary to treat every individual patient to the best of their ability, would make “a commitment to be anti-racist and address systemic racism.” But more concerning is the implication that future medical students’ applications are being evaluated on the strength of their anti-racist commitment rather than their suitability to be entrusted with people’s lives as physicians. If ideological filtering mechanisms like this one persist in fields like medicine (which should be ideologically neutral), we’ll only see further erosion of viewpoint diversity and, consequently, further erosion in public trust.

And, even when you’re accepted into school, the litmus tests don’t stop. In “white coat” ceremonies incoming medical students used to merely pledge to do no harm. But the oaths are creeping into ideological territory.

At the University of Minnesota Medical School, for example, incoming students recite an oath in unison which includes a land acknowledgment (ritualistically thanking Indigenous people for the land where an event takes place), a vow to fight white supremacy, an allegiance to antiracism, and a

commitment to “honor all Indigenous ways of healing that have been historically marginalized by Western medicine.”²²

There is even pressure to politicize the *U.S. News and World Report*’s medical school rankings, the go-to list for measuring prestige. To calculate the scores, *U.S. News* measures a host of factors, including reputation surveys, MCAT scores, and the GPAs of incoming students. They also offer a list of schools ranked based on their demographic diversity. But that’s not enough for some medical schools. As Ira Stoll reported²³ in the *Wall Street Journal*, more and more deans and administrators are coming out to demand *U.S. News* do away with their merit-based measures, like GPA and MCATs, in favor of more equitable ones.

In a statement, Deans Dennis Charney and David Muller of Icahn School of Medicine at Mount Sinai proclaimed that the school’s DEI initiatives weren’t adequately celebrated by their rankings. “Diversity, equity and inclusion are important factors in our decision. We believe that the quality of medical students and future physicians is reflected in their lived experiences, intersecting identities, research accomplishments, commitment to social and racial justice, and a set of core values that are aligned with those of our school.”²⁴

They continued, “The US News rankings reduce us to a number that does not do justice to these profoundly important attributes, instead perpetuating a narrow focus on achievement that is linked to reputation and is driven by legacy and privilege.”

Stanford Medical School announced they would no longer participate in the *U.S. News* rankings and instead would start to produce their own data “emphasizing diversity, equity and inclusion.” Columbia University’s College of Physicians and Surgeons similarly pulled out, so, as Dean Katrina Armstrong explained, they could concentrate on “selecting the individuals who can best serve the future needs of a diverse and changing world.”²⁵

It’s a frightening prospect to see our most prestigious medical schools so openly advocate for admitting students based on something other than merit. As Stoll put it: “When colleges started making the SAT optional, some of us shrugged and said, well, that’s fine, so long as they don’t eliminate the tests for

would-be brain surgeons. Now the battle lines have shifted in the meritocracy wars so that it's precisely would-be brain surgeons whose test scores the medical schools want to conceal."²⁶

“Do you ever wonder about the significant increase of people who are saying they're transgender in recent years?”

It's not an unreasonable question, considering skyrocketing rates of young people—and especially females—turning up at gender clinics as of late. But it's a question one can't dare to wonder out loud in front of the wrong person.

One anonymous psychiatrist learned that the hard way.²⁷ He was working with residents at a medical school, and one day while supervising a first-year resident treating a transgender patient, he asked that question after their meeting. The resident shot him a nasty look... and then cut all ties with him. His residency office later informed him that his relationship with that resident and one other would be immediately terminated with no explanation.

“I was deeply disturbed that a young colleague lacked the open mind to address a legitimate question without personal attack,” he reflected. “I expect better of my colleagues. I expect belief and practice of open, evidence-based, and scientific inquiry in a civil manner. Intellectual openness and curiosity are a given in our profession.”

This example is illustrative of an attitude that has taken over science and medicine regarding transgender people and the proper treatment of people with gender dysphoria (a medical diagnosis applied to those whose gender identity does not align with their biological sex). As an evolving field with much research yet to be done, this corner of medicine should be ripe with questions, competing theories, and lively debate—all of which would help better the treatment that people with gender dysphoria have access to.

But, thanks to activists who see any threat to the orthodoxy as a direct threat to trans lives themselves, heterodox thinkers have been quashed in the name of progress.

Take, for instance, University of Michigan neuroscientist Stephen Gliske. He's long been an advocate of the "multisense theory" of gender over the traditional "opposite brain sex theory." He described it to *Newsweek* as a theory that "connects the experience of gender dysphoria with the function of the associated brain regions and networks," which he says "means that there may be many more options to decrease the distress experienced with gender dysphoria than we have ever realized."²⁸

In late 2019, Gliske published an article in *eNeuro*²⁹ which explained his theory. It underwent double-blind peer review and coasted through the editing process.

All was fine until a Change.org petition with nine hundred signatures titled "Call for eNeuro to retract 'gender dysphoria' theory paper" asserted that "the clear intent of the paper was to do harm to the transgender community" and threatened, "We will call for further direct action by the community, both scientific and LGBTQ+, including boycotting SfN journals and conferences, if these demands are not addressed satisfactorily in a timely manner."³⁰

At first, the journal edited the article to remove the "Implications for Clinical Practice" section. Then, caving under pressure, they dropped the article entirely.

Some of the most established experts in the field have come under fire, too. That includes sexologist and psychologist Kenneth Zucker, who headed the Centre for Addiction and Mental Health (CAMH) Gender Identity Clinic in Toronto.

Despite personally helping write the DSM-5's criteria for gender dysphoria and the World Professional Association for Transgender Health's standards of care guidelines, Zucker was fired at the behest of trans activists, after his clinic was investigated for their approach: "help children feel comfortable in their own bodies" before undergoing medical transition.³¹

And this happened in spite of a petition in support of him signed by hundreds of clinicians, who asserted that his termination was "primarily politically motivated" and had been "rationalized and justified, after the fact, by public statements extremely damaging to Dr. Zucker's professional reputation."³²

They also warned, “The closure of the clinic headed by an internationally prominent clinician, scholar, and researcher must stand as a warning to any clinical researcher who is or considers working at CAMH: In the event of a conflict with activists for a fashionable cause, the CAMH might well sacrifice them—and the individuals and families they serve in their clinics—for some real or imagined political gain.”

And now, in what would have been an unthinkable turn of events just a couple years ago, acknowledging that biological sex exists is in and of itself a cancelable offense. It’s amazing how quickly our culture shifted to accepting—and insisting—that trans women are biologically indistinguishable from cisgendered women. It’s the quickest-developed moral taboo either of us have seen in our lives.

In July 2021, journalist Katie Herzog reported on this trend in an article titled “Med Schools Are Now Denying Biological Sex.”³³ In it, she interviewed Dr. Carole Hooven, who at the time was a lecturer and Co-Director of Undergraduate Studies in human evolutionary biology at Harvard University.

“Today’s students will go on to hold professional positions that give them a great deal of power over others’ bodies and minds,” Hooven said. “These young people are our future doctors, educators, researchers, statisticians, psychologists. To ignore or downplay the reality of sex and sex-based differences is to perversely handicap our understanding and our ability to increase human health and thriving.”

Not long after, Hooven was invited onto the Fox News morning show *Fox & Friends* to discuss the story. “This kind of ideology has been infiltrating science,” she told Brian Kilmeade.³⁴ “The ideology seems to be that biology isn’t as important as how someone feels about themselves, or feels their sex to be.... [But] we can treat people with respect and respect their gender identities and use their preferred pronouns. Understanding the facts about biology doesn’t prevent us from treating people with respect.”

On the show, Hooven also spoke to the growing trepidation people in the medical world are feeling about speaking freely, saying their concerns are “based in reality.” She explained, “People *do* find these terms offensive; they do complain on social media, they do shame people and even threaten to get people

fired. So it's no wonder that a lot of people are caving and yielding to the social pressure. But we are doing students and the public a great disservice, and dividing the populace."

She was speaking to a very real fear of being canceled in academia, science, and medicine—something she was about to experience firsthand when Laura Simone Lewis, a graduate student director of the Diversity and Inclusion Task Force at her department at Harvard, took to Twitter to castigate her: "As the Director of the Diversity and Inclusion Task Force... I am appalled and frustrated by the transphobic and harmful remarks by a member of my dept in this interview with Fox and Friends."³⁵

Lewis continued, "Inclusive language like 'pregnant people' demonstrates respect for EVERYONE who has the ability to get pregnant, not just cis women. It is vital to teach med students gender inclusive language.... [Hooven's] dangerous language perpetuates a system of discrimination against non-cis people within the med system."

The conflict quickly went viral. It was reported on in the *Harvard Crimson*³⁶—and papers across the world, including the *New York Post* and the *Daily Mail*. Harvard graduate students rushed to back Lewis in a statement in the *Harvard Crimson* and accused her of "pointedly [excluding] intersex, gender-nonconforming, and transgender people."³⁷

Weeks later, in advance of Hooven's talk about her new book, *T: The Story of Testosterone*, a transgender graduate student emailed a complaint to her department chair about Hooven's supposed "history of speaking against the interests of transgender and gender diverse people." The student went on to request that the department "critically examine events [it] promotes for whether they further our collective inclusivity goals."³⁸ Rather than defend Hooven, the department chair went on to email the complaint about her to the *entire* department—a list of hundreds of people.

In the face of a cancel mob, Hooven asked for public support from higher-ups in the administration—but to no avail. In fact, while she had some personal support from a few faculty members, friends either stayed silent or turned on

her, and some prominent senior faculty members in her own department, whom she had considered good friends, told her to suck it up and stop making a fuss.

Moreover, Hooven was unable to teach her popular lecture course because no graduate student would agree to serve as her teaching assistant. The hostility on Harvard's campus, and the lack of support from the institution she'd served loyally for decades, weighed so heavily on her that Hooven says she, for the first time in her life, had relentless, intrusive thoughts of suicide.

So, for the sake of her mental health, she began training her replacement, then took a leave of absence and ultimately retired from Harvard in the spring of 2023. She tells us this isn't something she wanted, and she had always assumed she would retire at a much later age. Thankfully, though, she's been able to retain her affiliation with the school after Steven Pinker made her an associate in his lab and gave her an office.

She later reflected on the ordeal of being torn down for the thought crime of asserting biological sex is real: "Given the current social environment, if an administrator is confronted with one of these ostensibly offended individuals demanding that something be done to protect them, then they essentially have zero incentive to start spouting off about academic freedom. Taking any action that could be perceived as defending the perpetrator of the offense could put their reputations and careers in jeopardy, and they know it. That's why powerful people consistently fail to stand up for institutional values of 'veritas' that many of them do hold."³⁹

We rely on scientific and medical professionals—the researchers behind our medication, the doctors performing our surgeries, and the psychologists we entrust with our deepest secrets—to help us lead happier, healthier lives. This intimate trust is predicated on their oath to do no harm, not an oath to an ideology.

Part Three

What to Do About It

Chapter 10:

Raising Kids Who Are Not Cancelers

“You can do something stupid when you’re 15, say one thing and ten years later that shapes how people perceive you. We all do cringey things and make dumb mistakes and whatever. But social media’s existence has brought that into a place where people can take something you did back then and make it who you are now.”¹

—Anonymous teen who was canceled at fifteen

Think of the dumbest thing you did as a teenager. Now, imagine if that moment were preserved forever in the permanent record, available for anyone to see. Thanks to social media, that’s the reality for Generation Z. Pair this unprecedented permanence with a society that favors castigation over forgiveness, and you have a disaster on your hands.

All it took to derail Mimi Groves’s future was a three-second video. When she got her learner’s permit as a fifteen-year-old freshman in 2016, she sent a private Snapchat video to her friend. Mimi sat behind the wheel and uttered four words that changed her life forever: “I can drive, niggas.”²

At the time, the video circulated moderately around her school and caused a bit of a stir. But then things died down and Mimi forgot about it.

Four years later when protests were erupting over George Floyd’s death in the summer of 2020, Groves took to social media to take a stand in favor of Black Lives Matter. On Instagram, she urged her followers to “protest, donate, sign a petition, rally, do something.”³

But amid the unrest, a classmate hadn’t forgotten about Mimi’s video. In fact, he’d held on to it, awaiting a strategic moment to unleash it into the social media ether. He knew Groves had just committed to the University of

Tennessee, Knoxville, to join their cheer squad, and he decided this was the moment to repost the clip.

“I wanted to get her where she would understand the severity of the word,” he told the *New York Times* in an article about the controversy.⁴

The video spread like wildfire online. Calls erupted to have her admissions offer rescinded. Social media users tagged the university and its cheer team directly to get their attention. Threats were made to Groves’s physical safety if she set foot on campus that September. Students and alumni began complaining to the school about her acceptance. Local media outlets in Tennessee even published stories about the outrage.

Mere days after the clip went viral, Groves and her family received a call from the university’s staff. Despite attempts to defend herself as having been a fifteen-year-old at the time, Mimi was informed that she had been kicked off Tennessee’s cheer team by the athletics department.

Then came pressure to withdraw from the school entirely. An admissions official said they feared she would not feel comfortable on campus, and also referenced the outrage that had erupted among students and alumni: “They’re angry, and they want to see some action.”

Ultimately, she was given a choice: withdraw or her admissions offer would be rescinded. “We just needed it to stop, so we withdrew her,” her mom told the *Times*. “They rushed to judgment and unfortunately it’s going to affect her for the rest of her life.”

“The University of Tennessee has received several reports of racist remarks and actions on social media by past, present, and future members of our community,” the university subsequently tweeted. “Following a racist video and photo surfacing on social media, Athletics made the decision not to allow a prospective student to join the Spirit Program. She will not be attending the university this fall.”⁵

Instead of attending her dream school and joining their cheer squad, Groves enrolled in online classes at her local community college. “It honestly disgusts me that those words would come out of my mouth,” the then twenty-year-old told the *Times*. “At the time I didn’t understand the severity of the word, or the history and context behind it because I was so young.”⁶

“I’ve learned how quickly social media can take something they know very little about, twist the truth and potentially ruin somebody’s life,” she continued. “How can you convince somebody that has never met you and the only thing they’ve ever seen of you is that three-second clip?”⁷

The University of Tennessee is just one of more than a dozen schools who rescinded admissions offers after similar social media screenshots and videos of incoming students showed them in a less than flattering light.⁸

In the case of Mimi Groves, we ask you: What would the compassionate response have been? What would a proportional one be? Was Mimi’s classmate’s behavior commendable? Is this what a forgiving society is supposed to look like?

Gone are the days when dumb, insensitive, or offensive teenage mishaps were forgotten or simply disappeared. Their extensive digital record makes Gen Z the most cancelable cohort, and that makes modern adolescence kind of nightmarish. The ever-present threat of being canceled harms friendships, undermines trust, and fosters paranoia.

And it’s certainly not helping the record number of young people experiencing anxiety, loneliness, and poor mental health. Today, it’s too easy for everything to turn against you, even if you did nothing wrong. The result of Cancel Culture is a self-insulating generation. We adults contribute to this anxiety by staying silent—or even cheering—when young people are canceled for something they said or did in adolescence.

A big part of this is our fault—but it doesn’t have to be this way. This all presents the question: *How can parents keep their kids from getting canceled? Or, better, how can we raise anti-cancelers?*

We admit, it’s an incredibly tricky situation with no simple solutions. This is merely our best advice as a member of Gen Z and a parent of young children (Greg’s kids are Gen Alpha, who we hope will learn from Gen Z’s experiences and just say no to Cancel Culture). And we consulted some of the most respected voices on parenting, too.

First, how do you keep your kids from getting canceled? Your best bet is keeping them off social media for as long as possible. The fewer opportunities they have to make that dumb video or post that insensitive comment, the better.

We know this is not an easy approach today. But as the downsides of social media become clearer to parents, we believe it's going to be at least somewhat easier to delay getting your kids on it. The best way to do so is collaborating with like-minded parents and creating pacts. Most of the time kids want social media accounts because of quintessential FOMO (fear of missing out). If their friends aren't there either, that pressure is at least temporarily relieved.

But before we share our suggestions for how to raise an anti-canceller, let's first revisit our insights about parenting from *The Coddling of the American Mind*. Neither Jon nor Greg knew going into the book how much their research would lead them back to parenting. It left them convinced that many of the problems plaguing Gen Z traced their roots back to childhood and parental habits.

Overly involved, anxious parenting meant to help Gen Z succeed has actually done the precise opposite. It has made them less prepared for the real world, dulling their self-reliance, externalizing their locus of control (believing that outside forces have more control over the outcome of their lives than they do), and instilling a paralyzing sense within them that they cannot succeed on their own.

As Greg and Jon explained in *Coddling*, paranoid parenting inculcates the three Great Untruths:

- By teaching kids that danger is everywhere and all strangers are to be feared, we subversively teach them that *life is a battle between good and evil people*.
- By validating their sense that something is too hard for them or too scary to overcome, we prime them to embrace the untruth that you should *always trust your feelings*.
- And by protecting them from difficult situations, we teach them that they were right to avoid them in the first place—that *what doesn't kill you makes you weaker*. If you want to make someone depressed and

anxious, removing their internal locus of control is one way to achieve that end.

Hovering over children, solving problems for them, and depriving them of freedom and autonomy are all well-meaning parenting habits that tend to backfire. Kids are inherently anti-fragile, meaning that if they're left to their own devices and allowed to fumble, they become more resilient in the process. But if parents swoop them up before they ever trip up, the process is undermined.

Since *Coddling* came out in 2018, some additions have been made to its thesis about parenting. In a May 2020 cover story for the *Atlantic*, “What Happened to American Childhood?,” Kate Julian looked at the rapid increase in anxiety among young people. She concluded that anxious parenting and parental “accommodation” are often at the root of the problem—and that frequently the best treatment for anxiety in kids is therapy for their *parents*.²

We're a bit skeptical of the idea that parents necessarily all need formal therapy for their children's anxiety, but certainly delving into cognitive distortions and cognitive behavioral therapy might be helpful for some.

The dawning recognition is that while they may mean well, parents today are making a mistake in excessively accommodating their children's irrational anxieties: leaving a night-light on for kids who fear the dark, shielding from all canines kids scared of dogs, and catering to a picky eater's desires are all telltale examples. By validating such fears, parents are actually reinforcing them in their children. This teaches them that the best way to overcome their fears is avoidance—a mindset that is antithetical to overcoming fragility.

Greg has consciously resisted overly accommodating his own children. When his sons ask him to turn off a show or movie because it's too scary, Greg sits next to them and watches by their side. Every time, they finish the program and proudly declare, “That wasn't as scary as I imagined!” But many parents today would turn off the “scary” material at their child's request. When fear is not faced, it has a tendency to become much, much larger.

