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THE UNIVERSITY OF CHICAGO

HRK German Rectors' Conference.

Freedom of Expression:

On the Culture of Debate at Universities
June 24th, 2020

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>> SOMAIYYA AHMAD: My name is Somaiyya Ahmad. I'm working back end of the webinar with my colleague. Few things first we ask everyone to turn off their e-mail if it's on only if the e-mails are coming in we here the pinging. The other thing turn your phone on silent if it's near you that way we won't catch any of the audio from the phone. I know it seems like common knowledge. If you are on any sort of device we ask that you plug it in. We don't want people to lose power midway through and become unavailable to us. The other thing is that if you are not on screen giving part of your passengers or panelist we ask keep your audio and video off. That way the focus will remain on people participating actively in that moment. One other thing as you noticed already especially for the people in Germany we ask when you are not participating we keep background noise to a minimum even if Dr. Baer is speaking she has her mic on, it might get caught on Dr. Baer's mic. We ask to minimize noise. We ask everyone will start with their video and audio off. What we're doing is I will first as we approach 11:30 I will first right record and everyone will receive audio notification that this webinar is now being recorded I'm going to take my own advice and close my window for e-mails. So I'm going to hit record. Everyone will receive a notification that we have begun recording. I will press broadcast recording. I will share my screen, on screen title screen says University of Chicago HRK German Rectors' Conference. That screen will be up for 30 seconds. Rita has been helpful she's going to take it down. Provost will be on the screen and we will begin. You all received very clear instructions how the remaining conference will proceed I will be there to assist. Everyone has the power to control their own video and audio we ask you do that. Come in and out as you are instructed. If we see you are having little bit of technical difficulty Rita or I will request to turn on your audio and video. You simply have to accept that request. There is one other person you see on the webinar her name is Anna Castle. She's a person who will be doing our captioning. Captioning is available.

You simply have to turn it on.
 I think that's pretty much it.
 Before the webinar gets started in about three minutes all participants will turn off our videos.
 Then I will launch the process hitting record, broadcast and sharing the screen with the slide.
 Does anyone have if I questions?

>> KA YEE LEE: When you remove the screen with the slide I start introduce myself I turn to Dr. Alt and go on to the remarks.

>> SOMAIYYA AHMAD: That's correct.
 The reason why we have title slide up one to make people aware that they joined correct webinar also there's bit of delay as people join the webinar.
 If we start right at 11:30 participants will be low err end.
 If we wait 30 seconds, effective group of audience members. We're about two minutes out

>> DANIEL DIERMEIER: I think we're over 350 people or something roughly.

>> SOMAIYYA AHMAD: That's right 387 people registered.

>> DANIEL DIERMEIER: Wonderful.

>> SOMAIYYA AHMAD: Peter, you might want to remind folks they can ask questions there's a Q and A button at the bottom of the screen.

>>: Thank you for the reminder all attendees are able to submit questions.

Other attendees cannot see the questions submitted, only people who are of panelists can see them.

I believe we're going to have at one point Dr. Alt and Paul Rand moderating Q and A.

People speaking are not required to go through Q and A. It might become distracting.

We're one minute out.

I'm going to hit record now.

You'll hear the sound.

So in about 30 seconds I'm going to hit broadcast.

If everyone can turn off their videos and audios please.

In about 30 seconds I will hit broadcast and then I will share my screen.

>> KA YEE LEE: Hello I'm Ka Yee Lee professor of chemistry and provost of the University of Chicago.

>> PETER-ANDRE ALT: I'm Peter-Andre Alt.

>> KA YEE LEE: Thank you for joining us today for our conference freedom of expression culture on debates of universities.

We're pleased to partner with German rectors conference bring

leader scholars together examine current state as well as future free debate at universities.

This conference come at pivotal time for both of our nations as demographic changes and political movements raised questions about free speech and social norms.

We seen colleges university in difference to group oppose those speakers around the globe we are wrestling with racism and injustice in the role of police.

