

NO PLATFORMING AND ACADEMIC FREEDOM

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Much of the popular debate that surrounds no platforming centres on its putatively corrosive impact on free speech. This is apt to give a misleading picture of the particular puzzle that no platforming presents. Focusing on the university specifically, I contend that no platforming is distinctively objectionable not because it necessarily runs counter to general free speech values but when and because it is inconsistent with principles of academic freedom. This is because it conflicts with the status of members of the academy as those with the legitimacy to determine the appropriate bounds of free inquiry within the university. No platforming is objectionable insofar as it undercuts the authority of academic faculty in determining which speech, and by whom, is consistent with its purpose as an academic institution. Existing debates over no platforming have been too focused on which views are (or are not) given a platform and insufficiently attentive to the question of *who decides* who or what to platform. On the view defended here, no platforming by students is objectionable because, under principles of academic freedom, they should not be included in the constituency with the right to constrain the platforming of others.

MUCH of the popular debate that surrounds no platforming unsurprisingly centres on its putatively corrosive impact on free speech. Denying someone a platform involves depriving them of a particular speech opportunity and thereby pre-empts a potential audience from hearing whatever they might say. Moreover, proponents of no platforming typically support their case by appeal to arguments in favour of restricting speech that have a more generalised scope. These include the contention that certain speech should not be platformed because it inflicts harm on others¹ or, relatedly, that certain plat-

1. "Cardiff University: Do not host Germaine Greer," petition at Change.org <https://www.change.org/p/cardiff-university-do-not-host-germaine-greer>. For a discussion of some of the claims related to the harm inflicted by speech platformed in a university context see Ecclestone (2016).

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forms endow some obnoxious viewpoints with a misplaced credibility (Levy 2019; Taylor & agencies 2007). Familiar rejoinders often invite similarly general free speech defences invoking ideas such as the educative value of open debate (O'Neill 2016), the democratic damage inflicted by free speech restrictions (Heinze 2018) and the role of counter-speech (Espinoza 2016). As others have rightly noted, however, framing the issue of no platforming as simply a particular battleground amidst a wider free speech campaign presents us with a misleading picture of the distinctive puzzle that no platforming presents (Simpson & Srinivasan 2018; Simpson 2020). In contrast to censorship more generally, no platforming involves *refraining from the positive provision of an expressive opportunity*. By giving speech opportunities to some people and not others, the practice of platforming has an embedded exclusionary logic. Just as importantly, no platforming is typically associated with institutional contexts—the university in particular—in which determining who gets to speak and what they get to say is exclusionary by design. Universities select lecturers based on disciplinary expertise and expect them to deliver teaching which is pedagogically useful. It is therefore part of the *raison d'être* of universities to select certain persons and speech for a platform and discount some others.

Focusing on the university specifically, I contend that no platforming is distinctively objectionable not because it necessarily runs counter to general free speech values but when and because it is inconsistent with principles of academic freedom. This is because it conflicts with the status of members of the academy as those with the legitimacy to determine the appropriate bounds of free inquiry within the university. In this way, no platforming is objectionable insofar as it undercuts the authority of academic faculty in determining which speech, and by whom, is (or is not) consistent with its purpose as an academic institution. Existing debates over no platforming have been too focused on which views are (or are not) given a platform and insufficiently attentive to the question of *who decides* who or what to platform. General free speech concerns that are primarily preoccupied with the former cut across the latter, which I suggest is the issue of primary importance when it comes to the permissibility of no platforming in a university context.² Protecting the academy as the appropriate arbiter of which speech is platformed in universities doesn't necessarily serve the open and critical debate championed by advocates of expansive freedom of speech, nor, indeed, does no platforming necessarily tilt against it, even if in practice it may have tended to do so.

2. For some work which points to the distinctness of free speech and academic freedom see Barendt (2010: 17–22), Post (2015), Simpson (2020), Menand (1996: 6), Dworkin (1996: 184–85), Wallach Scott (2017).

1. No Platforming

No platforming, as I will understand the term, involves blocking or coercively preventing the hosting of speech, speaker, speaking event or publication on the basis of a moral or political reason.³ It is worth noting that it is both narrower and broader than the way in which the term is sometimes understood. It is narrower in that no platforming, as I define it, isn't simply the refusal of a platform for moral or political reasons. It is being prevented from or coerced against doing so (contra Levy 2019: 488). It is broader in at least two ways. Firstly that it includes speaking events and publications as well as particular speakers (who are the targets in typical cases), and secondly that it covers cases where speakers are blocked not for what they are prospectively likely to say but for some other past indiscretions (often expressive ones). No platforming includes both cases in which a speaker is prevented from speaking after having already been invited, for instance either by disrupting a speaking engagement or by forcing a cancellation and rescinding of invitation, and also instances in which the institution is successfully pressured against issuing the invitation at all. It is also worth noting that no platforming, so defined, is crucially different from the protesting of speech, even though the relation between protest and no platforming may sometimes be complex, as I will discuss.

As a strategy no platforming has its roots in the National Union of Students in the UK (NUS), who, at their 1974 conference, passed a resolution imploring student unions nationwide to “refuse assistance (financial or otherwise) to openly racist or fascist organisations or societies . . . and to deny them a platform . . . [and] to prevent any member of these organisations or individuals known to espouse similar views from speaking in colleges **by whatever means necessary** (including disrupting of the meeting)” (NUS 1974: 79, original emphasis). Although such a speech-prevention strategy has a potential relevance to institutions more generally, I focus on the university context from which it emerged and with which it remains most closely associated. This is because it is in that context specifically that no platforming is in tension with something essential to an attractive vision of the point and purpose of a university — academic freedom.

Whilst the emergence of no platforming was tethered to a substantive opposition to ‘openly racist or fascist organisations or societies’, critics of no platforming have characterised it as a force of increasing intolerance that has targeted an ever-broadening array of speakers and viewpoints deemed objectionable by a certain brand of student activism that embraces it (O’Neill 2016; Ditung 2014; Smith 2016; Slater 2020). Because it often adopts a stance of overt hostility to

3. I understand ‘moral reasons’ broadly, including reasons relating to pedagogical and disciplinary value.

certain speakers and speech, no platforming is frequently, and understandably, positioned by its detractors as antithetical to a free society of open discourse (O'Neill 2016; Heinze 2018; Heinze 2016; Slater 2016). Incidents of no platforming often express not just a moral objection to certain speech but a demand that some viewpoints not be aired at all, at least in certain contexts. By enjoining mechanisms of social coercion against the offending speech, certain incidents of no platforming express the notion that the speech in question should not simply be expressively countered but, where possible, suppressed. No platforming can therefore sometimes appear hostile to free speech in a way that is quite general. What is more, no platforming of speech in a university context is sometimes held to embody a particularly sharp affront to the pedagogically vital role of an untrammelled domain of free speech, given that it has tended to involve the exclusion of contested viewpoints, the inclusion of which allows for a diversity of thought that fosters critical thinking skills for students. Whatever the merits of such concerns, the latter of which I will return to, I want to suggest that there is a more important, and comparatively neglected, reason for objecting to no platforming. This is that no platforming is objectionable when and because it is inconsistent with principles of academic freedom and the legitimate determination of speech within a university context by members of faculty.

2. Academic Freedom

Contemporary reflections on the academic freedom of the university, especially in a US context, frequently draw heavily from the 1915 *Declaration of Principles on Academic Freedom and Academic Tenure* issued by the American Association of University Professors (AAUP 2001) in the year of its formation. The *Declaration* outlines three dimensions of academic freedom—“freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extra-mural utterance and action” (AAUP 2001: 292)⁴—and holds that these freedoms are necessary to serve the function of the university which is “to deal at first hand, after prolonged and specialized technical training, with the sources of knowledge; and to impart the results of their own and of their fellow-specialists’ investigations and reflection, both to students and to the general public, without fear or favour” (AAUP 2001: 294). At the core of the *Declaration*, the thrust of which continues to resonate in contemporary support for academic freedom, is the relationship between the purpose and value of the work produced by the university and the independence of that work from influences external to the

4. How far academic freedom protects the extra-mural speech of members of the academy is a difficult and contested issue. Happily, the argument I pursue here does not require adopting a view about the matter. For a clear discussion see Barendt (2010: 270–96).

field of investigation. It continues, “it is highly needful, in the interest of society at large, that what purport to be the conclusions of men trained for, and dedicated to, the quest for truth, shall in fact be the conclusions of such men, and not the echoes of the opinions of the lay public, or of the individuals who endow or manage universities” (AAUP 2001: 294). Academic freedom thereby requires that scholars be insulated from influence and control lest their conclusions be corrupted by extra-disciplinary sources. In this way, as Robert Post carefully elaborates, “freedom protected by the *Declaration* is at root *disciplinary* in nature . . . [it] conceives academic freedom as the freedom to pursue the ‘scholar’s profession’ according to the standards of that profession” (Post 2015: 125). Academic freedom, thus understood, serves the function of the university as an institution housing disciplines offered protection from external corrupting influences—such as governments, corporations, and public opinion—and facilitating knowledge production and dissemination guided primarily by considerations internal to the disciplines themselves.

Although the more precise contours and undergirding values of academic freedom remain matters of debate, the *Declaration* of the AAUP, along with its later 1940 *Statement of Principles* and 1970 *Interpretive Comments*, reflect contributions of considerable influence when it comes to articulating the scope and purpose of academic freedom. That broad understanding of the character of academic freedom is compatible with a range of accounts about who ought to enjoy academic freedom and which more specific rights are required to protect it. Similarly, it can accommodate a range of views as to the more ultimate justification for the place of academic freedom in society.