“The problem with kids today,” Julian wrote, “is also a crisis of parenting today, which is itself growing worse as parental stress rises, for a variety of reasons. And so we have a vicious cycle in which adult stress leads to child stress,

which leads to more adult stress, which leads to an epidemic of anxiety at all ages.”¹⁰

She noted that parental anxiety may, in fact, be *contagious* cross-generationally. Twin studies suggest a genetic risk factor for anxiety, and many studies and treatment centers are warning about accommodation from parents that permit anxious behaviors in young children, putting them at risk of more serious mental health challenges as young adults.¹¹ Growing up, kids look to their parents for cues on how to navigate the world; it isn’t surprising, then, that more than half of children with an anxious parent meet the diagnostic criteria for anxiety disorder themselves.

As Julian puts it: “Recognizing the relationship between parental and child anxiety suggests an important means of prevention and intervention: Because anxiety is only partially genetic, a change in parenting style may well help spare a child’s mental health.”¹²

The bottom line: the best treatment for anxious kids is treatment of anxious parents.

Another expert who has weighed in on *Coddling*’s analysis of parenting is the psychologist Izzy Kalman, who argues that the anti-bullying movement that took over schools in the past two decades or so has actually taught the three Great Untruths. Kalman has spent four decades researching bullying, advocating for a psychological approach rather than a legalistic one.

Kalman’s “lonely and thankless mission,” he says, is to fight anti-bullying, which he defines as “an ideology with a fundamental set of beliefs and a mission of making the world a better place,” which has been “failing dismally” since unofficially launching after the 1999 Columbine mass school shooting.¹³

“Yearly month-long bully awareness campaigns have succeeded in making bullying the number one fear of parents and spawned a multi-billion-dollar industry to combat it,” he argues.

As Kalman points out, his crusade is quite similar to ours. In a 2019 article for *Psychology Today*, he broke down how each untruth relates to his own work, writing, “When you read *The Coddling*, please think of it as a critique of anti-bullying, for that’s what it is, even if the authors may be unaware of it.”

He makes the case that the Untruth of Fragility (what doesn't kill you makes you weaker) has been reinforced by anti-bullying because the fight against bullying has hinged on the idea that kids need to be kept safe from other people. Old idioms like "sticks and stones" have been overhauled in favor of an idea that words can wound and even cause imminent danger.

"Rather than fortifying the current generation with awareness of their antifragility, anti-bullying has been indoctrinating them with the self-destructive belief that they are irreparably breakable," he writes.¹⁴

Greg appreciates Kalman's suggestion that his fight against anti-bullying is intrinsically aligned with *Coddling's* thesis, although bullying wasn't an express focus of the book. It's certainly easy to see how a worldview that sets all children up as potential victims and externalizes remedies for interpersonal conflict could indeed have played a role in teaching Generation Z the Great Untruths.

Of course, it should go without saying that we oppose bullying, and that aspects of the anti-bullying movement were long overdue. But adopting the overly simplistic narrative of "good versus evil" was a profound mistake. It oversimplified interactions between kids. Rather, we think society should start teaching children a more nuanced narrative about bullying that doesn't inculcate the three Great Untruths.

All three Great Untruths, which our culture has taught Generation Z since childhood, play a role in perpetuating Cancel Culture. It therefore shouldn't come as a surprise that young people are often at the helm of cancel mobs—or conversely find themselves on the receiving end of one.

The Untruth of Fragility causes a canceler to believe that it's better to shut down a person who is saying or doing something that makes them uncomfortable because, after all, what doesn't kill them makes them weaker. Rather than risk harming themselves or others by doing the "labor" of engaging with them, it's best just to tear them down.

The Untruth of Emotional Reasoning validates this response. If a canceler feels their target has done something wrong, hurt feelings, or caused offense, the

fact that they *feel* that way makes them right. Therefore, a takedown is justified since feelings should always be trusted.

And finally the Untruth of Us Versus Them further places the canceler on the right side of history, even if they're a part of a mob. Because life is a battle between good and evil people, the target is beyond redemption—and the canceler is beyond reproach. Therefore, there's no reason to lose sleep over the target losing their job or college admission. The cancellation has been a victory for the “good side.”

We've developed a five-step plan to help mindful parents raise an anti-canceler in the age of Cancel Culture:

1. Revive the golden rule
2. Encourage free, unstructured time
3. Emphasize the importance of friendships
4. Teach kids about differences
5. Practice what you preach

Tactic One: Revive the Golden Rule

Social media is a technological transformation as profound as any other in history—and one that has the most direct impact of all on the daily lives of children. Kids are spending hours and hours of their days glued to devices, and social media is reshaping their friendships and social lives in a fundamental way.

The extent to which social media has undermined interpersonal trust is deeply underappreciated. Kids wield inordinate power to destroy one another's lives. Nasty remarks that would only have been whispered in days past can end up going viral today, and simple mistakes everyone would have forgotten often end up in the permanent digital record and come back to bite young people years down the line.

Parents need to make their children aware of the power they wield over one another thanks to social media. They need to emphasize that every kid has the ability to ruin the lives of their friends and enemies alike. That's why, in the

digital age, the golden rule is more important than ever. Young people should be reminded of the age-old adage: Do unto others as you would like them to do unto you.

It's hard to overstate just how novel and treacherous the social media age is for our society—and particularly for our youth. Thus far, the consequences have been devastating for social cohesion and mental health alike. We need to adapt. And we *will* adapt in ways we haven't even imagined yet. But, in the meantime, we need to help kids navigate this landscape.

Tactic Two: Encourage Free, Unstructured Time

Fewer and fewer kids are enjoying unaccompanied bike rides around the neighborhood, pickup games of basketball, or the mandate “just be home before dark.” Today, parents schedule time for supervised playdates, ensuring an adult is always nearby. In trying to keep their kids safe from any kind of danger, parents are depriving them of free play. After all, play is an age-old rite of passage honed by evolution that teaches important lessons about navigating the real world.

New York City-based mom Lenore Skenazy made a national name for herself as “America’s Worst Mom” for promoting free play and “Free-Range” parenting. Her 2008 *New York Sun* column titled “Why I Let My 9-year-old Ride the Subway Alone” put Skenazy on the map.

The experience led her to write the book *Free-Range Kids*, which inspired a movement by the same name. Now she’s president of Let Grow, a nonprofit she cofounded with Jonathan Haidt and former FIRE chairman Daniel Shuchman, to promote childhood independence.

Skenazy worries that constant supervision is harming children. More specifically, children are being urged to always go to a parent or teacher to help sort out interpersonal conflict. As a consequence, they’re being robbed of experience in doing it themselves. She tells us:

We have a whole culture based on “If you see something, say something.” It’s not “If you see something, do something.” There’s a lot of externalizing

problems and handing them over to the authorities. For instance, today the narrative on school posters is, “If you see bullying, tell an authority so they can intervene. Get a teacher involved.”

What you’re teaching kids is that they have no agency, that all spats are someone being bad and someone being good, and that it’s up to an adult to intervene. Kids are not learning what to do when someone frustrates them or they think something isn’t fair. Kids are given no chance to develop problem-solving skills if there’s always an adult ready to jump in and solve them first.

This desire to make kids’ lives into one big smoothie is undermining their ability to sort things out on their own. If you’ve been told to go to someone else all the time, you do. It becomes learned helplessness.

Boston College research psychologist Peter Gray is an expert in the importance of free play and the link between play and education. He’s the author of titles like *Free to Learn: Why Unleashing the Instinct to Play Will Make Our Children Happier, More Self-Reliant, and Better Students for Life* (2013) and *The Harm of Coercive Schooling* (2020). He confirms Skenazy’s assessment:

Children have been robbed of an internal locus of control—the sense that I’m in charge of my own life, I can solve problems, I can figure out what I want to do, I’m not dependent on other people all the time. We’re asking young people to do a lot, but we are not asking them to take responsibility, and we are not asking them to be creative. We are not asking them to figure things out on their own.

We are more and more saying, in one way or another, that you need to go to an authority figure to tell you how to do things. Kids are growing up with that attitude. They’re used to being told what to do, and it’s eroding their creativity.

Most recently, his research has been concentrated on record-low creativity scores among children. When we spoke to him about what he thinks could be

behind Cancel Culture, he acknowledged declining creativity could be impacting interpersonal interactions and causing young people to default to the narrow-minded tactics of Cancel Culture:

I think that could be affecting the way that people are interacting with one another. I suppose any personal exchange has a degree of creativity involved in it. I have to figure out who you are, where you're coming from, try to understand you, and that's a creative endeavor.

And if I'm not thinking in that way, I'm just kind of thinking in black-and-white terms. I've heard that this is wrong and that is right, and what I'm hearing from you is something that's wrong, and I'm not going to think it through in a creative or critical way. I'm not trying to challenge my own thinking by comparing it with your thinking. In any meeting of people, there is a sort of creative challenge in understanding that person.

Julie Lythcott-Haims concurs. She's the author of the best-selling *How to Raise an Adult*. She's adamant that she is *not* a parenting expert, but merely a mother of two and an educator who has observed her own kids and many other people's kids while serving as a dean at Stanford University.

Lythcott-Haims thinks we've insulated kids from the unstructured interactions they need to develop the interpersonal skills required to negotiate conflict with care, rather than default to cancellation:

We have taken away from childhood the normal interactions in a pickup basketball game, or playing in the park. We're taking away the normal childhood bumps that would teach children that people have feelings, and I have to be careful. They're supposed to learn that from each other. We have deprived them of the formative experiences that would have taught them to read cues and negotiate and change up things in response to the feedback they're getting from their peers.

Bringing free play back into children's lives should help them better navigate and negotiate interpersonal interactions with each other. Parents

need to empathize and empower rather than swoop in and solve.

We both acknowledge that erring on the side of free-range parenting can be a little daunting. As a parent, Greg knows how difficult—and even counterintuitive—it can be to let your kids go it alone and out of sight. And, as someone who grew up in a rapidly changing world, Rikki fully understands parents' anxiety in keeping up with the ever-evolving pressures (and dangers) of modern childhood.

But letting go *wisely* is critical to making kids resilient and antifragile—and therefore key to raising an anti-canceler.

Tactic Three: Emphasize Friendships

Studies and surveys have consistently shown that, despite being the most digitally connected generation, Gen Z is paradoxically the least socially connected. A staggering 73 percent of Zoomers report feeling lonely either sometimes or always—by far the worst of any generation.¹⁵ According to Pamela Paresky, a loss of real, meaningful friendships may be to blame.

Paresky is a psychologist and visiting fellow at Johns Hopkins University's SNF Agora Institute and served as the chief researcher for *The Coddling of the American Mind*. In the years since, she's researched the phenomenon of cancellation and has noticed a lack of connectivity—something that's particularly acute in Gen Z. She explained it to us:

Part of the rise of Cancel Culture is the result of the decline in real friendships. Across all ages, people are lonely, and we see an accompanying increase in mental illnesses like depression and anxiety, especially in young people. But when people have healthy relationships, when they have meaningful connections with other human beings, when they have real friends, they can make mistakes, even publicly, and not fear being canceled.

Having real friends and being a real friend are antidotes to Cancel Culture in part because if you're being unfairly maligned, friends are the

people who will stand up for you even when it entails social or reputational risk. And when you are a friend, you will stand up for someone even when you fundamentally disagree. But an ally is only there for you when they agree and when it's in their own self-interest.

The kinds of things that lead to meaningful relationships with other human beings are the kinds of things that will also lead to the demise of Cancel Culture.

Therefore, she hopes parents will teach their children the importance of being a true friend and maintaining genuine connections. That means teaching your kids it's okay to simply say, "It doesn't matter what I think about what this person said. They are my friend, they are a good person, and you were being unfair and cruel to them."

Not only will those lessons improve your child's quality of life (chronic loneliness is associated with a staggering fifteen-year shortening of a lifespan¹⁶), they can also play a part in fighting Cancel Culture and keeping your kid insulated from its effects. Paresky's advice:

I think one thing that parents can do is encourage their kids to talk to their friends openly, to create a group of trusted friends with whom they have true affection, and to not be concerned about developing the kinds of relationships we now call "allies." Having an ally is not the same thing as having a friend.

It's especially helpful if kids see that their parents have their own cherished friends with whom they disagree. One of the other things we can do for our kids is reiterate what it means to be a real friend, encourage them to cultivate and appreciate their friendships, and help them learn what it means to be a true friend—and how to act that way.

Tactic Four: Teach Kids About Differences

It's so easy—especially as a kid—to have blinders on when it comes to what the rest of the world believes. Especially in ideological bubbles where certain values are dominant, it's natural to imagine that everyone else thinks the way you do—that you, your parents, your friends, and your teachers are morally good and anyone who disagrees is an immoral “other.”

Indulging in this sort of moral absolutism is a natural instinct rooted in our inherent tribalism—and that's why parents need to take care to counter it. Although your family or community might move with a certain ideological tide, a child that's truly tolerant will be raised with an understanding that the world is larger than their own bubble. Julie Lythcott-Haims has some suggestions on how parents can inculcate a tolerance for viewpoint diversity in their children:

We need to be able to speak to our children about the myriad of differences between human beings, that it's okay to disagree, that we should never have an ideology that disparages another human or that sets us up as better than other humans. That's the work at the level of family—truly being a family that respects all, regardless of background.

Narrate [to your children] the truth that people are very different, and that differences are valid and real. Everybody has a story, and nobody is inherently better or worse than anybody. In the space of that truth, we all matter.

After all, American members of Generation Z are the most diverse generation in the nation's history. Preparing young people for that reality is critical to their future success in navigating interpersonal relationships and disagreements. Pamela Paresky had this advice: “Parents can teach their children that people can come to opposite conclusions in order to solve the same problem and yet ultimately care about the same things.”

In fact, a mutual appreciation for the importance of being tolerant of ideological differences is precisely what kicked off Greg and Jon's partnership on *The Coddling of the American Mind*. They both shared a sense that something seemed a little bit off in the bubbles they lived in. American progressives, a group

that likes to think of itself as the most tolerant, actually had attitudes that were dismissive and disparaging toward traditional and religious people in the United States.

American progressives seem largely unaware that the views American conservatives espouse—like traditional religious norms, sexual morality, and intergroup loyalty—are actually far more common in the rest of the world. This fact is expertly pointed out in Jonathan Haidt’s 2012 masterwork *The Righteous Mind*.

Outside of these myopic urban and academic bubbles in America, progressive ideas are exceptionally rare in the scheme of things. In his 2020 book *The WEIRDest People in the World*, Harvard evolutionary biologist Joseph Heinrich points out that American progressives are outliers or WEIRDos (Western, educated, industrialized, rich, and democratic) in the scheme of human history and the modern world.¹⁷

There’s something obnoxiously small-minded and elitist in the assumption that, just by some strange historical coincidence, you or your group is somehow the first to land on the universal truths of morality. And yet many American progressives seem to at least subconsciously hold this to be self-evident. It’s not that morality should be decided by a global majority vote, but a self-awareness of WEIRDness is hugely lacking.

If Gen Z is going to succeed in an increasingly diverse and cosmopolitan world, they’d do well to realize that you can be a wonderful person and hold very different views from another wonderful person. It’s our wish that every student and young person in the United States could see the degree to which their most deeply held beliefs are unusual in the scheme of things.

Greater global sophistication based on the values and norms of other countries and a better understanding of human history can make people less arrogant about assuming that every good or smart person must share their views. Maybe a truly global education can make progressives less confident that their opponents must be stupid or evil, and conservatives less certain that their opponents are undermining America—and make both groups (and everyone in between) less likely to mercilessly tear their fellow human beings down with Cancel Culture.

It's time to bring back the old adage "Everyone is entitled to their own opinion."

Tactic Five: Practice What You Preach

Certainly one reason kids are canceling one another at such alarming rates is because they are emulating the culture they were raised in. They've been bombarded with headlines about the latest victims of Cancel Culture and watched the online mob swarm "problematic" public figures. It's no wonder they're acting it out on the small scale in school hallways today. Julie Lythcott-Haims described this predicament to us:

The adults have created a system that is now so extreme, with no room for grace. We ourselves have to have greater tolerance for our differences. Our kids are growing up in this mess that we have made. We have all villainized the other side, and we feel very righteous about that. We shouldn't be surprised that it's trickling down and harming our kids.

The best thing parents can do to counter that influence is to lead by example and practice what you preach—whether that's in public or at the family dinner table. As the saying goes, "More is caught than taught." Peter Gray believes this could help dull Cancel Culture:

Parents probably teach their children far more by example than what they actually tell their children. Kids learn by example. They see what others are doing, so parents need to lead by example. They can't shut people down because they don't like what they're saying. They have to model how to listen, think about things critically, and try to understand the other person.

Parents can have conversations with their children where they say, "Let's switch sides. I'll pretend I'm you, and you pretend you're me." That can immediately change the conversation, and make them think of good reasons to defend another point of view.

And leading by example also requires a show of humility. Every young person surely has said or done something they regret and would rather not see go viral on social media. We have to acknowledge that reality, and also acknowledge that as adults and parents we, too, are human and imperfect. Julie Lythcott-Haims thinks this is critical to teaching children humility:

You're your kid's biggest role model, period. Whether you're their best role model is entirely a function of how you behave. What I think we as parents have to do is say to our kids, "None of us want to be judged by the worst thing that we did. People are deserving of redemption and grace." We need to be willing to say to our kids, "Hey, I've done some things I'm not proud of. I don't want to be canceled for that."

All of us have a moment of shame. Cancel Culture will catch up to all of us at some point. If we don't become a society that is less rigid, we will all find ourselves isolated and alone, having been canceled for something that we did.

We get it. Parenting in the age of Cancel Culture is incredibly difficult, and these are by no means foolproof suggestions. Of course, there are so many factors outside the control of individual parents—including the behavior of other people's children, and the ever-lurking threat that they might target your kid with a cancellation campaign despite your best efforts.

But parental mindfulness of this new challenge facing young people is critical. The more parents that band together to raise a cohort of anti-cancelers, the better.

After all, many young people are desperate for guidance and solutions. It may come as a surprise that among all generations surveyed, Gen Z has by far the most sour opinion of Cancel Culture. Fifty-five percent have a negative view of the phenomenon—more than Millennials, Gen X, or even Baby Boomers.¹⁸ Meanwhile, just 8 percent of Gen Z have a positive outlook on it, as compared to

19 percent of Millennials—undoubtedly the consequence of being the first generation who grew up steeped in modern Cancel Culture.^{[19](#)}

We need to empower this silenced Zoomer minority to take control of the cultural dialogue, and to favor compassion over castigation. Every parent can play a role in providing the framework for a generation of anti-cancelers to thrive. If we succeed, Cancel Culture will wither on the vine.