People harness power of protest to make their voices heard. The growing challenge to free expression at university in the United States and in countries like Germany signals larger problem that extend beyond college campuses.

In all this what is our role as institution of higher learning? At the University of Chicago our commitment to free expression is foundational to who we are and our educational mission.

We don't teach students what to think but rather how to engage with ideas to challenge assumptions, to evaluate data and facts, to pursue the truth.

We also have an enduring commitment to diversity and inclusion.

We aim to foster an environment in which people from different background can bring the unique perspectives and participate fully in the life of our campus which is critical for the robust debate of ideas.

More than ever our student meet the skills and court and jury to explore new and difficult ideas head on without fear.

The scale of the challenges facing our world reinforce the need for education that prepares young people to grapple with complex problems and pursuits better solutions.

To that end our faculty articulated the Chicago principle in 2015 and codified the university of Chicago long standing core belief in free robust and uninhibited debate.

Since then the Chicago principles have been adopted by dozens of colleges and universities across the country.

While commitment to free express never waived the world continues to change raises new questions how to foster campus environment vigorous debate and discourse.

Even know in the midst of global pandemic we're engaging over zoom rather than face-to-face as we originally planned.

Social media has expanded the marketplace of ideas which come with many tradeoffs.

Growth in the number diversity of voices but also new avenues for the spread of claim and/or even threatening speech on the one hand and allegations of fake news on the other.

Today we'll engage with these questions and many more and we look forward to a spirited discussion.

With that, I'll turn it over to HRK professor Peter-Andre Alt

for additional remarks.

>> PETER-ANDRE ALT: Thank you provost Lee for your introductory remarks. Please allow to add the perspective German rectors conference. Today for the first time the University of Chicago and the German rectors conference co-organized online discussion. We are pleased to join what I hope will turn out to be lively and informative debate on the principles and practice of freedom of expression at our university. All of us will probably agree that free speech as one specific dimension of academic freedom is one of the cornerstones which our university, for a long period of time we have taken for granted the right to express ourselves freely on compass. In recent years with the rise politics wide spread use of social media and skepticism towards science, things have certainly changed. The current moment universities are called upon to reassert their commitment to free speech. Not only speech is essential dimension of academic freedom. Free speech is central importance to open Democratic societies. Liberal Democracy itself, university rely on the freedom to think question and share ideas. Like liberal demand si themselves university targeted who do not believe legitimate perspectives. It is certainly no coincident crisis liberal demand si goes hand in hand with tax on academic freedom. I strongly believe the commitment to free speech is essential element university culture which needs to be protected in a time great uncertainty and political upheaval. Biologic pursuit of deeper understanding university and science have the potential to act as role models for society at large. The right to express freely and to engage in open inquiry is necessary prerequisite for university to fulfill their two core missions, to provide out standing education for the students and to conduct ground breaking research. University need to defend principles of pre dome of speech and free inquiry against any attempts to curtail them. We witnessed series of incidence across Germany right of free expression has been misused and distorted beyond recognition. Given current political climate we will probably see similar attempts in the future. In each single instance we will have to stand our ground and defend free speech.

Still putting free speech into practice at our institutions has never been easy.

Yet tolerance ends where intolerance begin.

Limits to free speech on campus.

Witness intense struggle over what can be said at our universities.

This brings a series of questions to the floor.

For example should we grant freedom of speech to those who argue against the very idea of freedom of speech.

Where exactly runs thin line between tolerance and violation of constitutional rights.

University in Germany as well in the US continuously need to address how they put the principle of free express e expression into practice and how simultaneously establish from time to time work which protects the entire university committee from violations of free speech.

The current protests against systematic racial injustice about both our countries make this task all the more urgent.

Next two ours will allow us to learn from each other and engage in truly open debate across the Atlantic.

Once again, welcome to today's online conference on the culture of debate at universities.

Thank you very much for your interest in this event.

Now ladies and gentlemen it's my great pleasure to introduce today's distinguished keynote speaker.

Professor currently serves as justice Federal Constitution Court.