One such justification is that the purpose of the academy is to produce knowledge and that scholarship must therefore be a truth-seeking activity governed by disciplinary norms and not constrained by exogenous direction and control in order to most effectively do so (Dewey 1902/1976; Shils 1997; Ryan 2016).⁵ Assuming that many forms of knowledge are important not only in their own right but also in virtue of the multiplicity of other social functions they serve, academic freedom is therefore a crucially valuable part of the social framework. Related to this is the idea that only knowledge claims pursued with relevant scholarly motivation, and not for some other dependent motive, are liable to engender trust from the students who are educated into and about the discipline.⁶ A further, associated, account of academic freedom’s value is offered by

5. Although I treat this justification as broadly singular, it is worth noting that it can be unpacked into the freedom to *produce* knowledge, by way of truth-seeking according to disciplinary standards, and the freedom to *disseminate* to students and society. On this see also G. C. Moodie (1996: 139–41).

6. The *Declaration* mentions the need for academic freedom so that “no fair-minded person shall find any excuse for even a suspicion that the utterances of university teachers are shaped or

Ronald Dworkin, who contends that compromising academic freedom threatens a crucible of a culture of independence of thought and in doing so imperils what he refers to as the ‘ideal of ethical individualism’, understood as a personal responsibility citizens in general have to sincerely determine for themselves what counts as a good life (Dworkin 1996: 187–91). Such an ideal includes a responsibility to “speak out for what one believes is true” and depends on a broader cultural backdrop of truth seeking and independence of mind, for which academic freedom has a crucial service (1996: 188).

The value of academic freedom, at least as it regards the institutional autonomy of the university, might also be defended on pluralist reasons related to counterbalancing state power. Thus construed, the university plays a role as an independent base of power, bulwarking against potential state overreach (Moodie 1996: 147–48). More compellingly, it is argued that academic freedom serves a specifically democratic purpose. Only when the university is a seat of independent critical thought can it serve as an essential strand of democratic accountability. Post is among those who set out this democratic justification for academic freedom most clearly. He maintains that democratic legitimacy depends on not only unconstrained participation of citizens in public discourse but also on the value of ‘democratic competence’. Democratic competence is a matter of the “cognitive empowerment of those people who participate within public discourse,” which itself depends on “the production and distribution of expert knowledge, which is the basis of universities to generate and publish” (Post 2015: 130). Democratic legitimacy thereby depends on an *independent* source of democratic competence—supplied by the academic freedom enjoyed by the university—because anything other than an independent source would allow the state to

manipulate the production and distribution of disciplinary knowledge [such that it] can set the terms of its own legitimacy. By fiat it can make the dangers of climate change inevitable or illusory, or it can make the harms of smoking obvious or speculative. By controlling knowledge it can make a mockery of the aspiration to self-governance. (2015: 130)

Academic freedom is thus conceived as independence from control. Not only because independently governed disciplinary instincts, norms and directives are more reliably efficacious at generating knowledge than processes more slavishly dependent on other bases of societal power, but also because the independence of the university, as knowledge producer, is an essential feature of its resourcing

restricted by the judgment, not of professional scholars, but of inexpert and possibly not wholly disinterested persons outside of their ranks” (AAUP 2001: 294).

an external perspective capable of unalloyed critical scrutiny of the state (see, e.g., Wallach Scott 2018: 20–21). Only when the university is independent from the state, and other sources of societal constraint, can it function as the independent and democratically legitimating source of knowledge on which citizens can themselves rely to engage in democratic contestation between themselves.

3. No Platforming as a Constraint on Academic Freedom

If one thinks of academic freedom as solely a matter of the independence of the university from *state* control, then no platforming—recall, the blocking or coercively preventing of speakers, speech or publication—does not pose an obvious threat. After all, no platforming is paradigmatically a form of student activism that is not only manifestly independent of state power but also sometimes positions itself as a form of grassroots dissent; playing counterweight to the expression of more powerful speakers in order to safeguard the more vulnerable. But academic freedom is seldom conceptualised exclusively in terms of independence from state power specifically and is often thought to include independence from other forms of social power, including corporate and non-state political activism.⁷ Still, the idea that students—the characteristic protagonists of no platforming activity—might embody a threat to academic freedom needs explaining and defending, if for no other reason than that they are ordinarily *insiders* to the academic institutions whose members' academic freedom I propose to argue is constrained.

Indeed, in an intriguing and apparently plausible move, Robert Mark Simpson and Amia Srinivasan appeal to academic freedom as the basis of a liberal case *in favour* of some forms of no platforming by students (Simpson & Srinivasan 2018; see also Barendt 2019). Drawing on Post's account of academic freedom grounded on its service for democratic legitimacy, Simpson and Srinivasan explore a liberal case for no platforming on the basis that the necessarily exclusionary features of disciplinary expertise are consonant with depriving some speakers of a platform grounded on a moral or political objection to their views. The enjoyment of academic freedom precisely entails the freedom to exclude certain views on the basis of disciplinary standards. This straightforwardly encompasses the freedom to refrain from giving speakers a platform based on their lack of disciplinary expertise and further, they argue, includes the freedom to exclude non-experts for independent reasons, including moral and political ones (Simpson & Srinivasan 2018: 203). Now, Simpson and Srinivasan explicitly

7. The *Declaration*, for instance, refers to “the opinions of the lay public, or of the individuals who endow or manage universities” as just such a threat (AAUP 2001: 294).

accept, as I would maintain, that the no platforming by way of obstructing academic departments from hosting methodologically competent, serious scholars who are “recognised as credible practitioners in the relevant field,” infringes the academic freedom of the inviting members of the university (2018: 200). However, they also argue that it would be *prima facie* consistent with the value of academic freedom for speakers lacking in that disciplinary expertise to be no platformed, for instance by preventing those speakers from addressing a student club or society, “since no experts within the university would be restricted in their teaching or research practice because of the exclusion” (2018: 199). In this case, they suggest, no platforming *serves* rather than undercuts academic freedom. I contend that Simpson and Srinivasan are quite correct to point out the conflict between no platforming and academic freedom but misdiagnose the nature of that conflict, leading them to accept a congruence between no platforming and academic freedom which should be questioned.

It is crucial to distinguish here between the disciplinary credentials of the invited speaker and the source of the decision whether they should be permitted to speak. Simpson and Srinivasan seem to hold that no platforming is consistent with academic freedom provided the decision to no platform does not transgress disciplinary norms related to the expertise of the speaker. Indeed, they go so far as to tentatively suggest that there may be positive reasons to no platform, based on a responsibility to preserve the soundness of such norms. On this view, to use an almost ubiquitous example, no platforming Holocaust deniers serves to uphold the evidentiary standards of historical inquiry and hence protects the very same disciplinary integrity that academic freedom is itself designed to preserve. The problem with this is that it seems to conflate the standards constitutive of the disciplinary consensus with the freedom of the constituency whose role it is to define those standards—in this case historians. The most important issue, as concerns academic freedom, is not whether the Holocaust denier is a credible expert but who decides this. The crucial question, then, is not whether the inability of a Holocaust denier to speak on at a university event would be incongruent with the disciplinary standards involved in respectable historical inquiry, but whether withholding such a platform is consistent with the exercise of academic freedom by the relevant constituency of scholars whose exercise of such freedoms is partly determinative of those very standards. The disciplinary expertise of the would-be invited speaker has relevance, but it has relevance as a consideration which bears on the responsible exercise of academic freedom by members of faculty, rather than a consideration which legitimises non-faculty constraining of speech in a university context. Considerations of disciplinary integrity are indeed *bone fide* reasons, but they are reasons for faculty to take account of in deciding whether to invite certain speakers or to give students the permission to invite them.

It may be useful to compare the claims here with other sites in which legitimacy of decision-making has a place. In the context of political decision-making, one rationale for distinguishing substantive questions of justice from considerations pertaining to the legitimacy of decision-making is that epistemic uncertainty surrounding justice breeds (reasonable; deep; wide) disagreement concerning questions of justice, giving us reason to found citizen acceptance of political decision-making on something other than its deliverance of perfect justice.⁸ That is, there is a standard of legitimacy— at least partly different from a standard of justice—on the basis of which political decision-making is appropriately made. There are some parallels between the political case and this account of academic freedom. Given that we inhabit general conditions of epistemic uncertainty to one degree or another, we have reasons to establish a practice of knowledge-seeking with the requisite dimensions of independence, involving disciplinary expertise that bestows credentials on insiders to the relevantly independent knowledge-seeking project.

That is not to say that societal practices of inquiry cannot be organised in other ways, just to say that there are compelling reasons for organising it on a basis—and this is the important point—which demarcates certain boundaries of input and decision-making, given that we don't have independent, privileged access to some standard of truth on which we can all agree. This involves independence not only from influences such as state or corporate control, but also from other sources of potential knowledge. Although on any given occasion it might be the case that an outsider to a discipline or university happens to be correct about some substantive question pertaining to a given discipline, the thought goes that, as a general matter, the boundaries of fruitful enquiry are better protected by a practice which excludes even those who may happen to be substantively correct from the constituency of decision-making. Substantive considerations pertaining to disciplinary expertise still play a role in the practice, of course, and the conclusions borne of disciplinary inquiry are, crucially, tested against the wider purview of societal free discussion, but when it comes to inclusion within the relevant constituency, their role is to inform the relevant tests requiring mastery of the relevant disciplinary essentials, as judged by a community of fellow disciplinarians.