Case Study: Publishing

“I have been publishing books since the early 1990s about the growing threat to American norms from academic leftism. But even I was shocked by the speed of the radical takeover of media and the publishing industry in just the last few years. We have entered a new phase—as disturbing as it is predictable—in which dissenting liberals and nonconforming leftists are also being canceled due to insufficient wokeness. Soon the spectrum of acceptable opinion will be so narrow that large companies will have nothing left to publish. What’s the solution? Simple: the supposedly liberal executives who run these corporations must stand up to their spoiled and coddled junior staff and uphold the liberal principles of free speech and diversity of opinion that they piously claim to uphold. As of now they are doing a terrible job.”

—Adam Bellow, publishing executive (email, 2/6/23)

In the next chapter, we’ll discuss how you can keep your corporation out of the culture wars. But, before we do, let’s delve into one industry that’s been taken over by Cancel Culture: the publishing industry.

In 2020, the Society of Children’s Book Writers and Illustrators (SCBWI) decided it was time to finally hire a chief equity and inclusion officer. And so they brought in April Powers, a Black and Jewish woman with more than fifteen years of experience in the field.

Within a year, she was out of a job.

It all started in June 2021 when, amid a flurry of antisemitic attacks throughout the United States, she published a statement on Facebook on behalf of the company.

“The SCBWI unequivocally recognizes that the world’s 14.7 million Jewish people (less than 0.018 percent of the population) have the right to life, safety, and freedom from scapegoating and fear,” the post read. “Join us in not looking away in speaking out against all forms of hate, including antisemitism.”¹

Immediately, the comment section erupted with hateful content. A flurry of posts—both anti-Israel and anti-Palestine—flooded in. So Powers deleted some comments in an attempt to stomp out the fire.

One of the deleted comments was from Razan Abdin-Adnani, a Palestinian author and member of SCBWI, who questioned why Powers didn’t expressly condemn Islamophobia. When she saw her comment had been deleted, Abdin-Adnani took to Twitter and called Powers out. “I had no idea this was a Zionist/politically motivated organization that doesn’t serve ALL children.”²

And then the mob descended on Powers.

In what Powers described as “a terrifying moment for me and my family,”³ she was bombarded with all sorts of criticism⁴—including one person who called her “a white supremacist” and insisted, Powers recalled, “that I deserve to die and so does my family.”

So she desperately took to Facebook again, this time with an apology: “By posting an antisemitism statement, our intention was to stay out of politics. I neglected to address the rise in Islamophobia, and deeply regret that omission. As someone who is vehemently against Islamophobia and hate speech of any kind, I understand that intention is not impact and I am sorry.”⁵

That assertion—that what someone means when they say something is less important than how someone *else* subjectively interprets what they said—is a particularly troubling one. What we say is in our control, but what other people make of what we say is beyond it.

Unable to tolerate the hostility, Powers went on to announce her resignation: “While this doesn’t fix the pain and disappointment that you feel by my mishandling of this moment, I hope you will accept my sincerest apologies and resignation from the SCBWI. I wish all of you success in our work because the world’s children need your stories. All of them.”⁶

SCBWI's executive director subsequently released a statement describing the ordeal as a "painful week" and "[pledging] to correct any harm we have done and to redouble our efforts to promote equity and inclusion in the children's book field."⁷

Not even resigning and deleting her social media quelled the hatred—and the death threats. And, although Powers left her post voluntarily, she felt as though she had no other choice. She told Kat Rosenfield, "I was terrorized online. I'm still receiving horrible messages. I wasn't willing to endure that for any job.... I will not apologize for making a statement on antisemitism. It needed to be said and it still needs to be said."⁸

And just like that a diversity, equity, and inclusion executive was squeezed out of the literary world—for the offense of *condemning antisemitism while not calling out other forms of prejudice*. "The world that we're in right now leaves very little room for error," Powers warned. "Canceling someone is a sport, and in this case it is a blood sport."⁹

Over the past several years, the publishing and literary world has been consumed by cancellations aimed at staffers and authors, high- and low-profile individuals alike.

We depend on the publishing industry to proliferate ideas and act as a viewpoint-neutral platform for a wide host of authors and thinkers to share their thoughts. And yet activist staffers made headlines time and again for attempting to override their employers' decisions to publish conservative and/or controversial voices. A new generation of employees in the publishing world seem exceptionally comfortable assuming the role of ideological gatekeepers—and have a hard time distinguishing books that might not be "their cup of tea" from those their publisher should abandon.

In November 2020, it was announced that Penguin Random House Canada would be publishing Canadian psychologist Jordan Peterson's *Beyond Order: 12 More Rules for Life*, a sequel to his global bestseller *12 Rules for Life*. The news did not go over well at the publishing house, according to *Vice* reporters¹⁰ who spoke to staffers that requested anonymity over employment concerns. They said PRH Canada had been barraged with more than seventy anonymous complaints

from employees, the vast majority of which were critical of the company's decision to work with the controversial psychologist.

CEO Kristin Cochrane responded¹¹ with an email to her staff. "How we think about our publishing—and the range of books and authors that we publish—is an evolving process and part of an ever-changing conversation, and one I'm eager to have in a bigger way with all of you," she wrote.

And so, to facilitate that conversation, she announced that Anne Collins, the publisher of the imprint that Peterson signed with, would facilitate a town hall meeting. Collins opened the meeting—a "talk back" for employees to air their discontents—by underscoring the importance of publishing "a variety of voices" and defended Peterson for having "helped millions of people who are on the fringes of society who would otherwise be radicalized by alt-right groups."¹²

But the crowd was not appeased. As one employee put it, "She was trying to kind of spin it as a positive to be publishing this book. [But] he's the one who's responsible for radicalizing and causing this surge of alt-right groups, especially on university campuses."¹³

The open-forum section of the town hall devolved into chaos. Several tearful employees confronted executives, reportedly "crying in the meeting about how Jordan Peterson affected their lives." One reportedly claimed Peterson had radicalized their father, another expressed concern about how the book would affect a nonbinary friend.

"He is an icon of hate speech and transphobia, and the fact that he's an icon of white supremacy, regardless of the content of his book, I'm not proud to work for a company that publishes him," one employee told *Vice*. "The company since June has been doing all these anti-racist and allyship things and them publishing Peterson's book completely goes against this. It just makes all of their previous efforts seem completely performative."¹⁴

Others called for the publisher to donate profits from the book to LGBTQ organizations. Meanwhile, Penguin's internal diversity and inclusion committee expressed worries about how the publication of Peterson's book might impact other authors. "We publish a lot of people in the LGBTQ+ community and what is the company going to do about making sure these authors are still feeling

supported by a company that is supporting someone who denies their existence,” the committee said.

In the end, PRH Canada pushed forth with the publication, but not before validating the outrage of their activist employees and inviting tearful castigations at company-sanctioned talk back forums. It was just the first of many such meltdowns in the publishing world.

When it was announced in 2021 that Supreme Court Justice Amy Coney Barrett would be publishing a book in 2024 with a reported \$2 million advance from Penguin Random House, similar chaos erupted—this time spreading throughout the entirety of the publishing industry.

In late October 2022, an open letter from “members of the writing, publishing, and broader literary community” began circulating in the publishing and literary worlds. The Google Doc entitled “We Dissent”¹⁵ was a long-winded call to action demanding Penguin Random House reverse course.

“We care deeply about freedom of speech,” the collective declared—before fundamentally contradicting that statement with an illiberal demand: “We are calling on Penguin Random House to recognize its own history and corporate responsibility commitments by reevaluating its decision to move forward with publishing Supreme Court Justice Amy Coney Barrett’s forthcoming book.”

Citing Barrett’s then recent vote in favor of overturning *Roe v. Wade*, the signatories alleged the company was acting “in direct conflict” with their own Code of Conduct and international human rights by publishing the justice’s book. “This is not just a book that we disagree with.... Rather, this is a case where a corporation has privately funded the destruction of human rights with obscene profits,” they explained.

“We cannot stand idly by while our industry misuses free speech to destroy our rights,” the signatories declared. Ultimately, the open letter garnered well over seven hundred signatures from the literary and publishing worlds, nearly fifty of which came from people self-identified as Penguin Random House employees.

Fortunately, though, less than a week later, Adrian Zackheim of Penguin’s right-leaning Sentinel imprint responded publicly, declaring, “We remain fully

committed to publishing authors who, like Justice Barrett, substantively shape today's most important conversations."¹⁶

Zackheim reaffirmed Sentinel's mission to "publish books so that people can read them, and evaluate them on their own." He aptly added, "In an intelligent free society we need to demonstrate ideas in a robust form so that we can discuss them."

A similar ordeal also broke out in November 2021 over Mike Pence's then-forthcoming book *So Help Me God*. Two hundred Simon & Schuster staffers signed a petition calling for the publication to be halted.¹⁷ But, fortunately, the company stood by their decision to publish it.

Although these publishing houses each laudably stood firm in the face of employee outrage, this trend of staffers demanding censorship based on authors' viewpoints is a frightening one.

And not every publisher has stood up to the outrage. On Monday March 2, 2020, Hachette Book Group announced¹⁸ they would be publishing Woody Allen's autobiography *Apropos of Nothing* in early April of that year. Allen's son Ronan Farrow pushed back, pointing out that he and his sister had long accused Allen of molesting her as a child.

"Obviously I can't in good conscience work with you anymore," Farrow, who had previously been published by Hachette himself, wrote to the company. "Imagine this were your sister."¹⁹ That Thursday, Hachette employees took a stand behind Farrow and staged a walkout.

By Friday, the publisher had called off the publication and returned the rights to the book to Allen. Hachette said going forward with the book "would not be feasible" and added, "We take our relationships with authors very seriously, and do not cancel books lightly."²⁰

Stephen King responded to the controversy on Twitter: "The Hachette decision to drop the Woody Allen book makes me very uneasy. It's not him; I don't give a damn about Mr. Allen. It's who gets muzzled next that worries me."²¹

Sources in the publishing world tell us that this case is still cause for concern in the industry, as it proved that publishers won't always stand firm in the face of

the mob. And while the desired censorship did not ultimately occur in the cases of Peterson, Barrett, and Pence, these illiberal skirmishes most certainly have a chilling effect on employers fearful of their activist employees, heterodox authors seeking publication, and, therefore, the free exchange of ideas.

Illiberal activists in the publishing world are being enabled to establish the contours of acceptable speech.

The activist urge to change what's published and printed doesn't just apply to soon-to-be-published titles. Cancel Culture has even come posthumously for some of our culture's most beloved authors.

On what would have been Dr. Seuss's 117th birthday—March 2, 2021—his estate, Dr. Seuss Enterprises, announced²² that several of the author's iconic books would be pulled from production for content that was retrospectively deemed offensive, thirty years after the author's death.

Six titles, including *McElligot's Pool*, *The Cat's Quizzer*, *Scrambled Eggs Super!*, *If I Ran the Zoo*, and *On Beyond Zebra!* were singled out by a panel of experts hired by the estate to identify offensive content. *And to Think That I Saw It on Mulberry Street*, for example, was among the censored titles on account of its depiction of a Chinese man with lines for eyes, holding chopsticks and a bowl of rice—although the reference to him as a “Chinaman” had been changed to “a Chinese man” already in 1970.

Random House Children's Books, the publisher of Dr. Seuss's work, accepted the estate's decision and pulled the titles from sale.

“These books portray people in ways that are hurtful and wrong,” the estate declared. “Ceasing sales of these books is only part of our commitment and broader plan to ensure Dr. Seuss Enterprises's catalog represents and supports all communities and families.”²³

But the censorship didn't come without backlash. Almost instantaneously, Dr. Seuss soared to the top of the bestseller list, holding nine of the top ten Amazon bestseller rankings. Meanwhile, the censored titles started soaring²⁴ in resale price on eBay.

Similar changes have been made to children's author Richard Scarry's catalog of books. The author of innocuous books like *Best Little Word Book Ever*, *I Am a Bunny*, and *Cars, Trucks and Things That Go* (a multigenerational classic) was

targeted for retrospective editing,²⁵ including changing the word “policeman” to “police officer” and making a cartoon mom cat pushing a stroller into a dad cat to counteract gender stereotypes.

Roald Dahl’s classic *Charlie and the Chocolate Factory* met a similar fate in 2023 when a revised version was published in which Oompa Loompas became “small people” instead of “small men,” Augustus Gloop was described as “enormous” rather than fat, and Mrs. Twit’s description as “ugly” was nixed.²⁶

And it’s not just little kids’ eyes that are being shielded from potentially offensive content. In fact, the young adult (YA) literary world has been a hotbed for activism, censorship, and illiberalism for years. Keira Drake, a first-time author, learned this firsthand in January of 2018.

She was all set to publish her debut YA novel *The Continent*, which tells the story of a wealthy cartographer’s apprentice who ends up living with a fictitious tribe in a place called the Continent. Drake told the *Washington Post*, “The main theme of *The Continent* is how privilege allows us to turn a blind eye to the suffering of others.”²⁷

Everything was ready to go—advanced copies in circulation and hardcovers printed—when Drake was suddenly mobbed by furious critics on Twitter accusing her of racism for her depiction of the tribe. One person tweeted, “I’m still in shock at the Native American representation in *The Continent* BTW. This book could really do some damage.”²⁸

At first, Drake defended herself. But, as she told the *Washington Post*, “As the day went on, I realized, ‘Oh, my god. Oh, it’s so true.’”²⁹

Rather than stand by her work and her intentions, Drake contacted her publisher, Harlequin Teen, in a last-ditch effort to save her reputation before the Twitter mob destroyed her. She desperately asked her publisher to push back the publication date to make time for revisions—something they agreed to, despite having already printed the hardcover copies.

And so Drake went on to rewrite portions of her book. The original and amended versions were compared³⁰ by the *Washington Post*. Here are a few examples of the changes she made:

Before: “The Topi are more ostentatious—they wear brighter colors, fringed sleeves, bone helmets—that sort of thing.”

After: “The Xoe are far more expressive—they wear bright colors, great painted cloaks, helmets of metal fitted with bone—that sort of thing.”

Before: “There are villagers below too; they are singularly dark of hair, with beautiful bronzed skin, and look to be very tall—even the women.”

After: “There are villagers below, too; and quite a lot of them, with skin so white it might be made of writing paper—far paler than those of the Spirian East. Their hair ranges from silver—not gray—but shimmering silver—to black and every shade in between, and most look to be very tall, even the women.”

As it turns out, the notion that a mounting Twitter mob might turn on you strikes so much fear into the hearts of some authors that they move to proactively censor themselves, or even cancel themselves.

And not even the sensitivity readers—who are hired to look for offensive content in *other* people’s books—are safe from the mob. That’s what Kosoko Jackson, a Black and LGBTQ sensitivity reader, found out when he attempted to publish his debut YA book *A Place for Wolves* in March of 2019.

Jackson has been at the helm of cancellation mobs time and again. He was described by Ruth Graham in *Slate* as an “expert in the trapdoors of identity-related rhetoric” and a “part of a small and informal but intense online community that scolded writers who ran afoul of [their] values in their work or online.”³¹ He once tweeted that female authors should not “profit” from gay men’s stories.³²

On its face, *A Place for Wolves* should have been plenty palatable to Jackson’s fellow Twitter mob members. The romantic thriller explored the relationship of two American teen boys against the backdrop of the Kosovo War in the 1990s. It

was even promoted as part of the “#ownvoices” book campaign, which amplifies literature about minorities written by minorities themselves.

But everything came tumbling down in February when a review posted on the open-forum Goodreads came for Jackson.³³ “I have to be absolutely fucking honest here, everybody. I’ve never been so disgusted in my life,” it began.

The review, by Tamera Cook, a self-described young adult reader, went on to ridicule the book for being written by a non-Muslim and for “[centering on] two non-Muslim Americans”—something Cook said was “so gross to me.” She even posited that fans of the book might be engaging in “subconscious Islamophobia” and warned of the “harm it can and will do to real people.”³⁴

Other critics piled on. One ripped,³⁵ “How could you take a beautiful LGBTQ love story and shit on genocide victims like that?” Even those who previously wrote positive reviews retroactively amended them,³⁶ like author Heidi Heilig, who apologized “to those I’ve hurt by my blurb” and committed to “[working] harder.” Jackson was even dropped from a literary festival’s lineup.³⁷

Seeing himself on the receiving end of the grief he once gave other authors, Jackson bowed to the mob, finished the job, and canceled himself. In a statement addressed to “the Book Community,” he apologized for his “problematic representation and historical insensitivity.”³⁸ Jackson then asked his own publisher, Sourcebooks, to stop the publication and pull his book from their lineup. They complied.

Although the publication of children’s books and young adult novels might not seem as culturally pressing as books written by Supreme Court justices and former vice presidents, they are significant for two reasons. Firstly, as Ruth Graham has pointed out,³⁹ a shocking 55 percent of YA readers are adults—meaning activist scourges in the YA community are shaping what adult consumers are able to read.

Secondly, and most importantly, by shielding young readers from ideas and concepts that are deemed “offensive” or “unsafe,” publishers send a chilling message from day one: you as a reader and an independent thinker must rely on others—whether they be sensitivity readers, publishing employees, or self-

appointed Twitter mob activists—to protect you from ideas and concepts that *they* feel you are far too fragile to encounter.

Of all the publishing horror stories we've heard, few are as shocking as Jeanine Cummins's fall from grace. When the novelist attempted to use her writing to call attention to the plights of immigrants coming to America—an empathetic and progressive mission—she was torn down for the crime of being the wrong kind of person to deliver that message.

In January 2020, Jeanine Cummins's much-anticipated and already critically acclaimed book *American Dirt* was released. The story was of a Mexican mom and her young son attempting to cross the border and to escape a cartel targeting her family. The book could not have been more sympathetic to the mother and her plight. It was hailed as “extraordinary” by Stephen King and even landed a place on Oprah Winfrey's book club list. The novel's publisher, Flatiron, was leaning hard into promotion.

In an author's note in the book, Cummins, who is of Irish and Puerto Rican descent, explained her trepidation about writing a story about Mexican immigrants despite not being one herself: “I was worried that, as a non-immigrant and non-Mexican, I had no business writing a book set almost entirely in Mexico, set entirely among immigrants. I wished someone slightly browner than me would write it.”⁴⁰

Her author's note proved prophetic, for suddenly everything came tumbling down. The mob came for Cummins—castigating her for committing cultural appropriation by writing about Mexican immigrants without being one herself. They accused her of perpetuating stereotypes, misdescribing Mexico, and exploiting the stories of others for profit.