First Senate where she reports among many other topics on cases of academic freedom.

The German Federal Constitution Court is Germany's highest court.

In many ways it fulfills function similar to the Supreme Court in Washington DC.

Susanne Baer is professor gender students university in Berlin.

She has close ties to the United States and belongs to faculty Michigan law school.

Also course responding member British academy and been teaching in Budapest which is now located in Vienna.

Here I speak also on behalf of my key host in Chicago to have her here with us.

Susanne Baer keynote lecture is entitled debate and Democracy universities today.

There will be time for question and answer session after the keynote an address now the floor is yours

>> SUSANNE BAER: Thank you very much welcome to all of you present in Berlin and Chicago and present online. I feel honored to be part of this conversation because it can

only be small contribution to huge discussion to on going debate.

Some participants of this debate are at this table and will be part of the panel discussion some more.

Some more should be represented in the future.

I hope many of you are online.

My contribution has three elements.

I speak from the perspective per judge approach the issue that way.

The first point will be taking closer look at what we are really talking about.

We are trained to look a case in detail.

I think it is necessary to really understand what people consider of threats to freedom of expression and lively debate at universities, what we understand the conflicts to be, what is at stake, who gains what and who will evenly lose.

The principles norms law the values that guide our discussions hopefully guide our future, the practices at universities.

Freedom of expression certainly, yes.

With equality for all to speak because there is no one sin he will single voice out that.

That might be from perspective comparative constitutional law.

Very German response to very American starting point.

The American starting first amendment freedom of impression.

German responding article 1, 2, 3, 4, 5 of the constitution.

I will get back to that point because beyond being German or American answers I think they're interesting principles to deduct from global constitution rights.

Third remark we'll revisit, reminds us what universities today are really about.

Why do we care? Because it's our job.

Because we want our kids to get great study experiences, because universities have been around.

Because it's all about excellence, brilliance, metrics research or because they serve a function index si.

This I think is a starting point when of universities were invented in the 19th century.

Remind us did not Democratic function of universities today.

Before I visit those points to cautious considerations I think are in order.

One I readdress something which has already been said which is what time is it now.

What is the time staging this discussion? What is that date?

We live in a time where certainly all lives matter but where there is a need to insist on the fact that black lives matter

too.

There's pain and trouble and anger and despair out there. There has been critique of wide privilege I think this is what this what's it's all about.

I think this debate cannot be happening without taking that into consideration.

American university police violence is also campus police violence.

German university to address issue systematic racism is rather new question.

So there's work to do.

There's are troubling times.

Secondly professor Alt reminded us we leave threats to Democracy, rule of law, to the liberal societies we cherish. This is populist, racist, sexist attacks on the very institutions we are talking about.

This populism is not only about talking over government which is bad enough it's also about taking over courts which is even worse.

It starts by taking over media and universities.

Because universities are the sites where populism lies et cetera can be challenges.

The times we are we are living in are troubling times on that account as well.

Second cautious consideration placed.

Germany and the United States, it's a small segment of the world.

It's influential one powerful one, it's definitely worth visiting.

We should be aware colonial inform discussions we work with here.

Secondly, no university in the US or in Germany is like the other.

Chicago great place but very different from many others.

Humboldt university great place very different for many others.

When we talk about university, let's face diversity on the scene be clear what institution is exactly we're thinking of, what practice exactly that concerns what we want to fight for to make it a better future.

So with these cautious considerations before hand, let me visit the conflicts take a closer look what is at stake.

Who is in danger.

Who loses who wins in those discussions.

Is the threat to freedom of expression to universities today the conflict about speaker who faces student protests? Is it watch blog that monster monitors professors lectures.

Is it demand to change the syllabus because it has been

mainstreamed.

Is it request to stop harassment, racist sexist et cetera. Is it students or younger faculties calls for diversity research in teaching regarding material, methods and staff at least? Or is it also the students afraid to speak in class? Is it highly problematic in fact false assumption presented as truth and taught? Is it power measure with no limits at the expense of the weaker parts of the academy.