My claim, then, is that academic freedom primarily relates to the legitimacy of decision-making. The mere fact that an instance of no platforming coheres with disciplinary norms that emerge from that process of academic legitimation does not render it a legitimate source of the determination of who is to speak. Suppose the state drew up a list of a range of viewpoints it was impermissible to platform at university events and that all such viewpoints included on the

8. I appeal to this view for illustration, rather than endorsing it.

list were ones lying outside the bounds of any recognised academic disciplines, including, say, astrology, flat-earthism, witchcraft and more besides. Such a list would, I contend, be manifestly hostile to academic freedom, even if the state were to reassure members of the academy that the content of the list was itself informed by surveying what current disciplinary experts adjudge to qualify as relevant disciplinary norms and would be kept under continual review. This view, I take it, resonates closely with Post's emphasis on the democratic legitimating role for academic freedom; it is the fact that the substance of our disciplinary knowledge issues from an independent constituency of scholars that legitimates its standing as a respectable input to the democratic process.

The claim that no platforming is an illegitimate constraint on academic freedom raises several more significant questions, only some of which I can hope to offer a remotely adequate treatment in what remains. Among the most significant of such questions, and a matter of ongoing contestation in different interpretations of academic freedom, is the matter of who qualifies as the relevant legitimating constituency. In this context some have offered a threefold distinction between different claims to academic freedom (Barendt 2010: 22–34; Moodie 1996: 130–32). Firstly, academic freedom is sometimes understood primarily in terms of the institutional autonomy of the university from loci of state and social power (Schauer 2006). Thus understood, academic freedom is a matter of the independence of the academic institution and is potentially jeopardised if the institution is subject to stringent state regulation or when it significantly relies on corporate funding given on condition of certain research agendas being pursued in certain ways. Secondly, academic freedom is conceived in terms of the rights of individual scholars to pursue research and teaching without certain constraints—that they remain unrestricted in the substance and dissemination of their disciplinary pursuits.⁹ These two dimensions of academic freedom are sometimes distinguished from a third—the collective self-rule of groups of scholars to determine the research and teaching that is housed within the university of which they are members. The different aspects of academic freedom can be in tension with one another. Even if a university is relevantly independent from external control under the first dimension, it could undermine the second dimension by imposing draconian restrictions on member scholars dictating what they must research and teach. In this way the academic freedom of scholars would be damaged not by state control but by an organising managerial class governing the institution in which they are employed.¹⁰ Conversely, though, radically ungoverned academic freedom for individual scholars might

9. For more discussion of the distinction between these two dimensions of academic freedom see Dworkin (1996: 183–84).

10. This is reflected in the *Declaration* (AAUP 2001: 295). See also Barendt (2010: 38–45). For a discussion of such tensions in relation to US court decisions see Hiers (2002), Rabban (2001).

be thought to threaten the cohesion and coherence of academic institutions like universities, which need to be organised around some form of co-ordinated and deliverable set of courses and research projects in order to function in a relatively stable and productive fashion. It's possible to view the third dimension of academic freedom—academic self-rule—as a way of navigating some such tensions; settling the important questions of how scholarship is to be organised and which kinds of teaching are to be delivered by the particular community of scholars who embody the academy, properly understood.

Insofar as an account of the value of academic freedom is grounded on its service for disciplinary knowledge and critical thought, a plausible conception cannot be limited to simply institutional independence from broader societal constraint. Extra-disciplinary managerial control over the appropriate substance of research and teaching are similarly a hindrance to academic independence even when the source of this dependence is internal to the university as a concrete institution (Ryan 2016: 63–64). As such, the freedom of individual scholars to determine the direction of their research and how to articulate it, and the collective governance of scholars themselves, are crucial elements of an account of academic freedom justified on the basis of the generation of disciplinary knowledge that resources critical thought. Internal tensions inevitably remain, and these must be worked out partly through a more fully articulated conception of academic freedom and its grounds and partly through local institutional norms and compromises within the permissible range demarcated by that broader conception.¹¹ The point to emphasise, though, is that it is scholars, individually and collectively, whose freedom to research and teach it is of primary importance to safeguard under academic freedom.¹² The claim is, then, that academic freedom should be understood in terms of the legitimate source of the determination of what is included and excluded in the formation and teaching of disciplinary knowledge, and that this is primarily a matter for scholars themselves.

No platforming is typically, albeit not exclusively, instigated by students. In order to assess the claim that no platforming is inconsistent with academic freedom two further issues remain—the status of students and the question of whose freedom is constrained by no platforming. As regards the former, I contend that although students should plausibly have some role in informing the research activities of a university this doesn't extend to *constraining* such activities—which is what no platforming amounts to—even if this is only by way of constraining the positive contributions of fellow students. At the bar of principles of academic freedom, then, I will contend that students should have some,

11. Simpson (2020: 316–19) includes related discussion.

12. For supporting views see Leiter (2018), Dworkin (1996).

relevantly constrained, rights to speak and platform speech but should not have rights to unilaterally constrain others, including fellow students, from speech or platforming speech.

Addressing these questions, Simpson and Srinivasan consider whether students do indeed have a place as the arbiters of whether, say, a speaking event takes place and suggest that there are reasons for thinking that they do. They tentatively contend that students as well as faculty have a role in shaping disciplinary standards. Graduate students can be understood as possessed of a kind of incipient expertise, reflected by common practices of charging them with teaching responsibilities, having them act as peer-reviewers, delivering conference papers and publishing in journals (Simpson & Srinivasan 2018: 204). Beyond this, undergraduate students, despite lacking that level of expertise, might be seen to have a role in the formation of disciplinary standards in virtue of being less entrenched in disciplinary orthodoxy and perhaps bringing a corrective and fresh perspective unhampered by “disciplinary inertia and methodological conservatism” (2018: 204). Of particular relevance here, and something to which Simpson and Srinivasan are rightly alert, is that university research and teaching is not limited to the work produced by members of faculty and the courses they deliver to students but is also composed of the broader range of campus activities, including student clubs, events and societies, which together form the academic, intellectual and, indeed, social culture of the institution. In this light there is a compelling case for student contribution by way of creating academically relevant societies and organising speaking events themselves, and, as I shall momentarily discuss, a healthy place for student criticism and dissent. It is therefore consistent with principles of academic freedom to offer a meaningful role for students to arbitrate whom to invite to speak and which viewpoints to platform, including, by implication, viewpoints that they, for whatever reason, do not see fit to platform themselves.

However, although such emergent expertise and independent critical perspective brought by students has a role to play in serving the purposes grounding academic freedom, it commends inclusion within the legitimate constituency only in limited and specific ways. The considerations advanced by Simpson and Srinivasan suggest a capacity for students to make positive contributions to advance disciplinary knowledge; not only to lend a more detached critical perspective, less steeped in elements of orthodoxy which have the potential to frustrate epistemically valuable disciplinary evolution, but also to offer substantive feedback and steering which in turn might inform credentialed disciplinary expertise.¹³ There is something to be said for this but we should be cautious.

13. This is not to mention the pedagogical importance of providing a degree of academic freedom to students in respect of their contributions—both within the classroom and across the broader campus culture.

After all, who is to judge what counts as stale, parroted canon, rather than crucial pillars of a discipline? The issue here is not whether students might happen to be right about certain problems in a discipline—that is indeed quite plausible—but more a matter of what *constitutes* a discipline in the first place.¹⁴ If we think that what it means to be a discipline is itself defined by some range of accepted norms amongst a constituency of disciplinarians, then criticisms of internally accepted standards often depend on recourse to an external standard and it's not obvious why students, as opposed to anyone else, are a reliable source of good standards of external critique.

Moreover, and crucially, graduate students remain *students* who are still being tutored in the relevant disciplinary norms and standards. Their status as students, even at the most advanced stages of their study, does not guarantee that they will satisfy the tests which are sensibly imposed prior to formal accreditation. As Jonathan Cole rightly says,

[i]t is the professor's pedagogical role that grants him or her the authority and the right to judge which scientific theories or historical facts are presented in the classroom. We cannot deny the asymmetry in these roles. If we do, we fail to understand a legitimate goal of higher education: to impart knowledge to those who lack it. (2005: 15)¹⁵

Furthermore, it is in the nature of healthy disciplinary inquiry to admit various kinds of dissent and degrees of disagreement over the value of contributions to the discipline, and given that productive disciplinary inquiry requires excluding some speech (not least to make space for more valuable contributions), there is a compelling rationale for relatively bright lines regarding who is entitled to exercise the relevant discretion to exclude.

In view of this, although there is a strong case for allowing, and, indeed, encouraging, student contributions to disciplinary development on the very same epistemic and critical grounds that are served by academic freedom, that case does not, I submit, extend to giving them partial guardianship over disciplinary standards in way that entails the right to constrain others from contributing themselves.¹⁶ Academic freedom grounds do not, therefore, commend either giving students unlimited license to platform speech, nor any kind

14. For a reflective discussion of this issue, including the possibility that non-experts might happen to be 'right' see Thomson (1990: esp. 161–62).

15. See also his discussion of the academic freedom rights claimed by students under the auspices of the US organisation Students for Academic Freedom (SAF) (Cole 2005: 8). Cole argues against what he sees as objectionable claims of authority by students with respect to determining faculty competence.