The takedown likely started with an online review⁴¹ by Mexican-American writer Myriam Gurba entitled “My Bronca with Fake-Ass Social Justice Literature” in which she calls the book a “clumsy and distorted spectacle” and castigates Cummins for “[stepping] out in public wearing her ill-fitting Mexican costume.”

“I have published three books through indie presses and have not made more than \$5,000 on them,” Gurba told the *Guardian*. “That gives you a sense of

what value is being ascribed to authentic voices.... I hope this makes people realize how conservative publishing really is.”⁴²

Julissa Natzely Arce Raya, author of *My (Underground) American Dream*, added to the Twitterstorm: “As a Mexican immigrant, who was undocumented, I can say with authority that this book is a harmful, stereotypical, damaging representation of our experiences. Please listen to us when we tell you, this book isn’t it.”⁴³

Cummins responded to the mounting criticism during a promotional event: “I lived in fear of this moment, of being called to account for myself: ‘Who do you think you are?’ And, in the end, the people who I met along the way, the migrants who I spoke to, the people who have put themselves in harm’s way to protect vulnerable people, they showed me what real courage looks like. They made me recognize my own cowardice. When people are really putting their lives on the line, to be afraid of writing a book felt like cowardice.”⁴⁴

Nonetheless, the pile-on continued. Roxane Gay—who has insisted Cancel Culture does not exist⁴⁵ and has the platform of the *New York Times*—added on Twitter: “It’s frustrating to see a book like this elevated by Oprah because it legitimizes and normalizes flawed and patronizing and wrong-minded thinking about the border and those who cross it.”⁴⁶

Well over a hundred authors signed an open letter to Oprah Winfrey castigating her for praising the novel. “We, the undersigned, do not see a faceless brown mass,” they wrote. “We ourselves are not faceless, nor are we voiceless.”⁴⁷

“In one of those online firestorms the world has come to recognize and occasionally regret, activists, writers, self-appointed allies and Twitter gunslingers competed to show who was more affronted by the crime of the novel’s success,” Pamela Paul of the *New York Times* wrote. “*American Dirt* was essentially held responsible for every instance in which another Latino writer’s book got passed over, poorly reviewed and remaindered.”⁴⁸

Flatiron, the imprint of Macmillan that published *American Dirt*, held multiple town halls to air grievances before unceremoniously canceling the remainder of Cummins’s promotional tour, citing safety concerns.

Bob Miller, the president and publisher of Flatiron Books, clarified the decision: “We are saddened that a work of fiction that was well-intentioned has led to such vitriolic rancor, [but] unfortunately, our concerns about safety have led us to the difficult decision to cancel the book tour.”⁴⁹

At the time, Cummins was staying at the home of novelist Ann Patchett, who described the ordeal to the *New York Times*: “It was a witch hunt. Villagers lit their torches. The fall that she took, in my kitchen, from being at the top of the world to just being smashed and in danger—it was heartbreaking.”⁵⁰

Then came a more groveling statement from the publisher, who agreed that their own actions had been “insensitive” and said, “We should never have claimed that it was a novel that defined the migrant experience.”⁵¹ They added that the book exposed “deep inadequacies” at Flatiron and said “the fact that we were surprised is indicative of a problem, which is that in positioning this novel, we failed to acknowledge our own limits.”⁵²

In place of the planned book tour, Flatiron proceeded to send Cummins to a series of town hall–style events, where she could face “some of the groups who have raised objections to the book.” Miller added, “We believe that this provides an opportunity to come together and unearth difficult truths to help us move forward as a community.”⁵³

And yet, while the internal publishing world tore itself apart over accusations of cultural appropriation, the outside world—and readers themselves—seemed to care much less. In terms of the sales, *American Dirt* enjoyed stunning success. It was translated into 37 languages, sold 3 million copies worldwide, and spent 36 weeks on the *New York Times* bestseller list, where it reached number one.⁵⁴

But, despite her sales, Cummins herself was devastated and her reputation irreversibly damaged. It was a spectacular takedown—and a prime example of the Fourth Great Untruth. There was no space between “she is bad” and “this is a bad book.”

Internal politics in the very industry that decides what literature sees the light of day is critical in determining what everyone else gets to read, based on the whims of activists more concerned with an author’s identity than her book’s

content. As Pamela Paul pointed out, “If the proposal for *American Dirt* landed on desks today, it wouldn’t get published.”

Chapter 11:

Keeping Your Corporation Out of the Culture War

“I’m of the opinion that we’re all grown-ups here. Let’s have faith in our own sensibilities as opposed to having somebody decide what we may or may not be offended by. Let me decide what I am offended by and what I’m not offended by.”

—Tom Hanks¹

Office culture is tough to navigate these days. The tactics you might have used as a business leader to appease Millennials—all-hands meetings, anonymous reporting mechanisms, groveling corporate apologies, canned solidarity statements—haven’t been successful.

You’re contending with a new crop of employees: Gen Z. Bright-eyed, fresh out of college, and accustomed to administrators appeasing them, many Gen Z hires are turning HR into their bias response teams, assuming management will resolve their interpersonal conflicts because they always have.

Lots of Gen Z employees also expect their personal values and politics to be reflected by the company. A 2022 Deloitte survey found 37 percent of Gen Z have *already* rejected a job or assignment based on personal ethics, and more than one in three would quit a job without another lined up.² It’s their way or the highway. And why should they care? Fewer than half of Zoomers think business is a force for good in society, anyway.³

This new activist generation is threatening to make corporate culture look a lot more like campus culture, forming Slack mobs that resemble Twitter mobs and proving to be a PR nightmare for employers who don’t appease them. Fold in the fact that Millennials, who are now advancing into managerial roles, tend to be more sympathetic to Gen Z’s activism, and you have a real problem on your hands.

So how do you keep your corporation out of the culture war?

Well, first let's talk about how you handle hiring and initiating new employees. We suggest you start thinking of staff diversity in more dynamic terms, going beyond just immutable characteristics. Does your team have a diversity of viewpoints? A variety of socioeconomic backgrounds? Varying political opinions? And how about different educational paths?

The Coddling of the American Mind exposed how elite schools are breeding grounds for unhelpful worldviews, and certainly this book concurs. Cancel Culture runs deep in our prestigious institutions. That's why we suggest cutting down on employee groupthink by broadening your search beyond elite colleges to look at candidates who went to state schools and non-coastal schools. And, especially in the post-pandemic era, consider promising candidates who took unorthodox educational paths, too—even if that means hiring nongraduates (like Rikki—in fact, Greg changed the policy at FIRE once he realized he was not practicing what he preached, and changed the policy to hire Rikki!).

Once you've hired a new team member, it is important to set the stage for your corporate culture from day one. A commitment to everyone's free speech is a great policy to establish in your Employee Handbook, which usually requires employees to sign an agreement to the terms.

Consider taking a page out of the Netflix book. After hundreds of employees walked out in October 2021 protesting Dave Chappelle's comedy special in which he made jokes about transgenderism the company refused to capitulate. In fact, they even unveiled a new workplace policy, telling prospective employees, "You may need to work on [movies or shows] you perceive to be harmful. If you'd find it hard to support our content breadth, Netflix may not be the right place for you."⁴

As an employer, you have the right to enforce this "accept it or move on" mindset. So, from day one, make it clear to new hires that being apolitical is part of your company mission. Perhaps some candidates will walk out the door as a result, but odds are those are not the people you'd want to be working with in the first place.

Now, what should you do when issues arise?

Well, most employee complaints are filtered through human resources today, so make sure that your HR team is on the same page as you and knows your stance: “We want to be the kind of organization that is able to hire people who may not even agree on what causes to fight for. So, while you are free to be an activist in your private life, we will be a politically neutral org.” HR’s role should be clearly defined: to help sort out substantive issues in the office, not police speech or serve as a human repository for employees’ personal issues. In many ways, HR is as important in setting the office tone as you are.

When it comes time to address an issue, our advice: don’t do talkbacks, all-hands meetings, town halls, or whatever else you might call them. They’re often not necessary or productive—and very often devolve into browbeating struggle sessions where offending parties or business leaders are castigated. In fact, sanctioning that kind of behavior consistently emboldens activist employees. Talk to employees one-on-one or in small groups to prevent a campus-style virtue-escalating cascade.

If you want to actually better understand office culture, don’t turn to social media. It’s more likely to amplify the voices and complaints of your company’s squeakiest wheels. Instead keep an eye on employee morale through anonymous surveys. They’re a great way to gauge if your corporate culture is healthy and provide a much more democratic insight.

And what should you do when the cancel culture mob comes for one of your employees?

The first thing we suggest: don’t take any rash action. Twitter mobs tend to burn out and move on to their next victim, so acting too soon or under acute pressure could be unwise. And if the situation demands action from you, consider options aside from firing the employee where possible. We can’t expect a perfect score from anyone, and terminations set an important precedent. Does this send a good message to the company? Do you want to fire anyone else who might make a similar mistake? Could this become a slippery slope?

In short: slow down, and think it through. All in all, focus on your company first. You’re a business leader, not a diplomat or activist. And saying as much shouldn’t be controversial.

Coinbase CEO Brian Armstrong set a good example when, in the wake of employee walkouts, he promised to keep his company out of politics and resist advocating political causes or candidates. He redefined the mission to “be a company first” and “focus on what unites us, not what divides us,” noting “we can help create a sense of cohesion and unity by focusing on what we have in common, not where we disagree, especially when it’s unrelated to our work.”⁵

“I want Coinbase to be laser focused on achieving its mission, because I believe that this is the way we can have the biggest impact on the world,” he continued. Armstrong also offered up severance to employees who weren’t on board—which a shocking 5 percent of the workforce accepted.⁶ But he was left with the 95 percent who put their work before their personal politics.

A company focusing on its business should not be a radical stance.

In sum:

- *Hire more broadly:* Look beyond the traditional elite pipelines to develop a genuinely diverse team with different life experiences and viewpoints.
- *Define what you stand for:* Don’t wait until it’s too late. Make it clear from the get-go that your company stands for free expression and tolerance.
- *Face problems in small groups:* When issues arise, it’s best to keep things personal, avoid “talkback” meetings, and ensure you have an HR team that’s on the same page.
- *Practice what you preach:* Whenever possible, err on the side of forgiveness and be mindful of the precedent your action might set.

Case Study: Comedy

“If it is choosing not to watch a comedian because you don’t like them, that’s everyone’s right. But when people are trying to get someone fired because they don’t like their opinion about something that’s nothing to do with their job, that’s what I call Cancel Culture and that’s not cool. You turning off your own TV isn’t censorship. You trying to get other people to turn off their TV, because you don’t like something they’re watching, that’s different.”¹

—Ricky Gervais

In January 2019, comedian Konstantin Kisin was asked to perform a charity benefit for UNICEF at the School of African and Oriental Studies in London. Upon accepting the unpaid gig, he was sent a Behavioral Agreement Form—the title alone, the Soviet-born comic said, “nearly [made] me puke.”²

This Comedy night... aims to provide a safe space for everyone to come together to share and listen to Comedy, with all proceeds donated to UNICEF.

This is a chance for all to be entertained and overjoyed by the different performances here on this day, 23rd January 2019. Hence, the importance of this contract. This contract has been written to ensure an environment where joy, love and acceptance is reciprocated by all. By signing this contract you are agreeing to our no tolerance policy with regards to racism, sexism, classism, ageism, ableism, homophobia, biphobia, transphobia, xenophobia, Islamophobia or anti-religion or anti-atheism.

All topics must be presented in a way that is respectful and kind. It does not mean that these topics cannot be discussed. But, it must be done in a

respectful and non-abusive way.

Rather than sign the contract, Kisin declined the offer to perform. In a radio interview, he reflected on his decision: “I didn’t turn down this gig because I’m some racist, homophobic, xenophobic, ableist comedian. I turned down this gig because if you sign a contract like that, you’re exposing yourself to someone’s bad interpretation. If someone writes a contract like that, the chances are that they will be hypersensitive, vigilant and trying to catch you out. I’m just not interested in that.”³

Kisin’s experience isn’t all that unique. Just a month earlier, another ridiculous campus comedy spectacle unfolded when Nimesh Patel performed a standup routine at Columbia University.⁴

The school’s Asian-American Alliance Club had invited Patel to do a fifty-minute performance with several hundred students in attendance. All was fine until twenty minutes into the performance when Patel delivered a particular joke. As he later would describe it in an op-ed for the *New York Times*:

*I open by saying I live in Hell’s Kitchen, a diverse area in New York populated by, among others, gay black men who are not shy about telling me they don’t approve of what I’m wearing. I try to learn things from everyone I encounter, and one day I realize oh, this is how you know being gay can’t be a choice—no one would choose to be gay if they’re already black. No one is doubling down on hardship. Then I say, no black dude wakes up and thinks that being a black man in America is too easy. No black dude says, ‘I’m going to put on a Madonna halter top and some Jordans and make an Indian dude real uncomfortable.’ That’s not a choice.*⁵

By his own admission, the joke “bombed” and the audience stared at him in silence. But he continued on... until three student organizers approached him onstage mid-performance. They informed him that they were going in a “different direction” with the remaining half hour of his allotted time. Then they asked Patel to leave.

“When you silence someone you don’t agree with or find offensive, not only do you implement the tactic used by the people you disdain; you also do yourself the disservice of missing out on a potentially meaningful conversation,” Patel wrote.⁶ “You cannot affect change if you are not challenged.”

It’s no secret that college campuses are ground zero for political correctness—and that any comedian who dares to perform at one is dodging land mines. Greg was executive producer for the 2015 documentary *Can We Take a Joke?* It was inspired by a 2012 comment from self-described “liberal comedian” Lee Camp, who said he didn’t like doing college campuses anymore because he couldn’t use his good material there.⁷

But the campus stuffiness has exploded into the wider world.

Emmy- and Grammy-winning comic Dave Chappelle—well known for saying the unsayable since the early nineties—learned the hard way in October 2021 that the unsayable actually now is *unsayable*. Although he warned at the top of his Netflix special *The Closer* that he would be treading into controversial territory, jokes he made about the transgender community and the declaration that he was “Team TERF” (trans exclusionary radical feminist, a pejorative used to describe the likes of J. K. Rowling) brought out the cancel mob in force.

His jokes were widely interpreted as hate speech and even as promotion of violence against transgender people. The special was condemned by LGBTQ media-monitoring group GLAAD, which declared that Chappelle’s brand had “become synonymous with ridiculing trans people and other marginalized communities.”⁸ The special was dismissed by Roxane Gay in the *New York Times* as a “joyless tirade of incoherent and seething rage, misogyny, homophobia, and transphobia.”⁹

The creative class began protesting. Executive producer Jaclyn Moore pledged never to work with Netflix “as long as they continue to put out and profit from blatantly and dangerously transphobic content.”¹⁰

Internal message boards show Netflix employees wondering whether the company was “making the wrong historical choice around hate speech.”¹¹ One staffer took to Twitter to say the special “attacks the trans community, and the very validity of transness.”¹² They began to mobilize.

Dozens of staffers in Netflix's Los Angeles office walked out of work in unison, protesting the company's decision to platform Chappelle. They waved signs declaring "Team Trans!," "Do Better," and "Transphobia is not a joke" while chanting "we want accountability" and "trans lives matter."¹³ Meanwhile, remote employees logged off for the day. Some staffers circulated a list of demands, asking for trigger warnings before content that might be deemed transphobic and demanding Netflix acknowledge the harm its content caused.¹⁴

The world took notice as #NetflixWalkout trended on Twitter, and the social media world came to the protesters' defense. These employees took it upon themselves to decide what others should be able to watch—and laugh at.

Although the company ultimately and laudably stood firm in the face of the controversy—it was just the beginning for Chappelle. That following summer, he was set to perform a sold-out show in Minneapolis while on his international tour. But then, just hours before the gig was planned to begin, the venue, First Avenue, canceled on him. In an Instagram post, the organizers made it abundantly clear that Chappelle's jokes were why:

*To staff, artists, and our community, we hear you and we are sorry. We know we must hold ourselves to the highest standards, and we know we let you down. We are not just a black box with people in it, and we understand that First Ave is not just a room, but meaningful beyond our walls. The First Avenue team and you have worked hard to make our venues the safest spaces in the country, and we will continue with that mission. We believe in diverse voices and the freedom of artistic expression, but in honoring that, we lost sight of the impact this would have. We know there are some who will not agree with this decision; you are welcome to send feedback.*¹⁵

Many came to the venue's defense, including podcaster Michael Hobbes, who quipped on Twitter, "A bunch of workers boycotting a show by a controversial public figure is not remotely a threat to freedom of speech."¹⁶ Greg refuted these claims in an op-ed for *Newsweek* at the time:

We are lucky enough to live in a country where people can confuse the democratic right to free speech as guaranteed under the First Amendment and the older, philosophical principle of freedom of speech. Indeed, a private venue has its own free speech and associational rights to not have a comedian perform there. But simply because the First Amendment—rightly!—doesn't require clubs to host comedians doesn't mean that canceling a show in the face of social pressure is an equally good outcome for free expression.

[Venues, publishers, etc.] are cultural institutions, and every decision to drop a writer, artist, musician or comedian because some members of the community do not like their work is a loss for both freedom of expression and artistic freedom.

Just as people have the right to demand that Dave Chappelle be canceled, we have the right—and arguably the moral responsibility—to push back against those who would attempt to decide for everyone what is fit to be heard. If we don't push back against this trend, our society may soon find itself with fewer artists willing to push boundaries and fewer outlets for authentic artistic expression. And we'll all be worse off for it.¹⁷

These are merely a few examples of Cancel Culture creeping into comedy, and there are surely countless lower-profile comedians who have found themselves in the cross fire but never made the headlines. A quick smattering of other victims includes:

- Shane Gillis, who was dropped by *Saturday Night Live* in 2019 after a reporter unearthed a podcast appearance in which Gillis had used the word “chink” to describe Asian people.¹⁸
- Sarah Silverman, who was fired from a movie role in 2019 when a 2007 Comedy Central segment featuring Silverman in blackface resurfaced.¹⁹
- Mark Meechan, a British YouTuber, who was found guilty of a hate crime and fined £800 for posting a video of his girlfriend's pug performing Nazi salutes.²⁰ (Ricky Gervais came to his defense on

Twitter: “A man has been convicted in a UK court of making a joke that was deemed ‘grossly offensive.’ If you don’t believe in a person’s right to say things that you might find ‘grossly offensive,’ then you don’t believe in Freedom of Speech.”²¹).

So far we’ve concentrated our case studies on Cancel Culture in knowledge-producing institutions—higher education, journalism, publishing, psychology, and medicine—and while comedy is an outlier in that sense, it does serve a very important role: establishing the parameters of what people are allowed to say. If even comedians can’t joke about an issue, regular people don’t stand a chance.