What exactly are we talking about when we're talking about threats to the university? Many of you will be reminded of concrete cases experiences wherever you come from.

The list I presented goes through some of the incidents that troubled German minds I think universal in structure although very different in their details.

So when we talk about those cases, what I think is interesting is the way they are told.

In Germany last few months we have seen, it's very similar to American debate as far as we request follow it, we have seen concerned voices that call our attention to I quote censorship historical political correction thought control happening at university.

These terms are used today to label student demands and interventions from the margins.

Are these proper frames.

For a lawyer like me censorship has been practice by the state or at least highly super powerful agents to censor the margins.

These terms are used to label those coming from the off into the mainstream.

So there's something interesting happening there.

Also we hear in all these debates a lot of concern about emotions, the comfort level of students or faculty and snowflakes who don't want to melt.

Are these the proper labels to describe harm, exclusion or disrespectful and request truly diverse viewpoint? I do wonder.

As a feminist I'm certainly used to the label emotional and subjective.

But it has been employed to denounce and dismiss research that did not really attract the mainstream tension.

So I'm very very careful when I'm confronted with these frames would like you to encourage question them and look at the power relations behind them.

When we talk about the production of robust debate and rigorous exchange of universities, what exactly are we talking about? What do we expect people to kind of take and you know be robust about it? When does harm start that goes beyond robust personality? What do these personalities come

from?

I wonder who defines what robust means in these context. Finally there's intense discussion to not create safe spaces at university and use or not use trigger warnings.

What does that mean? Safe spaces I think are a wonderful idea particularly if you want to be confronted with uncomfortable ideas and engage in ledge and research.

I think universities must be safe spaces.

So what became the problem there? I do also personally remember entering a room at the University of Michigan basement, dark room where students law these were queer students.

It was the first time in my university academic life that I felt entirely safe.

Why is that I was not only, I was not rejected because more or less explicit feelings about sexual orientation.

It was a space, this I think important, to really talk, space not of closure, but a space to open for discussions for robust debates.

There's a similar experience in my career as a female lawyer in Germany joining German lawyer association women's association, not gendered one not super progressive club but association of professional women.

What did I feel there I felt safe.

Why did I feel safe? Because it was not boring around but space toll open for very controversial debates.

I've never seen more controversial debates in my life.

Safety for my experience also generally speaking is wonderful idea particularly for spaces that wants you to engage with critical thought et cetera.

Those who always feel as if they belong and are part of a mainstream and might not feel the need but others certainly do.

So the threats that produce the conflicts around free speech at university form the background of this conference are first of all rather new because the people who raise these concerns get access to those universities rather recently. Although their demands are deemed problematic.

These threats or conflicts I think are skewed regarding frame they're present because they reverse power of relation often. Feelings and fear of the professors who keep teaching, isn't that an issue? Maybe the most important ones of the conflicts around are not those but maybe the most important ones we should care about are the threats to academics for peace, threats academics who engage in critical studies threats Budapest exile to Vienna threats to take over university than it was originally designed.

I think we have to keep these frames very nature of the

conflict that forms the background discussion in mind. Second point where the principles norms laws values to guide us in these discussions? Freedom of expression, natural United States but also global starting point. The first amendment in America Chicago emphasis, crucial for teaching and research but certainly neither absolute nor alone but in the institutional context of the university and in a social setting with more than one voice around, there is a necessary addition to freedom of expression as a norm, value or principle to guide us. For German culture lawyer that's easy task. Even globally speaking there's more to what we care about as norms in universities. As I said the German constitution basic law starts with dignity this is of part post World War II consensus. Dignity never again dismissal, degrading someone treating people with no respect. So dignity calls for mutual respect whatever encounter. Second right in the German constitution and internationally is liberty, part of it is freedom of expression but notably the German drafters of the basic law also thought of speech media, art and research and teaching right away. It's captured article five of our constitution. Considered one of the key liberties to protect any living Democracy. The third point I want to emphasize equality. Article three in the German constitution but present in all constitutions in the world all human rights any value driven principle approach to these matters. Yes in the United States the 14th amendment but 14 does not mean unimportant. It is crucial importance particularly to the issues we're talking about. This is in some way evident. There are many voices. Universities are not about the autistic general genius. They are about exchange. If there's more than one person to claim freedom of speech, what we care about is equal freedom. German constitutional law we have technique, test, concept saying that no freedom can be guaranteed and protected at the expense of the other. We call that practical concordance. Derived from theology. Practical concordance means if you use your speech rights you have to pay attention to the speech right next to you the one limits the other and none crushes or should I say trumps them all.