16. I do not intend to be especially prescriptive with respect to who qualifies as 'faculty', other than to hold that it pertains to holders of academic posts not at the same time seeking academic

of basis for *no platforming* others' speaking events. The most important reason for this is the following. The privilege afforded to those who enjoy full academic freedom comes anchored with responsibility. Inasmuch as the academic and intellectual culture forms an integral part of knowledge, understanding and development of critical capabilities, the enjoyment of academic freedom requires faculty oversight in order to ensure that the culture does not stray from the purposes for which academic freedom is entrusted, as I shall further argue below. This might involve faculty preventing student groups from platforming some speech that is incongruent with the appropriate purpose of the university such as, to return to the stock-in-trade example, the Holocaust denier whose platforming rubs up against disciplinary standards which the university has a responsibility to articulate and defend.¹⁷ Such is a case of no platforming (by faculty, of students) consistent with principles of academic freedom and it is eminently plausible to suppose that there will be instances in which no platforming is a responsibility.¹⁸

One can envisage at least three different categories of no platforming by students, distinguished by the group whose freedom to platform is constrained—speaking events hosted by faculty, by managerial staff, and by students. In view of the foregoing, I contend that no platforming faculty speaking events transgresses principles of academic freedom, given that faculty independence from such constraints is included under any plausible conception. This is the case even if the no platforming is motivated by and in fact successfully serves established disciplinary norms. The point is that in respect of credentialed faculty, students should not enjoy the relevant authority to overrule them. I do not take a view here in respect of the academic freedom case for the permissibility of no platforming managerial organised events, although it is by no means obvious that the relation students bear to the values served by the academic freedom supports giving them license to *exclude* views platformed by managerial members. In the case of student no platforming of fellow student speaking events, again I want to question the academic freedom case for permitting this. If we focus on the legitimacy of the constituency making the decision as to which speech

credential in the same discipline in which they hold that post, although there may be idiosyncratic cases which are difficult to place—such as a full professor appointed prior to formal accreditation.

17. This isn't to say that disciplinary shortcomings are the only reasons to refrain from platforming Holocaust denial, of course.

18. Insofar as students themselves ought to enjoy the academic freedom to make positive contributions this opens up the possibility of conflict between the academic freedom of faculty and that of students. It is also true, I think, that the academic freedom of faculty can be exercised in ways that wrongfully restricts the academic freedom of students—for instance if a professor refuses to allow disciplinary competent classroom contributions from students with whom they disagree politically—even to the point where this oversteps the bounds of the legitimate exercise of academic freedom—for example if they do so on racial grounds.

to platform in a university context—as I have argued we should—it is not clear what might privilege some students over others when it comes to determining which speech should be heard.¹⁹ Of course, one side or the other might have a case which is more faithful to disciplinary standards, but academic freedom is primarily about the enjoyment of a certain kind of independence whose most compelling justification is that it allocates rights of free inquiry that in general best serve certain epistemic, critical and democratic functions.

A natural move here would be to argue that no platforming of fellow students could be legitimate when orchestrated through a fair decision-making procedure, such as no platforming rulings laid down by an elected student council. Indeed, the NUS seemed to claim that very authority by instituting no platforming policies.²⁰ It is far from clear that this offers good grounds, however. The mere fact that such a decision procedure would be fair does not decide which questions ought to be resolved by democratic student organisation to begin with. Universities are unlike broader society, within which democracy serves to decide questions about which people disagree in a context where we lack a higher order authority. Students are subject to institutional rules and the space they are afforded for democratic decision-making must depend on a prior normative account of which matters ought to be left on the democratic table. It would be quite inappropriate, for instance, to permit student councils democratic rights to decide questions of excluding fellow students for misdemeanours, for instance.

Insofar as the values served by academic freedom commend giving students a space to make positive contributions to the academic and intellectual culture of a university, but not the license to exclude and constrain others' contributions, then no platforming is at odds with it. The positive contribution of some students is illegitimately constrained by the actions of others for which, unlike faculty, they lack the relevant academic freedom grounded authority. Where there is a conflict between student groups as to the platforming of a speaker or event this should be resolved by a faculty determination. Indeed, as I shall further suggest below, it is part of a responsible exercise of faculty academic freedom that faculty exercise oversight with respect to what speech is platformed by students in a university context. A case in which *faculty* determines that the speaker *should not be* platformed is, however, crucially different from one in which one group of students unilaterally excludes another through no platforming. The faculty determination is itself an exercise of academic freedom grounded authority over students' permission to platform. It is worth adding, though, that in cases where

19. For some discussion of the conflict of interests between different groups of students see Heinze (2018: 91).

20. The UK university UCL, for example, has a process for organising external speakers which involves giving the Students' Union the authority to approve speakers or not. <http://studentsunionucl.org/how-to-guides/organise-event-with-external-speaker>

faculty simply uphold the attempted no platforming not on the merits of the case as to whether a speaker should be platformed but, rather, simply by deferring to the judgment of the group of students seeking to no platform, this may constitute a derogation of faculty responsibility to exercise proper academic judgment.

4. No Platforming, Blocking and Coercively Preventing

I have argued that academic freedom of faculty (or, indeed, students) is compromised when they are blocked or coercively prevented, by students, from platforming speech. Thus far, however, I have left abstract what qualifies as blocking or coercion. There are at least two reasons why it is incumbent to further elaborate. First, a firmer fix on what qualifies as blocking or coercing seems required before we can tell how much of what is commonly understood as no platforming, actually falls under the definition of no platforming deployed here. Second, and related to this, without some sense of which conduct qualifies as no platforming we are left with a less useful guide with respect to judging whether or not any given instance of student antagonism towards platforming is objectionable. At the same time, though, it would clearly be too ambitious a task here to expound a comprehensive account what counts as a constraint on freedom, whether by blocking or coercing. It seems sensible, then, to reflect on some cases for which it is relatively clear whether or not to classify as no platforming, and to expand on some of the considerations which bear on the question of what renders some conduct freedom-restricting.

Blocking and coercively preventing are both ways in which freedom is restricted, distinguished by the different dynamic by which this is achieved. Blocking is a matter of making conduct (in the relevant cases—platforming) more *difficult*; coercively preventing is a matter of discouraging conduct by way of making it more *costly*. To briefly illustrate: respectively, a person's freedom to leave a room is blocked (constrained by a difficulty dynamic) if someone grabs them and holds them back from leaving; a person's freedom to leave a room is coercively prevented (constrained by discouragement through cost) if they are credibly threatened that if they try to leave their family will be killed.

The texture of different incidents of student antagonism toward platforming varies considerably. How far such cases involve varying degrees of hindrance, pressure and coercion is often unclear, and the facts surrounding the cases are sometimes in dispute. Still, in respect of no platforming by way of *blocking* of speech, relatively clear cases are those in which student associations deprive fellow students of institutional permission to host speaking events under the auspices of the university. Take, for example, the case in which the Warwick Atheists, Secularists and Humanists Society was reportedly denied permission

to platform rights campaigner Maryam Namazie by the student union, on the basis, the union claimed, that her platforming could violate the union external speaker policy (Adams 2015). If platforming requires the permission of a student union and the union withholds or rescinds it, then the platforming is blocked by way of depriving the student group hoping to host the speaker of the relevant institutional prerequisites for doing so. More informal mechanisms for blocking platforms will likely be more contested as constraints on freedom. There will be some relatively uncontroversial cases, though. For instance, if there is a venue due to host a faculty speaking event and students are able to barricade the venue shut, leaving no alternative location for holding the event, this would constitute a case of blocking a platform that would constrain the academic freedom of the faculty in question. The preconditions for effectively platforming the speech are removed by preventing the audience from gathering in a suitable fashion. Obstruction along similar lines occurred at a planned lecture by the political commentator Heather MacDonald at Claremont McKenna College in 2017, when student protesters reportedly prevented the majority of the audience from attending the event (Jaschik 2017). Blocking may also take the form of sufficiently severe disruption or drowning out of speech, even where this does not prevent the gathering of the audience from actually taking place. The disruption to a scheduled appearance from Charles Murray at Middlebury College in 2017 offers an illustration of how this might occur. Invited by a Middlebury student group, The American Enterprise Club, Murray's talk was reportedly shouted down to a point where organisers were forced to abandon the in-person speaking format and arrange for Murray to move to a private location, from which to engage in the event remotely (Beinart 2017).

Now, this discussion of no platforming by way of hindering the possibility of holding a speaking event invites more general questions with respect to how far increasing the difficulty constitutes a meaningful restriction on the freedom to do it. On the weaker end of the spectrum of difficulty, for instance, protesters outside a venue will only marginally delay access for the audience, or their chanting outside will simply mean that a sound system volume will need to be increased to ensure a talk is audible. On the stronger end—as in the MacDonald and Murray cases—the availability of a space to gather will be so strongly obstructed, or the possibility of hearing a talk will be so significantly disrupted, that it amounts to a substantial increase in the difficulty of platforming the speech. Beyond observing that the former case does not amount to blocking and the latter does, and that there will be scope for disagreement over intermediate cases, a couple of further reflections are worth briefly indulging.