There’s perhaps no more cathartic setting to wade into important, hot-button issues than the comedy stage. But comedians can only provoke and push the envelope so long as they are afforded the freedom and cultural grace to do so. Indeed, comedy occupies a special place in our culture: where we can overcome differences in order to laugh together; where we can blow off steam and wrestle with third-rail issues; where we can speak truth to power and *should* not fear reprisal.

Authoritarians often seek to squash out comics and provocateurs under the guise of “protecting” people from ideas. In days past, pearl-clutching conservatives waged war on crude or foul-mouthed comedians. But today we’re seeing everyday citizens, college kids, and bloodthirsty Twitter mobs (who often fashion themselves as progressives) doing the same.

As Noam Dworman, owner of the acclaimed Comedy Cellar in New York City’s Greenwich Village, told us, “Typically when I question someone who says there’s no such thing as Cancel Culture, they immediately resort to sleight of hand reasoning: ‘It’s not cancellation, it’s accountability.’ But the fact is that everyone knows there is a dangerous storm cloud over the free speech of comedians.”

It seems that today we still just can’t take a joke.

Chapter 12

Fixing K–12

“You can’t ban people. I hate Cancel Culture. It has become quite hysterical, and there’s kind of witch-hunt and a lack of understanding.”¹

—Helena Bonham Carter

America’s K–12 educational system is broken—and in desperate need of reform. But not all solutions are created equal. As you know from Chapter 7, we’re highly critical of laws trying to ban the teaching of critical race theory. But that doesn’t mean that we don’t recognize that our educational system needs fixing.

We’ve been disturbed to see a trend of people implying and even outright saying that K–12 education should be run exclusively by teachers and administrators with little to no input from parents or state governments. Although it’s a sentiment we’ve heard more and more of late, it’s not a very popular one with the wider public.

Terry McAuliffe, while running for the Virginia governorship in 2021, said “I don’t think parents should be telling schools what they should teach.”² That position very well may have cost him the election, which he lost to Glenn Youngkin. According to one poll of Virginia voters, 54 percent said that statement was a big factor in how they ultimately voted. Schooling is mandatory, taxpayer-funded, and aimed at children. Voters recognize as unconscionable the idea of having no parental or democratic oversight.³

Sadly, aside from aggressive anti-critical race theory bills, very few actual solutions and reforms have been proposed. We’ve both seen firsthand that there’s a thirst for reform among many educators. And we think there are many absolutely amazing, thoughtful teachers out there who would thrive under a different system.

Here are reforms we believe will help inculcate democratic virtues:

Start seeing kids as unique, intellectually independent individuals: Educators need to see students as individuals rather than members of a group and respect their individuality. It's not the role of a teacher to impose personal agendas or to compel conformity. Although they're still young and evolving, students need to know that their freedom of conscience is sacrosanct. This is critical to raising responsible citizens. Giving them the freedom to develop their own thoughts and beliefs is the first step toward that goal.

Teachers and administrators should strive toward political neutrality in the classroom setting. Children inevitably have diverse political upbringings and families, so approaching that with curiosity, open-mindedness, and a genuine desire to understand where they are coming from is crucial. The goal of K–12 education is creating thoughtful citizens, not activists. Students need to know *how* to think, not *what* to think. And, in an age of partisanship, erring on the side of neutrality teaches an important lesson: that we, as Americans, have common ground.

Emphasize curiosity and critical thinking: Schools need to reemphasize the central purpose of education: to promote critical thinking and intellectual exploration. That means teaching kids that in order to be creative thinkers, they have to risk sometimes being “wrong.” Rote memorization and test prep have become too large a part of our K–12 curriculum. We need to teach critical thinking skills and help guide students through engaging with diverse and challenging viewpoints. In fact, we really think debate clubs should be popularized again.

Putting the emphasis back on critical thinking will ultimately teach the next generation to argue in a healthy and productive manner—and help them resist falling into the trap of using the unhelpful rhetorical techniques that help propel polarization and Cancel Culture. Most important of all, fostering intellectual curiosity at a young age sets the stage for a lifetime of learning.

Foster antifragility and emotional wellbeing: In recent years, we've seen a trend of teachers and administrators being more eager to intervene in kids' interpersonal issues, both on the individual level—by always hovering over children and proactively helping them sort out conflicts—and on the institutional level—by embracing certain counterproductive aspects of the anti-bullying movement.

We can't stress enough how important avoiding this instinct is to steering our society away from Cancel Culture and toward a more healthy model of conflict resolution. Young people who aren't morally dependent upon authority figures to negotiate their conflicts will ultimately be better able to confront disagreement without resorting to canceling another person.

Promoting good mental habits is key to promoting anti-fragility. We're in the midst of a youth mental health epidemic, and it's the responsibility of educators to help counteract it however possible. That means, of course, guiding children away from the Three Great Untruths we discussed in *The Coddling of the American Mind* and the Fourth Great Untruth: good people are not always right, and bad people are not always wrong.

It also means teaching kids from an early age to identify and dispel cognitive distortions—the unhelpful habits of thinking so many young people have embraced, which are contributing to their anxiety and depression. A few to keep an eye out for among young people include: emotional reasoning, overgeneralizing, catastrophizing, blaming, discounting positives, and negative filtering. Greg's primary point in his entire project with Jonathan Haidt was to argue that the same forces that were threatening free speech on campus were also the mental habits that would make anybody anxious and depressed.

Avoid three common unhelpful lessons: First, the oppressor-oppressed dichotomy is common in schools and teaches kids that their ability to succeed in the future is largely determined on the basis of immutable group characteristics. Young people should be empowered to take their destiny into their own hands as much as possible.

Second, teachers use trigger warnings, establish safe spaces, and proactively censor to “protect” kids. These measures imply that students are too fragile and need to be shielded from the outside world.

Third, when teachers or administrators punish students for a bad joke or a faux pas, they’re sending a terrible message. Validating the idea that a mistake should automatically result in punishment fuels the fire of Cancel Culture. When at all possible, teachers should err on the side of forgiveness and redemption—teaching both the student in trouble and those around them that every mistake is not reflective of core character.

Build from the ground up: We certainly believe that the current state of K–12 education demands both fundamental changes and some experimentation, too.

While Greg has always been a voucher skeptic, he has come to agree with Rikki that an expanded school voucher system—a concept that is becoming more popular around the country—is needed. Allowing parents to decide where the tax dollars designated for their child’s education ultimately go is a way to infuse parental power into the K–12 system. Plus, it broadens educational choice to families who wouldn’t otherwise be able to afford private school options.

But that’s just the start. We also want to see plenty of innovation. It’s clear we can’t heal K–12 education by relying solely on the institutions that got us where we are. We need licensing reform and entirely new schools to challenge the status quo.

It would be wonderful to see a pallet of options for students. A vast diversity of models should be tried from Montessori (which emphasizes children’s natural interests in an unstructured environment) to Reggio Emilia (a self-guided, experiential method of teaching), to unschooling (a learner-driven approach that doesn’t include formal school), to tech and trade schools (specified, career-driven instruction).

We should stop turning up our noses at vocational education that actually instills useful, trade-oriented skills. Even Leonard Susskind, a famous physicist and one of the fathers of string theory, claims that being a plumber as a teenager helped him think through the nature of black

holes. In fact, he even won a bet with the late great Stephen Hawking about how black holes work. And Greg learned tons of life lessons while working in a restaurant, from business to chemistry.

In the first year of the pandemic, there was a 104 percent increase in parents' homeschooling. Leaning into the homeschooling movement, experimenting with small education pods, and looking into hybrid solutions that combine the two is worthwhile.

Tools like Khan Academy, which provides free online courses in everything from math to art, history, and science, and more, are opening the doors for innovation. Taking advantage of such extraordinary online resources currently available can empower even small groups to educate their kids at their own speed with a vast collection of effective educational modules.

There is, of course, no quick fix to the issues facing our education system. Some trial and error is called for—and we should embrace that fact as we embark on some much-needed exploration. This means leaders and policy makers have to be humble, and parents rational. In general, we need to shift toward smaller, cheaper, non-ideological, student-driven approaches to K–12 education. And, most of all, we *must* restore a positive vision of education reform, one that maintains a deeply pluralistic society.

Case Study: Yale University

“The obligation to mention one’s pronouns that is rather common in classrooms leaves little room for the discussion of different views on gender, sexuality etc. It always feels as if the view that there are only two genders is never allowed.”

—Yale student¹

Before we delve into our higher education reforms, let’s head back to campus at Yale University—one of the nation’s most elite schools, and one of the worst Cancel Culture offenders.

On March 10, 2022, around 120 students at Yale Law School—a school with fewer than 700 students total—showed up to shout down a panel discussion about religious freedom.

Ironically, the Federalist Society–sponsored event was, according to one member of the society, expressly designed to illustrate that a liberal atheist and a Christian conservative “could find common ground on free speech issues.”² That afternoon, law professor Kate Stith moderated a conversation between Monica Miller, an associate at the progressive American Humanist Association, and Kristen Waggoner, a constitutional rights Supreme Court litigator from a conservative Christian organization called the Alliance Defending Freedom.

The conversation concentrated on a recent eight-to-one Supreme Court decision in *Uzuegbunam v. Preczewski*—a case brought by an evangelical college student who was prohibited by his public university from handing out religious literature outside so-called free speech zones—which, despite their name, are used to quarantine free speech to tiny subsections of campus—and then later told to stop entirely due to complaints. As a member of the Federalist Society told Aaron Sibarium of the *Washington Free Beacon*, “It was pretty much the most innocuous thing you could talk about.”³

Nonetheless, student protesters outnumbered attendees. When Stith introduced Waggoner, the students began shouting, and waved signs protesting the Alliance Defending Freedom, an organization that had been presented by critics on campus primarily as an anti-LGBTQ organization, rather than a Christian conservative litigation group.⁴

Stith attempted to push on through the conversation, but ultimately the discussion had to be paused when a student protester told a fellow law student and member of the Federalist Society she would “literally fight you, bitch.” Stith reminded the protesters that the university’s policy bans protest tactics that “[interfere] with the speakers’ ability to be heard and of community members to listen.” But the defiant crowd fought back, with many protesters throwing up middle fingers at Stith. When Stith told the students to “grow up,” the protesters began yelling and insisting they were simply exercising their own free speech rights by shouting down the panel.

That’s when Stith had finally had enough and asked the protesters to leave. On the way out the door, one student yelled, “Fuck you, FedSoc!” But that wasn’t the end of the protest. As Sibarium wrote in the *Free Beacon*, the student protesters congregated in the hallway, where they began to shout, clap, sing, and pound the walls, drowning out the panelists.⁵ Chants of “Protect trans kids” and “Shame! Shame! Shame!” reportedly disrupted nearby classes, meetings, and exams.

Despite the disruptions, the event was able to finish. But, on their way out the door, student attendees found protesters blocking the exit. Two FedSoc members claim they were grabbed and tossed around as they left. The panelists themselves even had to be escorted out of the building by police officers, who according to a statement from Yale Law School “were already on hand.”⁶ “I did not feel it was safe to get out of the room without security,” Waggoner later told Sibarium.⁷

And even that wasn’t the end of it. Not long after, Stith received a letter from students, which circulated on the all-school email server, that denounced her for giving “a platform to ideas that deny our full personhood.”⁸ In a second open letter,⁹ addressed to Yale Law School’s deans, a self-proclaimed “coalition of

queer students and allies” expressed support for “peaceful student protesters,” denounced “the deeply disrespectful presence of ADF on campus,” and lamented Stith’s “dismissal of [protesters’] peaceful action as childish.” They continued, “The safety of a large contingent of YLS students—a group of largely LGBTQ and BIPOC students—was put at risk, possibly by our own administration.” (Note the deeply flawed suggestion here: that someone’s presence on campus implies endorsement of their views.)

Ultimately, nearly 450 students—more than *half* of the student body of one of America’s most prestigious law schools—added their names to that second letter in solidarity with those who shouted down the event. “Because Yale Law School is really small, everybody knows everybody,” Sibarium, a member of Yale’s undergraduate class of 2018 and the former opinion editor of the school’s newspaper, told us. “So, if there’s an open letter going around, people will know who did and who did not sign it.”

It’s particularly galling that this is a *law* school—where students prepare to deal with serious life-or-death matters in their field. There was once a time that law schools were more resistant to the political and cultural trends of undergrads. There seemed to be a built-in immunity to heavy-handed ideology. But no longer.

This event is just one of many marks of illiberalism on Yale University’s record—and it was not even the only case to make national headlines that school year.

In September 2022, a second-year law student found himself caught up in a controversy that made headlines everywhere from the *Washington Post*^{[10](#)} to the *Daily Mail*^{[11](#)} and the *Atlantic*^{[12](#)}—all over his use of the term “trap house” in an email.

Trent Colbert was a member of the university’s Federalist Society chapter as well as the Native American Law Student Association (NALSA). In an email, he invited his fellow NALSA students to a party cohosted by the Federalist Society: “This Friday at 7:30, we will be christening our very own (soon to be) world-renowned NALSA Trap House... by throwing a Constitution Day Bash in collaboration with FedSoc.... Planned attractions include Popeye’s chicken, basic-bitch-American-themed snacks (like apple pie, etc.).”^{[13](#)}

Unbeknownst to Colbert, the phrase “trap house” originated from early 2000s hip-hop culture, when it was used to refer to a house where illegal drugs were dealt. Almost immediately, fellow students began taking exception to his “appropriation” of the term, and his email began circulating on an online forum of second-year law students.

A member of the Black Law Students Association called his use of the term an “inherently anti-Black sentiment” because it was “a reference to the racist impact of both drugs and the war on drugs as well as urban decay and redlining.”¹⁴ Multiple students even went so far as to file discrimination and harassment complaints against the university, prompting two administrators to call Colbert into their office for a meeting the following morning.

That’s when Colbert gave his side of the story. He explained that, in his mind, the term “trap house” was interchangeable with the term “bachelor pad” or “a not-very-fancy social space where people drink.” He told them, “The vibe I imagined was like high school kids drinking in their mom’s basement. But I just thought it was a funny name. It makes it sound social.”¹⁵

Indeed, a simple search of Urban Dictionary (a crowdsourced dictionary for slang) reveals that others feel the same way about the term. The top entry for trap house: “Originally used to describe a crack house in a shady neighborhood, the word has since been abused by high school students who like to pretend they’re cool by drinking their mom’s beer together and saying they’re part of a ‘trap house.’”¹⁶ But, intentions and Urban Dictionary definitions aside, Colbert engaged in clearly protected speech, and Yale’s institutional guarantees of free speech should have protected him.

Nonetheless, director of diversity, equity, and inclusion Yaseen Eldik explained the origins of the word to Colbert and how they could be “triggering” and urged him to “de-escalate” the controversy by writing a public apology.¹⁷ When Colbert suggested he’d rather speak with offended students one-on-one, Eldik urged him that an apology would prevent the issue from “lingering,” warning ominously that his reputation was on the line “not just here, but when you leave” and that “the legal community is a small one.”

After Colbert asked for more time to think about how he wanted to respond, administrators sent him a pre-written draft apology to Black Law Student Association leaders “as a way to help give you a start.” (It’s worth noting that, when it comes to Cancel Culture, apologies often make things worse.)

In a subsequent meeting, Eldik told him, “I’m not trying to make you write something you don’t want to write,” but then continued to instruct him on how to do so.¹⁸ “As someone who has written dozens of these, you just want to... apologize for any upset, um, frustration that this caused,” he said. And, as a parting veiled threat, he told Colbert, “You’re a law student, and there’s a Bar you have to take you know and it’s just, you know, we think it’s important to really give you a 360 review,” presumably alluding to the character and fitness analysis Colbert would need to pass for the Bar.

As FIRE’s Aaron Terr pointed out in a blog post, the message Colbert received was effectively “Listen, you can do whatever you want. And by the way, that’s a nice legal career you’ve got ahead of you. Would be a real shame if something happened to it.”¹⁹

In the end, Colbert chose not to use the pre-written apology and instead posted on the forum where the controversy originally broke out that he was open to speaking one-on-one with anyone “hurt by anything I’ve said.” But he also followed up with emails to the administrators requesting clarity on what Eldik meant about the Bar and whether he would face discipline. But he received no response for weeks.

When he finally was able to meet with administrators again in October, they told him they wouldn’t discipline him and that the Bar would not be contacted. But not without having put Colbert through the misery of having no clarity on his future for weeks on end—all over the use of the term “trap house.”

Yale’s dabblings in censorship represent a huge fall from grace. For almost fifty years, its commitment to free speech had been a point of pride for the university and a source of one of the most influential documents about academic freedom ever published, the Woodward Report.

After 250 protesters shouted down a debate between eugenicist William Shockley and conservative magazine publisher William Rusher in 1974, Yale came under fire. The *Yale Daily News* quoted Shockley, who dubbed the event the “worst-handled disruption I’ve experienced.”²⁰

In response, Yale president Kingman Brewster Jr. called for a review of the university’s free speech principles and a reinvigoration of the university’s commitment to them. He appointed the renowned historian C. Vann Woodward to lead a Committee on Freedom of Expression at Yale.

The committee affirmed that Yale was a place where community members could “think the unthinkable, discuss the unmentionable, and challenge the unchallengeable.”²¹ The report declared, “Every member of the university has an obligation to permit free expression in the university. No member has a right to prevent such expression. Every official of the university, moreover, has a special obligation to foster free expression and to ensure that it is not obstructed.” In the decades since its publication, the Woodward Report has become a pinnacle of free speech culture on college campuses—and the center point of Yale’s policies regarding academic expression.

The report’s name and contents are referenced in many of the school’s most important documents, including the Yale Faculty Handbook, the Handbook for Instructors of Undergraduates in Yale College, the First-Year Student Handbook, and the Yale College Undergraduate Regulations, which expressly says that “Yale College Faculty has formally endorsed as an official policy of Yale College... the Report of the Committee on Freedom of Expression at Yale, published in January 1975.”²² Current Yale President Peter Salovey even said in 2014 that “Yale’s policies are quite explicit; they’re based on a report authored by the late C. Vann Woodward.”²³

But this decades-long explicit commitment to free speech was thrown under the bus in 2021. That’s when Brandy Lee, a former psychiatry professor at Yale, sued the university for declining to renew her contract after she criticized Alan Dershowitz and Donald Trump on Twitter.²⁴ After Yale denied her request for an investigation to review her termination, she took the school to court for

termination over protected speech—and cited the Woodward report to back her claim.