Equal voices is the call of the day.

Beyond that adding dignity to the picture equal voices means that these should be voices in mutual respect of each other. This creates another limit for sure, the harm principle. Classic liberal theory meaning that your liberty ends where someone else is violated in their interest physical or emotional or otherwise well-being.

So that liberal classic is an evident limitation to free speech.

You can kind of refine that using concepts of dignity. You can turn it into more elaborate scheme to explicitly addressee quality.

But these three components are all over the place.

In addition then in universities if as long as universities are really about fostering conversations this equal freedom in respect is key.

So it's little bit freedom of expression plus what I suggest to think about here.

Speech rights fine but no freedom of expression to trump another.

Philosopher called hobmasum.

We call it practical concordance.

Americans think James Baldwin, 1964 you should not speak without also thinking about your audience and some others might think of Hannah Ardent requires you to think as political being that is not only of you but also of the one next to you and on the other side.

This is echoed in human rights law today article 15 of the international covenant economic social and culture rights from 1966 address even before that universal declaration article 26 address education I quote to promote understanding, tolerance.

They all conceptualize the key liberty freedom of expression to be liberty in conjunction to be reading to with equality and dignity.

And yes, this results in limits to what one confident teach or present as research in universities.

But more importantly as I tried to describe with my brief recounter of safe spaces this results in opportunities to hear more voices than before, to remove the bias.

To get away with the blind spots to advance for a better future.

So it's an opening device and not a closing device when we add equality and dignity to freedom of expression as guiding principles today.

Finally the third remark, when I say university and when you say universities and debate at universities we may think of rather different places.

I don't know what you have in mind.
 Somebody in France may think of that is pretty different what I experienced in German education or American universities Austria or Budapest which was again different.
 What kind of space is it you cherish, safe for who? Meant to do what.
 United nation praise higher education because I quote it has vital role in promoting Democracy and access to higher education should be and is human right.
 The council of Europe runs project to counter political challenges to Democracy that we face today.
 If universities are about a search for truth but not on its own but to advance human kind in democratic that is equally free societies based on mutual respect, then today has political function.
 In many many academic circles when you say that it's kind of dubious reaction.
 Politics, you do not need to be systems theorist to say they run on a different code and research is very different and research is kind of neutral and removed et cetera et cetera et cetera but that is the not the case.
 Research has a function.
 And it was actually planted in universities to serve that function.
 Sitting in Berlin there's no way not to think of Humboldt, Humbolitian idea who was out to create attractive today the cosmopolitan citizen.
 Created university spaces to educate these people that is not manipulate them but allow them to judge on their own very enlightened, what is out there to go to to fair better.
 In addition beyond Humboldt, liberation movements not incidentally it called for access to education and a voice in education.
 There is no he man passion without education.
 This may also add to the point or argument that specifically higher education place entirely super role for Democracy.
 Today this may even be more important than ever T Democracy as was mentioned from is under attack.
 There are strategies out there what one may have call autocrat handbook to limit our freedom seriously to present and manage inequalities rather than work towards more equality.
 So particularly these days university play an important role to counter these trends.
 Think of authoritarian states.
 Authoritarian states universities produce elites they present one truth not searching for it in Hungary Turkey Poland also many other countries this why gender studies Holocaust

studies studies of national history allowed for more than one voice have been either censored or simply closed.