First, this rough characterisation of blocking glosses over two intermingled dimensions of the situation—on the one hand the extent to which some plat-

forming is *possible*, on the other hand the extent to which the constraints placed on the platforming substantially alter the nature of the platforming that can take place. Suppose a student barricade on an event *can* be overcome, but it takes a considerable amount of time to bypass, leaving only half the allocated time for the event itself. The difficulty created by the barricade is surmountable with respect to holding *some of* the event, but it may be insurmountable with respect to the event as a whole, because it is impossible to bypass it quickly enough so as to allow the full event to take place. Through one lens this might look like an insubstantial constraint, given that it renders hosting *some of the event* only somewhat difficult. Through another lens it might look like a very substantial one, given that it renders *impossible* the hosting of the event as a whole. The same may be true of heckling. Suppose there is some continual and audible heckling throughout a talk, but it is such that the speaker can still make themselves just about heard. Again, through one lens the heckling presents only a limited degree of difficulty, given that the speaker can still talk and be heard to some extent, through the other lens the heckling renders a clearly audible and undistracted talk impossible. One of the things this reveals, I think, is that the notion of blocking will itself depend on certain normative judgments with respect to whether the alternatives that are left in place by a given difficulty constraint are relevantly comparable to the one that is foreclosed.²¹ The second thing worthy of note here, though, is that nothing in what I have said implies that there is anything necessarily objectionable with *protesting as such* against the platforming of speech. Indeed, on the view I am expounding, student protest has a potentially valuable role to play in the health of the university. This includes petitioning against a platform being given and it is even consistent with the view that a certain level of heckling of a talk is consistent with students' exercise of their own

21. For instance, in both the Murray and MacDonald cases, the speakers were reportedly able to remotely broadcast the planned speeches after some delay. Now, one possible analysis of such cases could be that the platforming of Murray and MacDonald wasn't, in that case, successfully blocked, given that their talks could go ahead in spite of the constraints on doing so in the originally intended format. Thus construed, the specific *format* of the talks (in-person) was blocked not the platform itself. This is, of course, open to the familiar rejoinder that the manner of expression is inextricable with the substance of what is expressed. But even without that stronger claim, it could plausibly be argued that the character of the platforming is *substantially changed* from being blocked from an in-person and perhaps more interactive format. Furthermore, even if it is accepted that Murray and MacDonald were merely unsuccessfully no platformed, this does not entail that there is nothing objectionable about the *attempted* no platforming. If the student no platforming is wrong, then, by the same token, so is their attempting it. Note that my argument with respect to blocking is consistent even with views which hold that only constraints which render actions *impossible* qualify as restrictions on freedom. See, for example, Steiner (1974–75), Carter (1999). In all cases of blocking, *something* is rendered physically impossible (for example, the possibility of giving an *unhindered* talk). My claim is simply that 'academic freedom' is limited by some impossibilities and not others, and which impossibilities are relevant is a matter of normative judgement.

positive academic freedom rights, provided this does not amount to the blocking the platform of the heckled speaker.²²

When it comes to *coercively preventing* platforming, there is a similar respect in which easy cases can be identified even if there will be inevitable dispute over others, one's judgment of which will hang on a broader view of what constitutes coercive conduct. At minimum, I contend, someone is coercively prevented from platforming speech when they are threatened with consequences for doing so such that refraining from doing so remains the only reasonable option (Olsaretti 2004). The threats of violence reportedly made by 'transgender activists' against the University of Oxford historian Selina Todd are a case which arguably falls into such a category (Turner 2020).²³ Todd was reported to have been the target of violence as a result of her research claims relating to women posing as men in the past frequently being lesbians in search of self-protection or women seeking work opportunities limited to men. If, as a result of being threatened, one reasonably judges that the elevated risk of violence one is exposed to in giving a lecture makes doing so an unreasonable option, one's freedom to do so is plausibly limited by the threats in question.²⁴ What's more, intimidating responses to one faculty member's speech can serve as a formidable deterrent to other faculty and students alike to engage in the same speech on the basis that doing so risks inviting the same fate for themselves. If one professor receives credible death threats for proposing to platform a climate change sceptic, for example, then others may be understandably strongly discouraged from exposing themselves to the same hostilities. Similar considerations apply to protests that take an overbearing or threatening character, such as the reportedly violent protests against a UCL friends of Israel platforming of Israeli writer Hen Mazzig, during which two students reported being assaulted as protesters forced their way into the lecture room. Such incidents quite conceivably render it reasonable for the hosting party to judge continuing with the talk an unreasonable option, and to refrain from hosting future talks which risk a similar response (Turner 2016).

At the other end of the spectrum, however, it's doubtful that the spectre of less severe consequences, such as lesser popularity among students, or even fierce pub-

22. For a view that emphasises the positive value of heckling see Waldron (2017). For a contrasting view see Emerson (1970). How far petitioning against a platforming is objectionable will depend on the substance of the particular petition. For instance, petitioning for management to block a faculty talk may constitute agitation in favour of action which would contravene academic freedom, whereas petitions registering a moral objection to a talk, and/or calling for the faculty member to refrain from hosting the talk are another matter.

23. Todd is quoted as saying "I get frightened by the threats in lectures," and "[y]ou can't help but worry. It's had a huge impact on me."

24. 'Reasonably' and 'unreasonable' are no doubt doing a lot of heavy lifting here, which a fuller account would need to do more to substantiate. Although Todd continued to give the lectures in question, she was given security by the University of Oxford.

lic criticism, amount to coercive prevention of platforming speech. Suppose a member of faculty comes to understand that their elective course will prove less popular should they be seen to platform certain speakers or viewpoints, and that lower course attendance brings additional, and unwanted, administrative burdens to offset the lower teaching requirements. Although this knowledge might exert a degree of pressure on the faculty member to refrain from platforming the speech in question, it is open to question whether this would constitute coercive prevention. There are at least three dimensions of such situations that a more comprehensive analysis would unpack. First, how far the costs imposed are *intentionally* created to penalise the member of faculty in order to discourage the platforming of speech. Second, how grave the costs in question are for the member of faculty. Third, how far it serves the interests of the students to act in ways that impose such costs (in this last case, to refrain from taking the elective class). All else being equal, *intentionally* imposed costs of *significant gravity*, the imposition of which *does not substantially serve the interests* of the students imposing them, are of a more coercive character than unintentionally imposed lesser costs which do serve the interests of the students.²⁵

Again, though, it is with respect to intermediate cases that there will be contestation. One such class of cases likely to involve disagreement are those which involve student assaults on the reputation and standing of faculty. In respect of such cases, I contend that threatening public vilification as a consequence of platforming certain speakers or viewpoints can, in the right context, constitute a coercive affront to academic freedom. Suppose, for instance, a student group petitions against a member of faculty platforming a certain speaker and the member of faculty understands that if they do not accede to the demands of the petition they will be subject to a concerted public shaming campaign. I hazard this clearly has the potential to coerce accession to the demands. When such a campaign involves vilification in the form of slanderous claims and denigrating insults about an individual, particularly when taking the form of a collective, aggregated verbal assault and as part of a coordinated attempt to attack a person's public standing, it is very plausible to think that the threat of such consequences can constitute coercion.

Now, it might be argued that my claim that such behaviour can amount to a constraint on academic freedom implies, implausibly, that academic speech rights ought to be more extensive than general freedom of speech rights, given that it is seldom thought that a person's right to free speech includes a right against being subjected to concerted public vilification. First, my account of aca-

25. It could still be the case that when students erroneously judge the imposition of such costs to foreclose reasonable alternatives, and intentionally impose them in order to *try* and coercively prevent faculty from platforming, they are guilty of *trying* to restrict academic freedom, and their behaviour is objectionable for that reason, even if the actual level of costs is insufficient to constitute a coercive restriction.

democratic freedom does not imply that faculty have stronger *state-instituted* speech rights, against, for instance, being subject to concerted shaming penalties from students. Everything I argue, therefore, is consistent with the claim that those responsible for exerting coercive pressure through targeted vilification possess claim rights against legal sanction for doing so. Second, and more importantly, if we limit our attention to student no platforming for the moment and focus, in particular, on the responsibilities and liabilities they have *qua students*, it seems quite sensible to suppose that student conduct which relevantly undermines others' academic freedom may be legitimately subject to institutional censure and penalty connected with student status.²⁶ In this instance, just as academic freedom does not entail legal protections for faculty from all coercive affronts on speech, so too, students may be legally unprotected from institutional punishments that are justified on the basis of protecting academic freedom.

To cap this discussion of which forms of student conduct pose a threat to academic freedom by blocking or coercively preventing platforming, there is a class of cases which is worthy of treatment in its own right, in part because they are very commonly characterised as incidents of no platforming in popular discourse, yet it may be unclear, from what I have thus far argued, where to place them. The class of cases I have in mind are those in which there is a protest which will not necessarily itself block a given platforming, and which in its own terms is not necessarily coercive (either because it is not *intended* to prevent the platforming, or because the essentials of the protest *do not alone constitute sufficiently severe costs*) but which requires a degree of security oversight which is itself costly.

Setting aside the charge that the appeal to a need for adequate health and safety measures is often deployed as convenient cover for managerial staff who want to avoid providing the platform for other reasons,²⁷ safety concerns are nevertheless a legitimate reason to refrain from providing a platform. Yet it would also clearly be too quick to conclude that protests which give rise to the need for significantly costly safety measures which leads to the cancellation of a talk necessarily constitutes a form of no platforming in the relevant sense. After all, as I have emphasised, there is a good case to see such student dissent as itself a contribution to the culture and shape of the university—say, as the articulation, to faculty, of a view about which speech should be platformed. At the same

26. Ranging, for instance, from formal warnings to exclusion from the institution.

27. One example of many in which this suspicion has been voiced is the cancellation of a 2015 conference at the University of Southampton focusing on the right of Israel to exist. When the University mooted that it was considering cancelling the event on health and safety grounds, one of the conference organisers—Professor of law and philosophy Oren Ben-Dor—reportedly claimed “the health and safety issue was not serious, it’s a way of creating bogus reasoning. The real reason was political pressure” (Siddique 2015).

time, however, the protest instantiates costs which constrain the platforming of other speech.