In response, Yale’s lawyers filed a motion to dismiss her lawsuit, which distanced the school from the Woodward report by calling it a “statement of principles, not a set of contractual promises.”²⁵ It was a retreat that not only left Yale’s commitment to academic freedom toothless, but also called into question the promises the university made to its students, professors, donors, and the community at large. While this change of attitude was stark, the writing had been on the wall for a while.

The worst case of Yale’s drift into censorship started with an email in October 2015. In the days leading up to Halloween, the university’s Intercultural Affairs Committee (a group of thirteen administrators) sent a campus-wide memo titled “Halloween and the Yale Community,” urging students to take care not to choose an offensive costume.

Citing concerns about students possibly wearing war paint, headdresses, turbans, redface, and blackface, the committee wrote, “While students, undergraduate and graduate, definitely have a right to express themselves, we would hope that people actively avoid those circumstances that threaten our sense of community or disrespects, alienates, or ridicules segments of our population based on race, nationality, religious belief, or gender expression.”²⁶ The email also provided links to a list of “costumes to avoid” as well as a committee-approved list of costumes curated on a Pinterest board by Yale’s Community and Consent Educators.

This did not sit well with Erika Christakis, the associate master of Silliman College at Yale. So, on the day before Halloween, she wrote a response email to the Silliman community. “I don’t wish to trivialize genuine concerns about cultural and personal representation...,” she wrote, “but in practice, I wonder if we should reflect more transparency, as a community, on the consequences of an institutional (which is to say: bureaucratic and administrative) exercise of implied control over college students.”²⁷

Rather than turn to bureaucratic suggestions, Christakis drew from her expertise in adolescent development. She urged the student body to handle the issue of costume choice themselves: “If you don’t like a costume someone is wearing, look away, or tell them you are offended. Talk to each other. Free speech and the ability to tolerate offense are the hallmarks of a free and open society.... Whose business is it to control the forms of costumes of young people?” she asked, and concluded, “It’s not mine, I know that.” The response this email elicited from the Yale community: outrage.

On Halloween, an open letter sprang up, calling her email “jarring and disheartening” and arguing that it “infantilizes the student body.”²⁸ More than seven hundred undergraduates, graduates, alumni, faculty, and students from other schools added their signatures to the letter, which read, “To ask marginalized students to throw away their enjoyment of a holiday, in order to expend emotional, mental, and physical energy to explain why something is offensive, is—offensive.” It concluded, “We... simply ask that our existences not be invalidated on campus.”

A crowd of 350 students and faculty held an open forum on racism on campus, addressing Christakis’s email during the conversation. Not long after, students engaged in a three-hour-long confrontation with Yale College dean John Holloway about why the administration didn’t retaliate against Christakis. As demands for apologies and disavowals abounded, some students demanded advance warning when Erika would enter the dining hall. Students drafted formal letters for the removal of both Erika and her husband, the Sterling professor of social and natural science Nicholas Christakis.

By November 5, things still hadn’t cooled down. That’s when Nicholas Christakis was confronted in the courtyard of the Silliman College dorms by around a hundred students demanding his apology in a standoff that lasted more than two hours. He showed seemingly superhuman patience in the face of the angry students who were shouting at him, snapping at him, laughing at him, and otherwise berating him.

In the video footage, which would soon go viral, students can be seen getting in Christakis’s face, screaming, demanding he “step down,” and asking, “Who the fuck hired you?” Another student insisted his role was about “creating a

home,” not “creating an intellectual space.” One heckler said he didn’t “deserve to be listened to.”²⁹

“It’s not a home. It is no longer a safe space for me,” a protester asserted. “And I find that incredibly depressing. This was once a safe space that I was proud to be a part of because of the loving community.” Another asked: “As your position as master, it is your job to create a place of comfort and home for the students that live in Silliman. You have not done that. By sending that email, that goes against your position as master. Do you understand that?”

Christakis can be heard responding, “I apologize for causing pain, but I am not sorry for the statement. I stand behind free speech. I defend the right for people to speak their minds.”

In the months that ensued, Erika recalls that many fellow professors reached out to privately express support. The few who did so publicly were similarly attacked by activists. Both Erika and Nicholas decided to cancel their courses scheduled for the spring semester. Then, shortly after graduation—where several graduates of Silliman College refused to accept their diplomas from Nicholas—the couple announced their resignation from Silliman College, leaving behind their jobs and their home on campus. Nicholas stayed on as a professor, but Erika would never teach at Yale again.

Although the couple have remained quiet about the controversy in the years since, Erika recalled the experience in a *Washington Post* op-ed in October 2016.³⁰ “Certain members of the community used me and my family as a tinder for a mass emotional conflagration by refusing to state the obvious: that the context of my albeit imperfect message fell squarely within the parameters of normal discourse and might even have been worth considering on its merits as an adjunct to prevailing campus orthodoxy,” she wrote. “[The] message was made plain: Certain ideas are too dangerous to be heard at Yale.”

But even after resigning, the Christakis *still* hadn’t seen the end of the ordeal. In the years since, blatant mischaracterizations of and lies about the events that transpired on that fateful Halloween have continued to circulate and tarnish the couple’s reputation.

For Aaron Sibarium, who has launched into a successful journalism career since leaving Yale, the Christakis Halloween meltdown changed the tone of his college experience. “It was really a turning point on campus,” he recalled to us. “In my freshman year in 2014 before this happened, I really did not feel like there were any social risks to saying what I thought, and I think most people felt that way. But then after 2015, it totally flipped. As the op-ed editor, I would try to get people to write articles, and they’d be like, ‘I can’t. I will lose friends. I can’t touch that.’”

It’s a sentiment shared by many Yale students. Here are some of their anonymous responses to FIRE’s open-ended question about their ability to express themselves on campus:

- “I was discussing Trump’s election in a dining hall and got shouted down from across the hall by an adjacent table. They yelled at me repeatedly and even threatened to ‘cut me.’”
- “When the tragic shooting in Atlanta happened I wanted to know whether or not the incident was really a hate crime against Asians. However I felt like I couldn’t even ask where people were getting their information because it would make me seem unsympathetic to my own people (I am Asian) when really I am just trying to understand what we can do better to stop them (rather than just calling everyone a racist).”
- In the wake of the most recent election I saw an Instagram post advocating for cutting off all ties with Trump supporters because at this point they are nothing more than blatant racists beyond reason. I wanted to disagree but I felt like the general populace at my college would condemn my objection.”
- “Views on defund the police, culture wars etc. Just not worth expressing views outside of trusted friends. Can’t even talk to my girlfriend about it lol.”

Yale's fall from grace earned it FIRE's Lifetime Achievement in Censorship Award in 2022. Since becoming ground zero for campus Cancel Culture on Halloween 2015, Yale has been the site of at least one egregious censorship incident every year since.^{[31](#)}

This once great educational institution has become increasingly unrecognizable, with a bloated administration that has lost sight of its core mission. It's a school with more employees than students, with 15,652 faculty and staff members serving just 14,525 undergraduate and graduate students.^{[32](#)} Meanwhile, Yale came in at an abysmal 198th in FIRE's College Free Speech Rankings,^{[33](#)} with an exceptionally low administrative score. The university came in at 150th for administration support of free speech.

It's a shocking and disappointing result for an institution with such outsized cultural impact. Over three centuries, Yale has arguably been the most influential school in the entire country. It has educated three of the last six presidents, four of the current Supreme Court justices, six Fortune 500 CEOs, and seventeen current members of Congress.

In short, Yale inculcates America's future political and economic leaders with disregard for liberal values, which ripples through the rest of society.

Yale continues to cave in to the mob, dish out censorship, and abandon its mission—all without learning its lesson or being held to account. As Sibarium put it, "Universities like Yale are so prestigious that they don't really face many consequences. Yes it's embarrassing when a scandal breaks and then they do damage control, but is that going to actually deter anyone from applying? Probably not because it's a really elite school, and it does offer certain opportunities."

And he's right. Even as Yale has been dragged for countless infringements on speech, application rates have only increased and acceptance rates decreased. In 2015, the year of the Christakis incident, Yale accepted 7.53 percent of the 27,282 applicants it received.^{[34](#)} In 2022, they accepted just 4.46 percent out of more than 50,000 hopeful Yalies.^{[35](#)}

Chapter 13:

Reforming Higher Education

“It’s very ironic that we live in an era when we talk a great deal about diversity and inclusion, but in a very real sense, the ethos of cancelation culture is actually exclusion, monoculture and conformity of perspective—driven so much by this forceful ostracization of people who are perceived to have the wrong sorts of ideas.”

—Political commentator and Fifth Column podcast host Kmele Foster¹

If the only problem with higher education today were how expensive it is, it would be enough to warrant reforms. If the only problem were that higher education is saddling millions of Americans with debt while swelling its administrative ranks, that, too, should be cause for change. Or if the only problem were that higher education is neglecting to instill critical thinking skills, that alone would be a huge issue.

But all of these things are true. Higher education is *begging* to be fixed.

Given that higher education is the wellspring of the Perfect Rhetorical Fortress, an engine for conformity, and ground zero for Cancel Culture, the case for reform could not be stronger. And small changes around the edges aren’t going to cut it. We need *big* changes—and even brand-new institutions. But first, let’s talk about those existing institutions where Cancel Culture thrives.

Harvard is the most famous university in the world. It educates a wildly disproportionate share of America’s upper crust. And it epitomizes elite higher education’s problems.

Despite being tax exempt, Harvard stores away \$53 billion in its endowment.² Given that its annual expenses are \$5.4 billion,³ it’s very close to

surviving indefinitely just on earnings for its endowment alone (or, as Malcolm Gladwell put it with regard to Princeton and its \$37 billion endowment, it's basically running as a perpetual motion machine).⁴ Harvard's budget is supplemented by state grants, federal grants, and federally backed student loans. Yet the school still charges most of its students north of \$75,000⁵ per year and receives more than \$1 billion⁶ in donations annually.

Given its prestige, Harvard attracts some of the smartest and hardest working students to apply. After all, a Harvard degree is an express lane into elite society. This leads to the assumption that all the kids who graduate from Harvard must be among the best and brightest.... But is that really true?

More than 43 percent of white applicants admitted to Harvard are athletes, children of alumni, or children of faculty.⁷ Three-quarters of them would not otherwise have been admitted.⁸ We don't even know how many more students earned their spot thanks to an affiliation with a donor. Knowing that donating to Harvard is a way to get your kid noticed creates a corrupt relationship. Would donors really give as much if there was zero chance it could help their kids, grandkids, or friends' kids get in?

And how exactly are we to identify excellent students when the average GPA at Harvard is a nearly perfect 3.8 and 92 percent of students qualify for the dean's list?⁹ Are we really to believe there is no distinction between the kid who got there on the basis of merit and the legacy admittee who would never have gotten in if not for their last name? How do employers know if they're hiring a kid who worked their tail off to get into Harvard, or someone who waltzed in because they were born into the right family? As Greg learned at Stanford, it's hard to get in, but once you're there, getting good grades is not nearly as challenging as people assume.

If any of this bothers you, we urge you to read Evan Mandery's 2022 book *Poison Ivy: How Elite Colleges Divide Us*. Your blood will boil as you read about how American elite higher education devastates social mobility while claiming to improve it. Mandery writes, "Less than 20 percent of Harvard students came from families earning under \$65,000 per year. More came from families in the top 1 percent than the bottom 50 percent."

Furthermore, “The *average* family income of a Harvard student in the class of 2013 was \$505,000 per year. As many students came from families in the top one-tenth of 1 percent as from the bottom 20.” For comparison, the median household income in 2021 was less than \$71,000.^{[10](#)}

You might be wondering how this concentration of wealthy students relates to Cancel Culture. Well, we think the conclusion of *Poison Ivy*, featuring a discussion with Bard College president Leon Botstein, explains how guilt leads many in higher education to favor virtue-signaling over actual solutions:

How can anyone be expected to continue to follow the academy’s leadership when the nation’s top colleges and universities have been so thoroughly exposed as bastions of inequality—when the average Harvard professor makes over \$250,000 per year, and the average Harvard student comes from a family making more than twice that? The precarity of this position has led the academy to engage in an excess of virtue signaling and to become overly involved in culture wars, which have very little to do with bettering humanity.

“One of the reasons that you have this extreme woke radicalism at places like Swarthmore and Yale is because those rich institutions scream hypocrisy,” Leon Botstein says. Faculty, he argues, are the most complicit. “Their liberal rhetoric—their willingness to sign every petition—hides their collusion with the college and university’s desire to maintain their endowments.”^{[11](#)}

When it comes to elite higher education, there are more problems than we can address in this book. And they beg for any number of radical solutions to be considered—everything from banning legacy admissions to ending tax exemptions for colleges with large endowments.

We think Americans would be better off if we loosened elite higher education’s grip on society. Too often it’s seen as the best source for hiring future innovators. But that’s simply not always true. If employers widened their gaze, they’d find that there are oceans of brilliant, talented individuals who are

hardworking, solutions-oriented, and self-motivated—all without the fancy diploma.

If the pipeline from elite education to elite society is weakened, we predict Cancel Culture will be lessened, on the theory that leaders of more educationally diverse backgrounds have better ideas of what to do with their time than canceling their coworkers.

Reforming Existing Institutions

If you're an alumnus or donor to your university interested in improving American higher education, you could have some serious sway. Universities are dependent on alumni and eager to appease them to keep donations streaming in, so the lowest hanging fruit is to band together and make some demands from your university's president. The five things Greg and FIRE always recommend asking a school to do when you're making a donation:

1. Adopt an official, written recommitment to free speech and academic freedom, such as the 2015 Chicago Statement, which ninety-eight institutions or faculty bodies have already adopted.
2. Teach students about free speech and academic freedom in orientation.
3. Dump any speech codes and all bias response teams.
4. Survey students and faculty about the state of free speech on campus.
5. And, finally, defend your students and professors from cancellation early and often.

These are the first steps toward a healthier free speech culture and climate for inquiry. Some other solutions the two of us would like to throw into the mix include:

Ban political litmus tests: There is no place in American universities for mandatory DEI statements and other attempts to select students or professors who hold a “preferred” political viewpoint. They should be

banned—as should any conservative equivalent. FIRE and other organizations have even prepared model legislation to help schools do so.

Abstain from taking political stances: Administrations and departments should not take political stances. Doing so undermines a university's role as a forum for debate. After all, if the university president or the department chair comes down unambiguously on some question that divides the American public, you shouldn't be surprised if the professors and researchers who disagree worry about their jobs. In the age of Cancel Culture, this fear is rational. Official political statements from a university elevate the speech rights of the administration at the expense of the free speech of professors and students alike.

Install an academic freedom ombudsman: Academic freedom is critical to institutional health, so universities would benefit from having someone in charge of ensuring it's respected and protected. Although we're generally opposed to campus bureaucracy, this might actually be a useful place to have an administrator involved.

Cut down on bureaucracy: The recent tuition explosion is in large part due to a decades-long bureaucracy explosion on college campuses. Reducing the number of administrators on campus would be cost-efficient, bolster academic freedom, and fight campus Cancel Culture.

Demand results: A 2012 study titled Academically Adrift revealed that *half* of students showed *no* improvement in their critical thinking skills after college.^{[12](#)} That's nothing short of a scandal. Funding more studies like this would help to show the general public how absurd it is that we are paying billions of dollars to universities that often fail to do the very thing they promised to do. People who feel like they're getting ripped off are eager for change and accountability.

Stop requiring college degrees: Here is something that should bring Democrats and Republicans together: fewer jobs should require a college degree. In his 2022 State of the Union address, Joe Biden emphasized that 90 percent of the new jobs he proposed to create would not require a college degree.^{[13](#)} Many businesses should follow suit.

As we mentioned, FIRE changed its policy in order to hire Rikki, who has yet to graduate, as a fellow. College enrollment has been dropping precipitously since the fall of 2020. It's a trend that's continued for the third straight year since the pandemic. We're predicting that—barring some serious changes to our current system—this trend will only continue. Young people who choose to forgo the traditional higher education path should not be penalized.

Starting Fresh: Creating Entirely New Institutions and Systems

We also have a variety of experimental ideas that could help promote education outside of the traditional higher-ed framework. Here are some to consider:

- *Micro-credentialing*: Many universities offer abbreviated and inexpensive programs of study on a skill valued by employers, usually in the form of just a few rigorous online courses open to the public. Upon completion, students take a competency exam to demonstrate mastery in that specific topic and receive a certificate. MIT, for example, offers a series of “MicroMasters” in topics such as statistics and data science, finance, and supply chain management.¹⁴
- *Small-scale pods*: Small, intensive tutorial programs with a handful of students and a professor could be a more cost-effective and personalized approach to education for some. Coding boot camps are a popular example.
- *Prestige level tests*: A reading list could be made available for people to master on their own time. Then, they could be tested on the knowledge they would be expected to gain at a four-year liberal arts college. This should be a test that is so challenging that only the hardest working, most dedicated students can pass it—but if they do, they can move straight on to graduate school.

Having more ways for self-motivated students to prove themselves as the best and brightest without the huge cost of a degree would really chip away at higher education's outsized influence on our culture.

And, of course, we believe we should be experimenting with entirely new institutions, too.

One especially promising experiment is the University of Austin. In 2021, Bari Weiss announced plans to launch an entirely new university that would stick to the mission of classical liberal education. "We got sick of complaining about how broken higher education is. So we decided to do something about it," she declared.^{[15](#)}

The university's president, Pano Kanelos, wrote in an article for Weiss's Substack at the time, "The reality is that many universities no longer have an incentive to create an environment where intellectual dissent is protected and fashionable opinions are scrutinized.... It is time to restore meaning to those old school mottos. Light. Truth. The wind of freedom."^{[16](#)}

Of course, as soon as the initiative was announced, cancel mobs formed to denounce or otherwise try to discredit it before it ever got off the ground.

While it remains to be seen whether the University of Austin will be successful in its endeavors, every American should be rooting for any new experiment in higher education to work, whether they like its politics or not.

People are absolutely desperate for authority they can trust, and we believe that a realignment around new institutions is inevitable. We are in great need of concrete actions that would reduce the inordinate and undue influence of the elite colleges, reverse bureaucratization, and allow the hardest working and most enterprising students to succeed. If we work toward those ends, we will have a far more impressive, robust system of higher education—and a far healthier, saner society.

Chapter 14:

The Adulthood of the American Mind

“The most powerful censors today are not government officials, but rather our fellow citizens. While the First Amendment doesn’t provide a tool to protect against this pervasive private sector speech suppression, we should pursue other measures to do so, including educating our citizenry about the importance of nurturing a vibrant Free Speech Culture to replace the too-prevalent Cancel Culture.”¹

—Nadine Strossen, president of the ACLU from 1991 to 2008
and FIRE senior fellow

How do free speech law and Free Speech Culture relate? Does one come before the other? Are they inextricably intertwined? Is one more important to fostering a free society?

To answer these questions, let’s travel back in time to eighteenth-century France and the height of the Enlightenment. Voltaire is busy scribbling away by candlelight, writing some of the most influential philosophical works in history. Denis Diderot is attempting to complete his *Encyclopédie*, the most ambitious survey of human knowledge ever attempted. And Baron Thierry Holbach is hosting the most radical salon of them all, where ideas that could get you executed are shared. Attendees include the likes of David Hume, Jean-Jacques Rousseau, Adam Smith, and even Benjamin Franklin.

The French Enlightenment is celebrated today, but French law constantly tried to stifle it in its time. Voltaire and Rousseau had to flee the country to avoid being arrested. Diderot was imprisoned at the start of his career, and his *Encyclopédie* was banned by the French government and Catholic Church alike.

But, thanks in great part to an elite and aristocratic class which valued new ideas and free expression, French thinkers continued to write in spite of the threat of legal retaliation. Thus, free thought lived on, proving that a cultural emphasis on free expression can sometimes override the legal efforts to curtail speech.

In short, *Free Speech Culture + bad free speech laws = can still facilitate the French Enlightenment*. But what happens when the inverse is the case?

Take these three speech protections, each of which are legally afforded to citizens by different countries:

- “Everyone shall be guaranteed freedom of thought and speech.”
- “Citizens are guaranteed freedom of speech, the press, assembly, demonstration, and association.”
- “Everyone has the right to express and disseminate his or her thoughts and opinions by speech, in writing or in pictures or through other media, individually or collectively.”

These all sound like relatively principled, robust guarantees... until you find out that they’re the promises of Russia,² North Korea,³ and Turkey,⁴ respectively—three countries with nightmarish records when it comes to upholding human rights. There is a long list of countries with decent speech protections on the books that fundamentally undermine them in practice.

And while certainly not near as antagonistic to free speech as the aforementioned nations, countries in the so-called free world continually betray their own professed principles.

For instance, Spain tried to arrest a rapper for his lyrics in 2018. José Miguel Arenas was facing over three years of jail time for threatening politicians, glorifying terrorism, and insulting the king with lyrics like “the king has a rendezvous at the village square with a noose around his neck.” The night before his arrest, he fled to Belgium after tweeting, “disobedience is... an obligation when it comes to this fascist state.” Although Spain posted an international arrest warrant, a Belgian court decided not to extradite him.⁵

And in 2016, Germany investigated a comedian for reciting a satirical poem on television that insulted the Turkish president.⁶ After Erdogan complained that he was insulted by the sexual and lewd comments, Angela Merkel's cabinet referred Jan Boehmermann's case to prosecutors under Article 103 of Germany's penal code, which read "whosoever insults a foreign head of state... shall be liable to imprisonment." Fortunately, prosecutors ultimately dropped the case and the controversial law was repealed.⁷

So, again in short, *good free speech laws + bad Free Speech Culture ≠ free speech in practice*. These contrasting examples reveal just how important a Free Speech Culture is to a society. In fact, we'd go so far as to argue it's actually *more* important than the laws on the books.

But what exactly is Free Speech Culture?

Historically, it's been encapsulated by the popular idioms many of us grew up hearing time and again but which have sadly fallen out of favor today. Think of the classics like "it's a free country," "to each his own," "sticks and stones," "everyone is entitled to their own opinion," "address the argument not the person," "different strokes for different folks," and "who am I to judge?"

What all these sayings have in common is the idea that our culture must be highly tolerant of difference. It's a belief that we can live and let live, sharing our institutions and our country with those who hold differing views—a sense that, in our daily lives, our beliefs shouldn't divide us.

Humanity has an innate desire to know the world as it is. That thirst is the animating force of our millennia-long project of human knowledge. A healthy Free Speech Culture acknowledges that knowing the world as it is requires knowing people as they are and what they *really* think. It's very important to know even the bad ideas in your society. If you don't want to follow the herd, you have to know what the herd really thinks.

Therein lies the utility of free speech in all its forms: *All human expression (even untrue or hurtful speech) contains information about the world as it is and human beliefs as they are*. Censoring and sending underground ideas we dislike doesn't make them go away. As we saw in Chapter 9, this tends to make such views *more* radical. But suppressing speech also stunts the advancement of the

project of human knowledge. It makes us ignorant about the world and people around us.

If we're only interested in hearing the "big-T truth" (what a philosopher might call "objective truth"), we risk squelching the "little-T truth," which is opinion, preference, or belief. And if human history has anything to teach us, it's that most of what we've historically considered to be the "big-T truth" has ultimately been proven wrong.

Free Speech Culture ensures that expression is maximized—and therefore that our knowledge of the world and our fellow citizens is, too. It gives us an opportunity to learn about ourselves in profound—and sometimes uncomfortable—ways. After all, isn't it better to know if a chunk of the population holds some absurd belief? Free Speech Culture must be protected at all costs, lest we lose touch with the true landscape of ideas.

But not everyone believes Free Speech Culture exists, or even if they concede that it does exist, they say it's largely irrelevant so long as free speech law is in place to protect expression. The First Amendment attorney Ken White, for one, argues that the term "Free Speech Culture" is ambiguous and unreliable. In a 2020 debate with Greg, White articulated his view that free speech law protects free speech norms but does not depend on Free Speech Culture.⁸

In contrast with our sense that free speech is threatened, White contends that America is in a golden age for freedom of speech. The basis for his argument is the fact that our legal system has consistently defended the First Amendment against incursions in the courts. White argues that the Free Speech Culture in America was never as robust as we like to think, on account of our country's long and shameful history of censorship stretching all the way back to the Alien and Sedition Acts of 1798.⁹

It wasn't Free Speech Culture that got us through these moments, he says, but rather free speech laws that allowed our nation to resist a culture set on undermining free expression.

And while your authors lament the state of free speech in our culture, White laments our lamentations, namely the "gloom and despair [that] dominate public discourse about free speech," because it generally complains about the cultural rather than legal state of expression. "We're consumed with debate

about Free Speech Culture—a disagreement about whether some speech is impermissibly threatened by other speech,” he argues. “It’s a clash of norms, not of laws.”¹⁰

White argues that more often than not, canceling someone is *legally* permissible under the First Amendment, and objections to cancellations are based only on a personal taste for certain kinds of discourse. He thinks the entire argument over Cancel Culture is really a misguided argument about which *legally* permissible speech should be *culturally* permissible. And he says that efforts to fight back against Cancel Culture themselves tread into censorship territory.

You are, after all, exercising your First Amendment rights by petitioning for someone to lose their job over a tweet. And, in the end, the tweeter has no right *not* to be criticized, even harshly or by a mob. As White puts it: “Cancel Culture and denunciation of Cancel Culture are competing norms in the protected marketplace of ideas. You can’t burn down the marketplace in order to save it.”¹¹

The bottom line in White’s argument that Free Speech Culture isn’t as significant as free speech law goes as follows: *a robust legal defense of free speech rights will uphold the cultural norms required for a free society.*

We believe the precise opposite: *free speech law is dependent on Free Speech Culture to survive.*

Cultural norms don’t always follow the lead of laws. Rather, in a democratic republic, laws are created and maintained as a result of norms. Changing norms means changing laws, regulations, and legal interpretations—and those changes can happen fast.

Take gay marriage, which the United States only legalized in 2015. A politician taking a stand against it today would likely be committing political suicide. Yet the idea that it might be legalized was unthinkable in very recent memory. Barack Obama opposed legalization on the campaign trail in 2008. Marriage equality was, of course, a positive change, and the speed of the cultural shift was very welcome. It was due to cultural norms.

A negative change, like the weakening of speech protections, could happen just as quickly if cultural norms shift too dramatically away from our traditional beliefs regarding free expression.

The First Amendment protects you from the government trampling on your speech rights. This is as it should be.

Yet meaningful encroachments on free expression take place all the time: at private colleges, for example, where administrators can *legally* punish students and professors for what they say. This may be wrong, but depending on the law and how your contractual rights are interpreted, it's too often legal. Free Speech Culture is so important because its reach is bigger and broader than the First Amendment's.

Free Speech Culture was precisely what inspired and enabled the establishment of the First Amendment. Without a broader cultural context that celebrated free expression and recognized value in protecting it, we would never have entertained legal protections of speech in the first place.

As Greg said when debating Ken White: "Free Speech Culture is *more* important than the First Amendment. It's more important because Free Speech Culture is what gave us the First Amendment in the 18th century. It's *what kept free speech alive* in the 19th century when the First Amendment offered few protections. It's what reinvigorated the First Amendment in the 20th century. It's what informs the First Amendment today—and it is what will decide if your free speech protections will survive into the future."^{[12](#)}

After all, we're a common law country, which means we rely on the ongoing interpretation of law by judges steeped in a historical moment and culture, and therefore our law can never be fully parsed out from our culture.

Our norms guide our laws—and have unparalleled cultural significance. Judge Learned Hand perhaps put it best in a 1944 speech: "Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can even do much to help it. While it lies there it needs no constitution, no law, no court to save it."^{[13](#)}

In any society, free speech is under constant threat from several forces, the first of which is "censorship gravity," the force which pulls all societies toward censorship. A way to imagine this process is to think about posture. You, like most people, probably slouch more often than you'd like, relaxing into gravity's pull downward. But if you're mindful of your posture, you probably make a

conscious and purposeful effort to stand up straight when you notice your shoulders rounding.

Much as your natural instinct is to slouch, society's natural instinct is to censor. And much like it takes discipline to improve your posture, it takes a remarkable degree of discipline for free societies to maintain free speech. Though we might like to think of ourselves as intrinsically enlightened, the principles that underpin a free society only arose in relatively recent history and are *incredibly* rare in the scheme of human history.

A Free Speech Culture lets people make up their own minds—and gives them the freedom to transgress norms and even make mistakes while doing so. That makes a society with a strong Free Speech Culture and ideological diversity a little chaotic.

It's human nature to desire conformity over chaos, to call into question whether people really should be able to make up their own minds when a plurality believes lizard people are controlling the levers of society. The only route to that conformity is censorship of divergent or “dangerous” viewpoints. And therein lies censorship gravity—the collective force of psychological, cultural, and political forces pulling society down, away from freedom and toward conformity.

Censoring is humankind's natural inclination. It's why we've spent such a small portion of human history *not* hunting down heretics. And, like those with great posture, free societies are dutifully dedicated to resisting the forces of gravity constantly pulling them down toward embracing conformity.

Through his work at FIRE Greg's spent years watching campus culture descend into illiberalism. He has seen with his own eyes the slippery slope—and how *very* slippery that slope quickly gets. Sometimes “slippery slopes” are referred to as fallacies. But when it comes to freedom of speech, there's a slippery slope *tendency* if anything: once you open the door to censorship, it's hard to keep things from tumbling downhill.

In higher education, it started with speech codes born out of a desire to protect minorities, but inevitably those restrictions swelled tremendously. Soon they were being applied in more and more contexts, and ultimately they resulted in the full-scale chilling of campus discourse.

A similar pattern has played out on social media. In 2011, Twitter's CEO famously dubbed the company "the free speech wing of the free speech party" while resisting calls to police speech.¹⁴ But a couple of years later this was no longer true.

At first, it was just enforcing a few speech restrictions based on local laws in countries where Twitter operated. While that move could be seen as relatively harmless, it opened the door. Soon came Twitter's restriction of hate speech pertaining to race and gender. Then came the banning of any speech the company deemed "dehumanizing." Next, the protected categories swelled to encompass religious affiliation and age.

The "bedrock principle" of First Amendment law is that we cannot ban speech simply because it's offensive. In 1989, in *Texas v Johnson*, the Supreme Court found that even flag burning was protected speech regardless of how offensive it is to many Americans.¹⁵ Why? Because as soon as you start legislating based on a concept as loosely defined and subjective as offense, you open the floodgates to every group and individual claim of offense.

The oil on the slope that makes it so slippery is "censorship envy." Eugene Volokh, law professor and Volokh Conspiracy blogger, defines censorship envy as "the common reaction that, 'If my neighbor gets to ban speech he reviles, why shouldn't I get to do the same?'"¹⁶

This is a natural human instinct. In childhood, we shout "Unfair!" when a sibling gets a cookie but we don't. In adulthood, we tend to similarly say "Unfair!" when we see others policing speech to serve their own ends. For instance, imagine you, a Christian, see tweets critical of Islam censored by a social media platform. If that's the standard, you too may want to see tweets critical of your faith censored for the sake of "fairness."

Censorship envy is precisely why many self-proclaimed free speech champions resort to fighting fire with fire—or, better put, censorship with censorship. Often, it's the animating force behind conservative hypocrisy on free speech and Cancel Culture (and why Republican legislatures have cranked out so many unconstitutional laws in their fight against illiberalism on the left).

The great irony is that the present decline of our Free Speech Culture began at our institutions of higher learning. Campuses are where Marcuse's repressive

intolerance first began to take hold with the insistence that administrators should step up and step in to prevent hurtful speech. The earliest iterations were the speech codes that popped up in the 1980s, and there's been a remarkable and measurable decline in student respect for free speech over the last four decades. College students used to be free expression's staunchest defenders. Today they regularly fail to understand it at its most basic level.

Inevitably, this decline in knowledge of and reverence for a free and tolerant society will lead to an erosion of free speech law. How can our culture maintain free speech when upcoming generations are dubious about its value?

For now, we are extremely fortunate that the Supreme Court is populated by attorneys who were educated or rose to prominence during the 1970s, arguably the best decade for both free speech law and Free Speech Culture on campus. But the gradual chipping away at Free Speech Culture in our institutions of higher education is especially dangerous.

If the schools we entrust to teach our future voters and our future leaders inculcate a distaste for free speech, how can we expect our legal freedoms to withstand this cultural assault in the long term?

We're beginning to see the consequences of our divorce from Free Speech Culture take form in the downright childish methods of debate we use today. For at least the past decade, Americans have been arguing with one another like kids on a playground. As we discussed in Chapter 6 and Chapter 8, we've constructed rhetorical fortresses to box us in and justify our childish methods of argumentation, from ad hominem attacks to offense archaeology and disqualification of speakers based on their identity characteristics.

So how should you respond to the Perfect Rhetorical Fortress or the Efficient Rhetorical Fortress? Well, if someone tries to dismiss you by calling you a "cishetero white woman" or an "anti-Trump libtard," it doesn't require much more than "noted, now let's get back to the actual issue." The best way to win a game that is rigged is not to play.

It's also worth revisiting the cognitive distortions Greg and Jon discussed in *The Coddling of the American Mind* in 2018, which have only continued to grow and metastasize in the years since publication.

As a quick reminder, cognitive distortions are exaggerated forms of thinking that everyone engages in—but if you engage in them too often, they will make you anxious and depressed. They also inculcate bad methods of arguing—both with yourself and with others. Some especially pertinent cognitive distortions include:

Catastrophizing: You believe that what has happened or will happen will be so awful and unbearable that you won't be able to stand it. "It would be terrible if I failed."

Negative filtering: You focus almost exclusively on the negatives and seldom notice the positives. "Look at all of the people who don't like me."

Emotional reasoning: You let your feelings guide your interpretation of reality. "I feel depressed; therefore, my marriage is not working out."

Overgeneralizing: You perceive a global pattern of negatives on the basis of a single incident. "This generally happens to me. I seem to fail at a lot of things."

These are fallacies to fall into, but they're also fundamentally childish ways of thinking.

Their spread from college campuses to society at large is pulling our culture further and further away from pluralistic tolerance. The Great Untruths and the Rhetorical Fortresses have led to an infantilization of the way our culture deals with facts. Take, for instance, the scandal that erupted in October 2022 when Los Angeles councilwoman Nury Martinez resigned after a surreptitiously recorded conversation in which she made racial remarks about another council member's son leaked.

The word "racist" was used in headline¹⁷ after headline,¹⁸ delivering a pre-analyzed summary that qualified and condemned the remarks on the readers' behalf. Many outlets failed to even quote her remarks, leaving readers in the dark. Nearly every major journalistic outlet thus told you what to think before giving you the opportunity to decide for yourself.

The news media serves as an intermediary between the public and the rest of the world. It was never intended to act as a parent—yet, in recent years it has

become much more paternalistic. That's why major outlets now edit out strong language and even avoid difficult topics altogether in a way that treats readers as if they are children. We've developed a system of intermediated conflict that requires citizens to trust an authority figure to protect them from things they're not ready to hear. That's not thinking like people in a free society; that's thinking like people in an authoritarian society.

This trend of erring away from treating citizens like capable adults will inevitably lead to the dismantling of speech protections. The stakes couldn't be higher. We must buck this infantilization of American adults and get rid of our junior high-style tactics of argumentation. In order to see reality more clearly, we must tear down both the Perfect Rhetorical Fortress and the Efficient Rhetorical Fortress and relearn how to have arguments based in reality.

This requires the news media to stop acting like ideological intermediaries and begin telling us precisely and honestly what happened—to once again trust adults with the information to make up their own minds. If something is offensive, we have to hear the words themselves, not predetermined summaries of what was said and what to think about it.

The bottom line: we need to get back to an ethos of protecting ourselves based on our own level of sensitivity, rather than make *everyone* retreat from reality because it makes a few people uncomfortable.

Americans must resume arguing, acting, and thinking like adults. As citizens we call for a resurgence of Free Speech Culture—the *adulthood of the American mind*—brought about by the return of old-fashioned rules of quality argumentation. If we want a society that can build up, rather than just tear down, institutions, people, and ideas, we must promote a way of arguing that rejects childishness and helps the best ideas to rise.

That means actually talking to one another like adults and taking seriously the likelihood we might be wrong. We also must embrace the fact that understanding the world is an arduous, never-ending process. We need to take seriously forbidden ideas and taboo counterfactuals that challenge our own preconceptions. Thought experimentation and devil's advocacy must once again be praised, not condemned.

In the famous words of John Stuart Mill in *On Liberty*, “He who knows only his own side of the case knows little of that.”¹⁹ Right opinions, false ideas, true insights, conspiracy theories—they’re all worth knowing.

The adulthood of the American mind is a cultural state in which we don’t shrink away from difficult discussions, in which we don’t censor inconvenient facts, and in which we don’t sugarcoat hard truths. It’s a place where we are trusted to come to the right conclusion without being saved from ourselves. It means taking a stand once and for all and accepting that it’s better to know the world as it really is than to be told comforting lies by authority.