There is an important difference here between protest which *intentionally attempts to exclude* platforming and protest which inadvertently precludes it as a result of safety constraints. The former is an affront to the academic freedom of others. Just as when students intentionally barricade a venue shut in order to deprive faculty or fellow students of the prerequisites for platforming, so too intentionally presenting safety costs in order to preclude the hosting of an event. This would amount to a deployment of a heckler's veto, at odds with the academic freedom of the no platformed party. In the latter case, however, there is simply a contingent constraint on mutual platforming. For any faculty determination as to whether a platforming should be protected in taking place (for instance, by placing rules on the form of protest and numbers involved) it should make a crucial difference how far the protest is intended to block the platforming from taking place, even where that obstruction comes by way of attempting to elevate the costs of platforming (via necessary safety measures) to a prohibitive level.

5. Trust and Orthodoxy

Before closing, it is worth briefly reflecting on two aspects of this account of academic freedom that also bear on no platforming. The first is that in virtue of the fact that academic freedom involves a form of independence—because invasive democratic regulation of the university corrupts the values served by academic freedom—it also necessitates a kind of public trust. That is that the control of the academy is entrusted to the scholars who inhabit it and shape their research and teaching. This raises important and challenging questions concerning the terms of that trust, under what conditions it might be broken and, just as significantly, the attendant responsibilities of the members of the academy to honour those terms. The second, related, issue is that of the possibility of critique *of* the disciplines housed in the academy. If academic freedom entails some form of disciplinary independence whereby the inclusion or exclusion of claims to knowledge within the academy is determined by pre-established disciplinary norms and standards, how is it possible to make space for knowledge claims that challenge those same exclusionary norms and standards; on what basis can they have a claim for inclusion or a relevant standing to critique those very standards?

Academic freedom is not grounded upon pre-social moral rights but is a matter of serving socially important values. It therefore makes eminent sense to hold that the parties whose freedom is protected have an attendant responsibility to conduct themselves in ways that are consonant with those same values. In this

way it is attractive to view the protections embodied by academic freedom as a form of public trust under which universities and scholars are entrusted with the freedoms judged necessary to serve the relevant epistemic, pedagogical, critical and democratic purposes (AAUP 2001: 293). Drawing on Bernard Williams, Michele Moody-Adams argues that affording the privilege of self-regulation to the academy and its members in this way should be based on “the public’s confidence that accredited academics can be counted on to embody certain virtues . . . [namely] habits of mind and practice that are conducive to excellence in an intellectual discipline” (Michele Moody-Adams 2015: 108).²⁸ The academy and its members enjoy a public mandate to exercise such virtues in accordance with their expertise in order to pursue, enhance and relay a body of disciplinary knowledge the existence of which is itself a crucial part of the public interest and, on some accounts such as Post’s, an integral element of the democratic competence necessary for a well-ordered democratic society. Academic freedom thereby involves a kind of public delegation of judgment. It bestows disciplinary experts with a space in which they are invested with both the privilege and the responsibility of arbitrating as to the appropriate research and teaching agendas to pursue and the methods by which to pursue them.²⁹

Of course, there are definite limits to academic freedom. It should be obvious that no serious account of academic freedom holds that its protections are so broad and robust so as to exempt disciplinary experts from all other legal and moral constraints in the course of their research and teaching. To see this, we need only note that academic inquiry involves not just speech but also conduct. No plausible view of academic freedom licenses a professor to engage with impunity in non-consensual infectious disease experiments on unwitting participants, whether they are members of the university or not. The same is true, of course, of academic *speech*. Restrictions on libel or the dissemination of dangerous information, such as national security secrets or bomb-making instructions, constrain both academic and non-academic speech alike.

It is also worth noting that the values served by academic freedom themselves entail some limits with respect to the speech falling under its protection. Even within external constraints imposed by other values, the mere fact that an individual is a disciplinary expert and credentialed faculty member does not entail that considerations of academic freedom offer protection for any and all of their intramural speech. Academic freedom does not ground protections for a math professor to replace his math lecture with a monologue about his weekend trip to the coast, for instance. Nor, by the same token, does it protect his decision

28. Such virtues include, she argues, those of seriousness, sincerity and accuracy.

29. As Dworkin characterises it, “[p]rofessors and others who teach and study in universities have an . . . uncompromising responsibility . . . to discover and teach what they find to be important and true” (1996: 189).

to replace his lecture with a talk entirely unrelated to math by a Nazi propagandist.³⁰ Relatedly, as Post argues, principles of academic freedom “condemn the abuse of classroom authority to indoctrinate students in ways that are without legitimate pedagogical justification. Academic freedom defends the autonomy of classroom teaching only insofar as such teaching constitutes education rather than indoctrination” (Post 2009: 765). The platforming of such speech falls outside of the remit of academic freedom because it isn’t reasonably construed as the sincere pursuit of disciplinary knowledge or the impartation of disciplinarily relevant pedagogy and is, in that way, entirely remote from the point and purpose of the very trust that academic freedom represents.

Accepting some boundaries to academic freedom along such lines does not, however, involve taking disciplinary standards as the arbiters of appropriate speech in the university, as Simpson and Srivivasan seem to suggest, rather than seeing faculty as the legitimate constituency determining which speech should or should not be included. There is an important difference between claiming that direct appeal to disciplinary competence and pedagogical value ought to determine whether a platform ought to be provided (and to justify no platforming by whichever party accordingly) and maintaining that because such values underpin academic freedom (understood to involve the legitimation of a constituency of academic decision-making) speech that strays too egregiously from those grounding values remains uncovered by its remit.

Beyond such considerations that help to demarcate the boundaries of the public trust, though, there are what we might think of as moral considerations that are *internal* to the exercise of academic freedom. Moral considerations, that is, pertaining to appropriate speech in an academic setting over which members of the academy have legitimate discretion but with respect to which they are charged with making a responsible judgment that accords proper place to the rightful moral limits concerning which speech should be platformed in a university context, whilst not compromising the goals of truth-seeking inquiry on which that trust is predicated. Faculty are not only, quite naturally, required to exercise such judgments over their own speech as a matter of course, but are now seemingly routinely called on to make judgments about externally invited speakers.

Indeed, it is in respect of vexed contestation over the morally permissible forms of speech in a university context that many of the no platforming battles are fought. It is here, in arbitrating over which forms of speech it is morally permissible to platform, that several of the more general arguments concerning the value of free speech have a place and resonance; perhaps explaining why questions of no platforming have all-too-often been primarily associated with free speech concerns and less so with academic freedom. Those attempting to no platform often

30. This is crucially different from a case in which the professor invites someone to *give a math lecture* who also happens to be a Nazi propagandist.

appeal to the idea that they are protecting at least a part of the student community from harms that platforming the speech would bring. A familiar retort from those who resist or criticise such no platforming involves arguing that it conflicts with the mission of the university to protect students from speech that makes them feel uncomfortable and that would-be ‘safetyism’ shouldn’t triumph over the kinds of robust disagreements that have an important role in students’ intellectual development (Lukianoff & Haidt 2018). No doubt some arguments are better than others in this context and some positions more or less plausible. Again, though, I would emphasise the importance of these issues being resolved by faculty.

The academy is entrusted with the responsibility of educating and intellectually developing students, which requires establishing an environment of study conducive to learning in which students enjoy equal respect, and at the same time developing the critical faculties of students to be able to think independently. Managing any possible tensions internal to such a mission may sometimes prove an immensely difficult task, requiring a careful and delicate assessment of the role that different forms of speech play in furthering the disciplinary, critical and pedagogical aims of the academy. Doing so responsibly requires not only a proper appreciation of the moral considerations pertaining to the platforming of speech but also an understanding of the disciplinary and critical value served by platforming a viewpoint or a speaker. These challenging questions of utmost seriousness relating to the fundamental mission of the university are therefore ones which scholars themselves are best placed to answer and, crucially, *have a responsibility to address themselves* if scholars are to embrace and not abdicate the responsibility with which they are naturally charged by enjoying the status of members of an academy with academic freedom. This is not to say that we need suppose that the disciplinary expertise of members of the academy necessarily endows them with particular moral insight pertaining to the would-be harms of platformed speech, nor even that they are necessarily possessed of special general pedagogical expertise concerning, for instance, teaching delivery techniques most effective in cultivating intellectual understanding and ability in students. The brilliant scholar who gives woeful lectures is a, not entirely unfamiliar, case in point. Rather, it is to claim that insofar as members of the academy possess disciplinary expertise they are uniquely positioned to judge the epistemological and pedagogical value of platformed speech. It is their privileged disciplinary vantage point that commends their authority to decide such questions.

This is similarly true when there are none of the oft-discussed moral considerations at stake—for instance connected with the putative harmfulness of speech to students—but where there are questions about the impact on disciplinary integrity resulting from giving a platform to certain speech.³¹ Suppose the

31. This is not to deny that securing disciplinary integrity is itself a moral matter.

question is simply over whether someone advocating intelligent design should be given a platform to speak by a student society. Still here, on the model of trust based on truth-seeking through disciplinary expertise, members of faculty are not merely permitted but required to exercise their own judgment as to the appropriateness of platforming such viewpoints dissident to the academy and to take a view on the basis of their own informed, serious and sincere judgement regarding how far doing so is healthy for or harmful to the ongoing project of developing disciplinary expertise and critical thought.