Practicing free speech principles in our cultural institutions—higher education, corporations, social media, and on—is the lifeblood of a free society. It’s what allows free expression to flourish in all contexts, public or private, regardless of the laws on the books.

Freedom of speech is essential to autonomy, to artistic expression, to self-government, to holding power accountable. And it allows society to divert the energy that would once explode into violence instead into robust arguments. At the very beginning of the American founders’ vision is freedom of speech—the assertion simply that freedom of speech is a right that belongs to every human being, whether you believe that was granted by God or by the rational laws of the universe.

Re-embracing Free Speech Culture requires a return to our old folk wisdom —“to each his own,” “everyone is entitled to their own opinion,” “never judge a book by its cover,” “attack the argument, not the person,” and “always take seriously the possibility you might be wrong.”

In the age of Cancel Culture, we need to embrace a new saying, too: “Just because you hate someone doesn’t mean they’re wrong.” A healthy, pluralistic society depends on a citizenry who can have serious discussions without resorting to manipulative, ad hominem tactics.

It’s time to rise above and put Pandora’s tools back in the toolbox.

Reinvigorating a Free Speech Culture is the antidote to Cancel Culture. Thanks to polling, we know that most Americans oppose Cancel Culture. If we begin leading by example and arguing like adults, more will come out against it publicly. There is strength in numbers.

But this is bigger than Cancel Culture. Reinvigorating a Free Speech Culture is also the antidote to authoritarianism. Even our Founding Fathers warned that our experiment might not last. So we must all do our part to help maintain it. If we get complacent, we may succumb to all the forces constantly working against the maintenance of a free society.

Appendix I:

Common Questions About Cancel Culture

Q: Isn't Cancel Culture just accountability culture?

The term “accountability culture” assumes the conclusion is true by the very nature of the question or statement.

By using the term one implicitly assumes that everyone who has been canceled has done something that warrants being held “accountable.”

We'd be very shocked if you've made it through this entire book and believe that the trouble that befalls canceled people is always just holding people “accountable” for a serious wrongdoing.

As Jacob Mchangama put it in his 2022 book *Free Speech: A History from Socrates to Social Media*, “There is a fundamental difference between reacting to ideas one loathes with scorn or criticism and demanding that specific viewpoints be purged and their authors and enablers punished with loss of livelihood or disciplinary sanctions.”^{[1](#)}

Q: Isn't Cancel Culture just underprivileged people taking power back?

Alexandria Ocasio-Cortez is among those who claim that the term “Cancel Culture” itself “comes from entitlement.”^{[2](#)} And many suggest that Cancel Culture is really just an inversion of power—that long ignored and long suppressed voices are finally seizing their moment to speak truth to power.

We think otherwise.

Many of the people Cancel Culture comes for are average, everyday Americans. To be frank, we think Cancel Culture more often helps privileged

people than anyone else. After all, the “progressive activist” political subset (as identified by More in Common’s excellent 2018 survey titled Hidden Tribes³) is most often at the helm of cancellation campaigns. It also happens to be the most educated, most affluent, and whitest cohort—second only to the far right.

Quite often the people in this book defending and perpetuating Cancel Culture are themselves affluent and highly educated. After all, Cancel Culture is disproportionately distributed at the most elite colleges in the country. It’s a tale as old as time: influential people increasing their power by claiming to speak for the people, instead of letting the people speak for themselves.

Q: Can historical figures be canceled?

We defined Cancel Culture as the particularly intolerant or judgmental period we are currently living through. But we are very sympathetic to concerns about the cancellation of historical figures, especially the attempt to remove or diminish great thinkers for having said something that is considered unacceptable by contemporary moral standards.

Even historical people who we rightfully would condemn may have something of value to offer us: maybe some of their philosophical or scientific contributions remain relevant, or maybe their perspective—even if we still conclude it’s badly reasoned or morally indefensible—provides insight into past modes of thinking. We shouldn’t throw away history wholesale because parts of it make us uncomfortable.

Q: Someone who ends up doing well in the end isn’t really canceled, are they?

Cancel Culture skeptics seem to think that someone isn’t truly canceled unless they’re completely obliterated forevermore. By this same logic, did the estimated 200 people accused of witchcraft in Salem have nothing to complain about because only about 10 percent of them were executed?

The fact that some people, like journalist Bari Weiss, not only manage to survive cancellation attempts but to thrive afterward should be seen as inspiring, not as a “mic drop” moment for Cancel Culture minimizers.

For the purposes of the book, we define being canceled as being punished, being removed from a position, or getting fired. We also discuss “attempted cancellations,” in which the mob tries but fails to get someone disciplined for their speech. Even when an attempt fails, it still chills discourse and sends warnings to others.

Q: Why tie Cancel Culture to the First Amendment if you're talking about cultural norms?

We discuss Cancel Culture through the lens of the First Amendment because it introduces quite a bit of nuance. For instance, there are certain forms of expression that don't constitute free speech as understood by the First Amendment, including child pornography, true threats, incitement to violence, and defamation. There are also patterns of targeted behavior like stalking or discriminatory harassment which are not—and should not be—protected by the First Amendment.

First Amendment protections also uphold sensible principles: for instance, viewpoint discrimination (singling out a particular point of view for censorship while leaving other viewpoints on the same topic alone) is among the most brazen forms of censorship. That means that a corporation that says, “Please keep politics out of the workplace,” is easier to defend than one that says, “Employees are perfectly free to express their political views—except for you over there, Ramon!”

Q: Because you tie your definition of Cancel Culture to protected speech under the First Amendment, doesn't that mean you're saying that people can

dance nude in the workplace, call each other racial epithets, and burn flags at the office?

Yes, we know, it's a silly question with an obvious answer—but it's one we've really heard. The answer is, of course, no.

What we're saying is that the First Amendment provides some helpful wisdom when it comes to situations in the workplace, and when people are fired for the kinds of speech that a public employee protected by the First Amendment cannot be, it raises potential Cancel Culture concerns.

So we need to briefly dip into the law. In focusing on what would be protected by the First Amendment, we are making an argument analogous to the constitutional law of public employment. *Pickering v. Board of Education* (1968)⁴ and *Connick v. Myers* (1983)⁵ established that the First Amendment provides some protection to public employees from being fired for exercising their right to speak as private citizens.

In *Pickering*, the Supreme Court held that public school teacher Marvin Pickering was protected by the First Amendment when writing editorials in the local newspaper. In *Connick*, it ruled that Sheila Myers's circulation of a poll about office policy complaints in her government workplace was grounds for sanction. *Connick* makes clear that a public employee behaving unprofessionally or acting out on the job can, indeed, be fired just like any private employee.

Therefore, even in the situation of public employees who enjoy some limited First Amendment rights on the job, you can still be fired in some cases for exercising your freedom of speech—even when it arguably touches upon an issue of public concern.

Just because we are saying that private employers can learn from the First Amendment protections afforded to public employees doesn't mean that private workplaces would be magically transformed into the equivalent of a traditional public forum, like a sidewalk or a public park.

To be clear, however, we are *not* saying that private employers should be legally barred from firing employees for their speech. Private companies do, indeed, have the right to fire employees for underperformance or creating problems for the organization. But acknowledging that expressing yourself even

off the clock, for example, can legally get you fired is not the same as an argument that it *should* get you fired. Even though it's legal, employees knowing they could easily be fired for voicing an unpopular opinion on Twitter is bad for democracy and bad for pluralism. It sends a message to many Americans that they have to hide what they believe just to make a living and put food on the table for their families.

Q: Aren't there 4,000 colleges in the United States, and doesn't that mean the scale of Cancel Culture is no big deal?

This is one of the favorite deflections of radio host Michael Hobbes, who has staked his reputation on claiming that Cancel Culture is not real. It ignores the fact that there is no parallel for the number of punishments and firings on campus since academic freedom protections were firmly established in 1973. Indeed, the number of professors fired during the age of Cancel Culture (2014 to July 2023) is nearly twice the common estimate of the number fired during McCarthyism.

This deflection also ignores the fact that Cancel Culture is concentrated at the *U.S. News's* top 10 colleges in the country, with more than 1 in 10 professor cancellation attempts (that we know of) taking place at the most influential colleges in the country, and more than 4 in 10 taking place in the top 100. And, of course, once you get out of the top 300–400 colleges there is usually very little news coverage, so no one really knows the scale of Cancel Culture there. That said, polling indicates that speech is quite chilled there as well.

Given there are only around 2,800 four-year colleges in the U.S., Hobbes's "4,000 universities" number most likely captures a wide variety of higher education institute, including many tiny religious, vocational, and for-profit educational institutions such as schools for hairdressing, cosmetology, welding, massage therapy, court reporting, interior design, truck driving, and so on. These schools have a built-in resilience to Cancel Culture in that they tend not to be

the site of interactions between ideologically opposed groups on hot-button culture war issues.

So how many colleges actually make up traditional postsecondary education in the liberal arts or the sciences? Around 220 educate more than half the students in four-year colleges in the U.S. today. Indeed, about three out of four students at four-year colleges attend one of the largest 600 schools.

Appendix II:

FIRE 2022 College Free Speech Rankings*

Rank	School	Overall Score	Speech Climate
1	University of Chicago	77.92	Good
2	Kansas State University	76.20	Good
3	Purdue University	75.81	Good
4	Mississippi State University	74.72	Good
5	Oklahoma State University	74.35	Good
6	Claremont McKenna College	72.65	Good
7	University of North Carolina, Greensboro	68.72	Above Average
8	Northern Arizona University	68.50	Above Average
9	North Carolina State University	67.93	Above Average
10	Oregon State University	67.42	Above Average
11	University of Memphis	66.50	Above Average
12	College of William and Mary	66.24	Above Average
13	University of	65.78	Above Average

	North Carolina, Charlotte		
14	Arkansas State University	65.73	Above Average
15	Florida State University	65.54	Above Average
16	University of New Hampshire	65.19	Above Average
17	George Mason University	64.79	Above Average
18	University of Arizona	64.47	Above Average
19	California State University, Fresno	64.13	Above Average
20	University of Maryland	62.75	Above Average
21	Western Michigan University	62.47	Above Average
22	Auburn University	62.46	Above Average
23	University of Mississippi	62.45	Above Average
24	University of Virginia	62.38	Above Average
25	University of Tennessee	61.91	Above Average
26	University of North Carolina, Chapel Hill	61.72	Above Average
27	University of Nevada, Las Vegas	60.30	Above Average
28	Florida International	59.49	Slightly Above Average

	University		
29	University of Texas, El Paso	59.38	Slightly Above Average
30	University of Hawaii	58.12	Slightly Above Average
31	University of Notre Dame	57.88	Slightly Above Average
32	Montclair State University	57.30	Slightly Above Average
33	New Mexico State University	56.91	Slightly Above Average
34	University of Colorado	56.63	Slightly Above Average
35	University at Buffalo	56.40	Slightly Above Average
36	California State University, Los Angeles	56.33	Slightly Above Average
37	Georgia State University	56.16	Slightly Above Average
38	Ohio State University	55.96	Slightly Above Average
39	Boise State University	55.14	Slightly Above Average
40	Texas A&M University	54.59	Average
41	Clemson University	54.59	Average
42	University of California, Santa Cruz	54.22	Average
43	University of	54.22	Average

44	California, Irvine University of	53.99	Average
45	Illinois, Chicago North Dakota State University	53.91	Average
46	University of Maine	53.88	Average
47	University of Alaska	53.82	Average
48	Bucknell University	53.68	Average
49	Utah State University	53.56	Average
50	Iowa State University	53.39	Average
51	Towson University	53.12	Average
52	University of California, Riverside	52.99	Average
53	Montana State University	52.98	Average
54	Harvey Mudd College	52.65	Average
55	University of Wyoming	52.56	Average
56	University of Alabama, Tuscaloosa	52.46	Average
57	Carnegie Mellon University	52.37	Average
58	Texas Tech University	52.05	Average

59	University of New Mexico	51.81	Average
60	University of Texas, Dallas	51.80	Average
61	DePaul University	51.71	Average
62	New York University	51.64	Average
63	University at Albany	51.52	Average
64	University of Kentucky	51.38	Average
65	University of Delaware	51.28	Average
66	Ohio University	51.27	Average
67	Rowan University	51.26	Average
68	Washington State University	51.01	Average
69	University of California, Berkeley	50.91	Average
70	Washington and Lee University	50.91	Average
71	University of South Florida	50.39	Average
72	Michigan State University	50.36	Average
73	University of Kansas	50.34	Average
74	Temple University	50.32	Average
75	Colorado School of Mines	50.20	Average
76	University of	50.09	Average

	Nevada, Reno		
77	Stony Brook University	49.87	Average
78	University of Houston	49.75	Average
79	University of Idaho	49.65	Average
80	Indiana University	49.59	Average
81	University of Alabama, Birmingham	49.50	Average
82	Emory University	49.03	Average
83	Dartmouth College	48.99	Average
84	University of California, Los Angeles	48.66	Average
85	University of Iowa	48.60	Average
86	University of Louisville	48.55	Average
87	University of Cincinnati	48.35	Average
88	Bard College	48.33	Average
89	Louisiana State University	48.18	Average
90	Georgia Institute of Technology	48.07	Average
91	University of Arkansas	47.76	Average
92	Southern Methodist University	47.57	Average
93	Howard University	47.55	Average

94	Arizona State University	47.39	Average
95	University of Illinois, Urbana- Champaign	47.04	Average
96	West Virginia University	47.01	Average
97	University of Minnesota	46.90	Average
98	University of Wisconsin	46.88	Average
99	Washington University in St. Louis	46.86	Average
100	Colby College	46.67	Average
101	Miami University	46.57	Average
102	Colorado State University	46.52	Average
103	College of Charleston	46.48	Average
104	University of Florida	46.45	Average
105	University of Connecticut	46.16	Average
106	Stanford University	45.94	Average
107	Pennsylvania State University	45.56	Average
108	University of Pittsburgh	45.29	Average
109	Duke University	45.15	Average
110	University of	45.03	Average

	Denver		
111	College at Geneseo	45.02	Average
112	Drexel University	45.02	Average
113	Rutgers University	44.98	Slightly Below Average
114	Brown University	44.87	Slightly Below Average
115	Smith College	44.57	Slightly Below Average
116	Davidson College	44.31	Slightly Below Average
117	University of California, San Diego	44.15	Slightly Below Average
118	Kent State University	44.09	Slightly Below Average
119	University of Massachusetts, Amherst	43.57	Slightly Below Average
120	Massachusetts Institute of Technology	43.44	Slightly Below Average
121	San Diego State University	43.43	Slightly Below Average
122	Vanderbilt University	43.32	Slightly Below Average
123	Binghamton University	42.68	Slightly Below Average
124	University of California, Davis	42.57	Slightly Below Average
125	Brandeis University	42.52	Slightly Below Average

126	Bowling Green State University	42.48	Slightly Below Average
127	Wesleyan University	42.38	Slightly Below Average
128	Kenyon College	41.96	Slightly Below Average
129	University of Miami	41.71	Slightly Below Average
130	University of Oregon	41.58	Slightly Below Average
131	Wake Forest University	41.48	Slightly Below Average
132	Syracuse University	40.81	Slightly Below Average
133	University of Utah	40.63	Slightly Below Average
134	University of Vermont	40.53	Slightly Below Average
135	Oberlin College	40.48	Slightly Below Average
136	University of Southern California	40.45	Slightly Below Average
137	Hamilton College	40.43	Slightly Below Average
138	Trinity College	40.32	Slightly Below Average
139	University of South Carolina	40.31	Slightly Below Average
140	Gettysburg College	39.85	Below Average
141	California Polytechnic State	39.80	Below Average

	University		
142	University of Nebraska	39.45	Below Average
143	University of Missouri	39.42	Below Average
144	University of Tulsa	39.35	Below Average
145	University of Michigan	39.27	Below Average
146	Boston College	39.17	Below Average
147	Portland State University	39.00	Below Average
148	University of Rochester	38.98	Below Average
149	California Institute of Technology	38.52	Below Average
150	Virginia Tech University	38.43	Below Average
151	Boston University	38.36	Below Average
152	Colgate University	37.82	Below Average
153	University of Oklahoma	37.78	Below Average
154	Cornell University	37.63	Below Average
155	Northeastern University	37.56	Below Average
156	Tulane University	37.33	Below Average
157	Knox College	37.29	Below Average
158	Central Michigan University	36.85	Below Average
159	Mount Holyoke College	36.70	Below Average
160	University of California, Santa	36.53	Below Average

	Barbara		
161	Williams College	36.37	Below Average
162	University of Georgia	36.25	Below Average
163	Rice University	36.18	Below Average
164	Bowdoin College	36.16	Below Average
165	Fordham University	36.07	Below Average
166	University of North Texas	35.83	Below Average
167	Barnard College	35.77	Below Average
168	Colorado College	35.77	Below Average
169	Princeton University	35.32	Below Average
170	Harvard University	34.52	Below Average
171	George Washington University	34.38	Below Average
172	Wheaton College	34.32	Below Average
173	Illinois State University	34.29	Below Average
174	Bates College	34.18	Below Average
175	Case Western Reserve University	33.85	Below Average
176	Connecticut College	33.65	Below Average
177	University of Central Florida	33.64	Below Average
178	DePauw University	33.53	Below Average
179	University of Rhode Island	33.48	Below Average
180	University of	32.75	Below Average

	Texas, Austin		
181	University of California, Merced	32.38	Below Average
182	Wellesley College	31.93	Below Average
183	Amherst College	31.33	Below Average
184	Marquette University	31.29	Below Average
185	Grinnell College	29.55	Poor
186	Tufts University	29.27	Poor
187	Vassar College	28.86	Poor
188	University of Washington	28.61	Poor
189	Middlebury College	27.33	Poor
190	Pomona College	27.31	Poor
191	Haverford College	27.04	Poor
192	Macalester College	26.92	Poor
193	Johns Hopkins University	26.90	Poor
194	Santa Clara University	26.50	Poor
195	Scripps College	26.35	Poor
196	Pitzer College	23.51	Poor
197	Northwestern University	23.09	Poor
198	Yale University	22.65	Poor
199	Skidmore College	21.51	Poor
200	Georgetown University	20.48	Poor
201	Rensselaer Polytechnic Institute	18.60	Very Poor

202	University of Pennsylvania	14.32	Very Poor
203	Columbia University	9.91	Abysmal

And below are rankings of “warning” schools that do not guarantee free speech:

Rank	School	Overall Score	Speech Climate
1	Hillsdale College	57.45	Slightly Above Average
2	Pepperdine University	36.99	Below Average
3	Brigham Young University	34.83	Below Average
4	Baylor University	38.26	Below Average
5	Saint Louis University	32.48	Below Average

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Notes

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