Centring faculty oversight and ultimate authority in this way does not expel student input from having a formative role in which speech is platformed and, indeed, responsible faculty exercise of academic freedom requires giving students space to make positive contributions to the intellectual life of the university; ensuring and assuring that they are not pure recipients of an education but participants in an academic culture of which they are an important part. The argument here does not necessarily require that that faculty oversight must be especially ‘hands-on’, in the sense that it interrogates, in detail, every proposed student society event, or that the sole criteria by which a proposed student event should be judged is its disciplinary respectability (rather than, say, being an enlivening, interesting social event). What I argue here is quite consistent with granting students a wide degree of autonomy to host events of many kinds and for a variety of purposes, including the non-specifically academic. The point is, rather, that such autonomy is to be *granted*, and that the ultimate authority, and responsibility, rests with faculty to judge to whether such events are congruent with the proper mission of the university.³²

Nor does the claim that faculty are the rightful authority mean that they are immune from criticism, as if external judgment can’t have a place because it lacks the relevant disciplinary expertise. Just because faculty is best placed to decide these issues doesn’t mean that they can’t be mistaken (Thomson 1990: 161); that they can’t act irresponsibly in making their decision; nor, indeed, that faculty failings in this regard can’t sometimes become obvious to others, including not only students but also the public at large. Nothing claimed here therefore indicates that faculty determinations should be trusted without question, indeed there is a very good case to be made that student dissent and wider public vigilance might produce an informal accountability pressure; healthy stimuli to faculty self-reflection on whether their responsibilities at the bar of academic freedom are being discharged appropriately (see Wallach Scott 2019: 53–68). As I foreshadowed above, however, given the terms of public trust relevant to academic free-

32. The way that oversight responsibility is discharged, and the particular norms and procedures that an institution implements to do so, will permissibly vary depending on the university, taking into account context and practical considerations, such as which oversight burdens it is reasonable to impose on members of faculty.

dom, the responsible exercise of academic freedom on the part of faculty requires *not giving way* to pressure of this sort, but judging, on the basis of the merits of the case, whether a given form of speech or platforming is appropriate, taking due account of the disciplinary, pedagogical and moral considerations in play.

This last issue—about corruption and the possibility of identifying it from an extra-disciplinary vantage point—might be thought to run deeper than my straightforward deflection suggests. This speaks to the second of the aspects of academic freedom that bears on no platforming: the danger of insulating orthodoxy from critique. The account I have offered suggests that academic freedom is partly grounded on its service to the development of disciplinary knowledge, which in turn involves giving disciplinary experts the discretion to exclude speech on the basis of its incongruity with disciplinary norms and standards. An obvious danger here is that exclusionary standards become self-perpetuating in the sense that they ossify orthodoxy into dogma and preclude epistemically valuable avenues from being pursued through disciplinary openness to evolution and change. If faculty themselves define disciplinary norms, who is to assess whether such trust is being abused. As the Roman poet Juvenal famously probed, ‘who will guard the guards themselves?’ (*Satires* VI, lines 347–48).³³ So if academic freedom entails insulating research and teaching endeavours from extra-disciplinary critique—precisely because the disciplinary norms and standards are themselves the relevant reference point by which to judge whether a perspective should be given credence and inclusion—then this pre-emptively disqualifies potentially important sources of critique of those standards.³⁴ It also provokes a potential legitimization crisis, whereby it is simply a hollow answer to offer disciplinary norms themselves as a defence of their legitimate role in governing the activities of the university when it is precisely the legitimacy of those norms which is in question.

Vindication of the legitimacy of disciplinary standards, and hence the pursuit of disciplinary knowledge as an important fruit of academic freedom, seem to depend on an extra-disciplinary standard with which to assess, for want of a better term, its *worth* as presently constituted. One standard here might be to assess disciplinary knowledge output on the basis of ‘what works’ in broader society and reflect that back on disciplinary norms.³⁵ I suspect there is a place for such a standard, but it seems more likely to have appropriate traction for disciplines like engineering than it does for English literature, and ‘what works’ may itself be a standard which is prejudicial against what some disciplines are aiming to do (on the basis of which standard of ‘work’ does a given approach to history

33. For an apt framing of the problem see Butler (2009: 774).

34. Touching on this, Leiter (2018: 39) alludes to what he calls “the potentially dangerous circularity of academic freedom based on disciplinary expertise.”

35. Leiter (2018: 39) suggest similar when he proposes *actual track record* as the relevant standard but is open about the limitations of this suggestion.

'work'?). It might be thought that there is some scope for interdisciplinary critique such that standards internal to the academy can be deployed as legitimacy checks against decaying or ideologically captive orthodoxies in other disciplines but on the face of it this proposal has limited mileage (Leiter 2018: 39). After all, it's simply not clear what might equip a musicologist, qua musicologist, to critique an accepted disciplinary standard in, say, moral philosophy.

In relation to such matters I want to suggest that concerns about disciplinary dogmatism counsel a degree of openness to disciplinary dissent at the bar of public trust. Given that the academy is trusted with developing disciplinary norms which themselves define the terms of respectable and included speech, and that dogmatic self-perpetuation may sometimes be opaque to external judgment and to that degree sheltered from public account, there is an attendant responsibility to expose disciplinary standards to relevant scrutiny. Of course, this does not mean that there is a positive responsibility to continually platform disciplinary dissidents, as if we should teach and debate astrology whenever cosmology is platformed, for instance. Clearly, there is a risk of undermining the point and purpose of the university in a potentially more thoroughgoing fashion than the dangers of descent into unhealthy orthodoxy. As Post rightly observes, disciplines can only tilt so far towards subversion of their own knowledge practices before they repudiate their own disciplinarity (Post 2009: 760). More plausibly, though, it commends being live to serious and sincere challenges to prevailing norms, perhaps especially when such challenges come from students themselves.

What this implies, however, is, again, not only that faculty have a responsibility to adjudicate themselves whether to permit student platforming of speakers with an eye on considerations of disciplinary openness to critique, but that faculty have a responsibility to ensure that disciplinary dissent is not suppressed by other students. As much as no platforming might be commended as a safeguard against rogue speakers destabilising disciplinary norms or irresponsibility endowing charlatans with a veneer of expertise, there is a strong case to refrain from allowing no platforming in order to ensure that critical perspectives are heard and the health of the disciplinary standards, whether by resisting or internalising critical challenges, is sustained. Now, it might be argued that all of this is rather peripheral to the issue of no platforming, given that, apart from a few exceptions, students are seldom exercised to *suppress* dissent against disciplinary orthodoxy, rather than promote it. However, the path to disciplinary dogma is not paved only by excluding explicit challenges to disciplinary norms but also where substantive conclusions become disciplinary lodestars whose authority can be used to define disciplinary competence. The worry here is that speech which otherwise manifests disciplinary competence may be systematically excluded not on the basis of non-disciplinary failings but because of the substance of the conclusions. The concern here is not simply that such an exclu-

sion would pre-empt ‘reasonable disciplinary disagreement’ within the terms set by disciplinary norms and standards—although that would be an obvious implication—but that systematic exclusion runs the risk of excommunicating some substantive conclusions from the purview of the discipline entirely (see also Cole 2005: 14). We should be careful not to overstate the danger. It is unlikely that even widespread and coordinated student no platforming campaigns alone will exercise such a degree of control over disciplinary norms. The important point, though, is that insofar as this is a general concern, and because faculty are themselves entrusted with the task of ensuring disciplinary health, it should be faculty who determine which speech is platformed and that they should do so in a way that takes due account of the need to remain open to challenge.³⁶

There is an unmistakable Millian flavour about this approach—that countenancing opposing views is a crucial part of both justifying and standing in the right kind of ‘lively’ and ‘vivid’ relation to one’s views (Mill 1859/2001). The line I am pursuing differs from that general Millian view in two respects, though. First, this isn’t so much about developing general critical thinking capability as it is about avoiding disciplinary dogma specifically. Although the development of critical thinking is widely, and rightly, considered to be an important part of the university mission, it also seems possible that a learning environment supported by unquestioned pillars of disciplinary orthodoxy is quite able to cultivate and

36. I have argued that faculty members are the legitimate arbiters of the speech which ought to be platformed in the university, given their disciplinary expertise, but this leaves open whether the constituency which concretely determines which speech should be platformed is confined to the particular university hosting the speech, or whether it could include a wider set of disciplinary experts from other universities. The present reflections on disciplinary corruption are relevant here, especially when it is in question whether a given member of faculty or department is platforming speech with any disciplinary worth. Suppose, for instance, that a university department has a single professor with idiosyncratic views about their discipline and the professor invites a series of speakers widely regarded as eccentric conspiracists, framing those invitations as a contribution to the discipline in question. It might be argued that members of the same discipline from other universities should inform university policy as to whether the speaking event should take place. Should the individual scholar in a discipline enjoy unfettered authority to platform the speech they see fit, or is such authority to be circumscribed by the wider body of fellow members of the discipline? The broader issue is how best to institutionalize principles of academic freedom across the academy as a whole. This requires identifying which rules and norms best serve the underlying values underpinning academic freedom I have articulated. I do not take a view here as to how, more concretely, this should be done, save to mention two considerations which pull in different directions. First, the more the invited speakers are merely eccentric conspiracists, without anything of potential value to add toward disciplinary development or pedagogy, the less their invitation is likely to be covered by considerations of academic freedom and the more it resembles the case of the math professor inviting a Nazi propagandist. Extra-institutional disciplinary counsel might be useful to identify when this is the case. Second, though, scholarly dissent against prevailing disciplinary norms can form an important safeguard against dogmatism and indolence in a discipline. The more a consensus among disciplinarians decides which speech it is permissible to platform, the more we risk foreclosing internal challenges to disciplinary norms or excluding external, but potentially fruitful, criticism. I am grateful to an anonymous referee for posing an example of this kind and for pressing this issue.

hone critical thinking abilities in students.³⁷ We can learn how to critically question in general even while some things remain unquestioned or even unquestionable. Rather, my point is that openness to challenges with respect to disciplinary norms and standards themselves is an important part of ensuring the health of a discipline. Second, my account is tied to the legitimation of trust; namely that a responsible exercise of the freedom afforded by that trust involves a form of self-regulation which pays due attention to ensuring that disciplinary norms are amenable to contestation.³⁸ None of this will be straightforward to navigate in practice, of course, and the balance between productive disciplinary preservation and exposure to challenges of a respectable sort will inevitably require no small measure of practical wisdom. But then again, that is precisely part of the point. These are profoundly difficult questions which require expert judgment to responsibly answer. It is members of the academy who must answer them, and student no platforming is incompatible with their doing so.

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References

- Adams, Richard (2015, September 26). Student Union Block Speech by 'Inflammatory' Anti-Sharia Activist. *The Guardian*.
- American Association of University Professors (2001). *1915 Declaration of Principles on Academic Freedom and Academic Tenure*. Reprinted in *American Association of University Professors Policy Documents and Reports* (9th ed., 291–301). AAUP.
- Barendt, Eric (2010). *Academic Freedom and the Law: A Comparative Study*. Hart Publishing.
- Barendt, Eric (2019, August 1). Academic Freedom. *UK Labour Law Blog*. <https://uklabourlawblog.com/2019/08/01/academic-freedom-eric-barendt/>
- Beinart, Peter (2017, March). A Violent Attack on Free Speech at Middlebury. *The Atlantic*. <https://www.theatlantic.com/politics/archive/2017/03/middlebury-free-speech-violence/518667/>
- Butler, Judith (2009). Critique, Dissent, Disciplinarity. *Critical Inquiry*, 35, 773–95.
- Carter, Ian (1999). *A Measure of Freedom*. Oxford University Press.

37. For a view that questions the place of a general free speech domain in a university context see Simpson (2020: 310–15).

38. To that extent, the legitimation of trust in relation to academic freedom is an analogue to the personal and interpersonal justification of belief in Mill's account.

- Cole, Jonathan R. (2005). Academic Freedom Under Fire. *Daedalus*, 134, 5–17.
- Dewey, John (1976). Academic Freedom. In J. A. Boydston (Ed.), *The Middle Works of John Dewey, 1899–1924. Volume 2: 1902–1903* (54–67). Southern Illinois University Press. (Original work 1902)
- Ditum, Sarah (2014, March). “No Platform” Was Once Reserved for Violent Fascists. Now It’s Being Used to Silence Debate. *New Statesman*. <https://www.newstatesman.com/sarah-ditum/2014/03/when-did-no-platform-become-about-attacking-individuals-deemed-disagreeable>
- Dworkin, Ronald (1996). A New Interpretation of Academic Freedom. In Louis Menand (Ed.), *The Future of Academic Freedom* (181–98). University of Chicago Press.
- Ecclestone, Catherine (2016). Changing the Subject: The Rise of “Vulnerable” Students. In Cheryl Hudson and Joanna Williams (Eds.), *Why Academic Freedom Matters* (163–81). Civitas.
- Emerson, Thomas (1970). *The System of Freedom of Expression*. Random House.
- Espinoza, Javier (2016). Extremist Groups Must Be Allowed to Preach on British Campuses, New Oxford Head Says. *Telegraph*. <https://www.telegraph.co.uk/education/educationnews/12102509/Extremist-groups-must-be-allowed-to-preach-on-British-campuses-new-Oxford-head-says.html>
- Heinze, Eric (2016, March 1). Ten Arguments For—and Against—“No-Platforming”. <https://freespeechdebate.com/discuss/ten-arguments-for-and-against-no-platforming/>
- Heinze, Eric (2018). No-Platforming and Safe Spaces: Should Universities Censor More (or Less) Speech than the Law Requires? *Croatian Political Science Review*, 55, 79–108.
- Hiers, Richard (2002). Institutional Academic Freedom vs. Faculty Academic Freedom in Public Colleges and Universities: A Dubious Dichotomy. *Journal of College and University Law*, 29, 35–110.
- Jaschik, Scott (2017, April 10). Another Speech Shut Down. *Inside Higher Ed*. <https://www.insidehighered.com/news/2017/04/10/protest-over-speakers-views-race-and-crime-prevents-event-taking-place-planned>
- Leiter, Brian (2018). Why Academic Freedom? In Donald Alexander Downs and Chris W. Suprenant (Eds.), *The Value and Limits of Academic Speech: Philosophical, Political, and Legal Perspectives* (31–46). Routledge.
- Levy, Neil (2019). No-Platforming and Higher-Order Evidence, or Anti-Anti-No-Platforming. *Journal of the American Philosophical Association*, 5, 487–502.
- Lukianoff, Greg and Jonathan Haidt (2018). *The Coddling of the American Mind*. Penguin.
- Menand, Louis (1996). The Limits of Academic Freedom. In Louis Menand (Ed.), *The Future of Academic Freedom* (3–20). University of Chicago Press.
- Mill, John Stuart (2001). *On Liberty*. Batoche. (Original work published 1859)
- Moodie, G. C. (1996). On Justifying the Different Claims to Academic Freedom. *Minerva*, 34, 129–50.
- Moody-Adams, Michele (2015). What’s So Special About Academic Freedom? In Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who’s Afraid of Academic Freedom* (97–122). Columbia University Press.
- National Union of Students (1974). April Conference: Minutes and Summary of Proceedings. NUS.
- Olsaretti, Serena (2004). *Liberty, Desert, and the Market*. Cambridge University Press.
- O’Neill, Brendan (2016). From No Platform to Safe Space: A Crisis of Enlightenment. In Tom Slater (Ed.), *Unsafe Space* (5–21). Palgrave MacMillan.

- Post, Robert (2009). Debating Disciplinarity. *Critical Inquiry*, 35, 749–70.
- Post, Robert (2015). Academic Freedom and the Constitution. In Akeel Bilgrami and Jonathan R. Cole (Eds.), *Who's Afraid of Academic Freedom?* (123–52). Columbia University Press.
- Rabban, David (2001). Academic Freedom, Individual or Institutional? *Academe*, 87, 16–20.
- Ryan, Alan (2016). Academic Freedom and the “Truth Function”. In Chery Hudson and Joanna Williams (Eds.), *Why Academic Freedom Matters* (49–64). Civitas.
- Schauer, Frederick (2006). Is there a Right to Academic Freedom? *University of Colorado Law Review*, 77, 907–928.
- Shils, Edward (1997). *The Calling of Education: “The Academic Ethic” and Other Essays on Higher Education*. The University of Chicago Press.
- Siddique, Haroon (2015, March 31). University Event Questioning Israel’s Right to Exist Is Cancelled. *The Guardian*. <https://www.theguardian.com/uk-news/2015/mar/31/southampton-university-cancels-event-questioning-israel-existence>
- Simpson, Robert (2020). The Relation between Academic Freedom and Free Speech. *Ethics*, 130, 287–319.
- Simpson, Robert and Amia Srinivasan (2018). No Platforming. In Jennifer Lackey (Ed.), *Academic Freedom* (186–209). Oxford University Press.
- Slater, Tom (2016). Terrorism and Free Speech: An Unholy Alliance of State and Students. In Tom Slater (Ed.), *Unsafe Space* (106–17). Palgrave MacMillan.
- Slater, Tom (2020, March 6). The Cowardice of No Platforming Amber Rudd. <https://www.spectator.co.uk/article/the-cowardice-of-no-platforming-amber-rudd>
- Smith, Evan (2016, March 23). A Policy Widely Abused: The Origins of the “No Platform” Policy of the National Union of Students. *History and Policy*. www.historyandpolicy.org/opinion-articles/articles/a-policy-widely-abused
- Steiner, Hillel (1974–75). Individual Liberty. *Proceedings of the Aristotelian Society*, 75, 33–50.
- Taylor, Matthew and agencies (2007, November 26). Protesters Force Their Way into Oxford Union. <https://www.theguardian.com/uk/2007/nov/26/humanrights.thefarright>
- Thomson, Judith Jarvis (1990). Ideology and Faculty Selection. *Law and Contemporary Problems*, 53, 155–76.
- Turner, Camilla (2016, October 28). Police Called to UCL over ‘Violent’ Anti-Israel Protest which Left Jewish Students Barricaded in Room. *Telegraph*.
- Turner, Camilla (2020, January 23). Oxford University Professor Given Security Guards for Lectures after Threats from Transgender Activists. *Telegraph*. <https://www.telegraph.co.uk/news/2020/01/23/oxford-university-professor-given-security-guards-lectures-threats/>
- Waldron, Jeremy (2017). Heckle: To Disconcert with Questions, Challenges, Or Gibes. *Supreme Court Review*, 2017, 1–31.
- Wallach Scott, Joan (2017). On Free Speech and Academic Freedom. *AAUP Journal of Academic Freedom*, 8, 1–10.
- Wallach Scott, Joan (2018). Academic Freedom: The Tension Between the University and the State. In Michael Ignatieff and Stefan Roch (Eds.), *Academic Freedom* (11–23). Central European Press.
- Wallach Scott, Joan (2019). *Knowledge, Power and Academic Freedom*. Columbia University Press.