There's campaign going on.

There is handbook out there.

In that handbook universities are a chapter.

Autocrats threaten what I cherish as liberty as equal freedom of expression based on mutual respect.

So in case you do care and I do hope you do care for that other type of universities which is the university that these legal documents named in their post World War II consensus as institutions not only to promote excellence and brilliance and new ideas et cetera et cetera et cetera but to serve a function in democracy in their collaborative search for truth by exchange of ideas.

Then equal liberties and mutual respect are key component.

Yes free speech is important and indispensable.

It's not only starting point it's a key element.

This discussion cannot be productive one facing encountering threats we face today without equality and dignity as additional principles to inform our practices, our policies and the responsibility you all have as problems of academic communities.

So enjoy your discussions and allow as many as possible to participate.

Thank you very much.

>> PETER-ANDRE ALT: Thank you very much indeed. Professor Baer for this excellent keynote which gives us opportunity for vibrant discussion. I would specifically invite the participants of our panel discussion to continue the debate. You all are invited to write your remarks into the forum. I would like to start just to break the ice with the question picking up the debate on safe spaces. You have mentioned that safe spaces can work, enable exchange of those whose voices have not been heard yet. On the other hand it's the question how can we make universities, institutions enabling encounters. Encounters to certain extent can also reduce comfort zones. I think this is particular attention to have on one hand ambition to give everybody a voice particularly those who haven't change to speak up. On the other hand how can we handle the potential conflicts which are given and rising debates and are universities about in terms of this conflict zone

>> SUSANNE BAER: It is difficult question. There's no easy answer to this. We need to engage in intense debates with as many

participants as possible to address these issues.

It is question of starting point whether you assume by now that universities are comfortable places generally and suddenly this call for other spaces are creating discomfort for some or whether you assume universities are entirely uncomfortable spaces because you were not wanted there, your voice is marginalized you are not looked at properly et cetera et cetera et cetera.

So depending on what you assume the normal at this to be you will respond to the problem differently.

I see the risk and the fear that the call for safe spaces may reduce the opportunities of exchange and criticism in universities but I don't see the reality.

I see the reality of safe spaces getting people as one Chicago student just posted online through university because it was a room where he could really exchange controversial ideas without being dismissed or being exposed in front of his peers and opinions deemed inaccurate or not relevant or overly emotional stated or or or.

So there's discussion about safe spaces is an important one and taken seriously that some people need them.

Thus universities should provide them.

While the universities as a whole should take care and still engage in as diverse a debate as possible.

I think these two aspects do not limit each other.

One safe space allows for the other to happen

>> PETER-ANDRE ALT: Thank you very much.

There are some questions in our floor already.

I would like to pick up one.

Question is how to empower universities to backlash against rising populism conservatism and authoritarianism especially authoritarian states

>> SUSANNE BAER: There's old term which is sold tarry.

If people think collegiality.

I emphasize this colleague ity I think too many people underestimate early attacks gender studies queer theory or critical race studies are attacks against all of us.

These are not targeting something which we felt was maybe not as quality driven which should be which is still present in many many places.

These are text from a script.

Says start with weakest portion of the institution and play with the satemor out there and then gradually expand into more mainstream and stronger facilities.

So an attack on universities and Democracy and liberalism and equal freedom will not start with law schools but it will start with queer theory at a law school maybe not higher that

person, maybe protest funding for that center.

Maybe protest school taking stance political controversies.

That targets all of us mainstream, all those who care for universities.

I think in the past it has not always been that outcry right from the start when our weaker colleagues were getting under pressure.

That should be one strong reaction.

The other one is certainly need to emphasize relevant of research.

We live in times of fake news, invented facts lies invented as truth.

Corona pandemic tell us how important research is, how functional manipulated these things are.

The universities have opportunity to use all kind of example, climate change, I could name additional ones to emphasize the role they have and be upfront about the political, Democratic function they serve in a society.

I think there things can be done.

Finally in addition, yes universities Germany also United States have to live up to calling to implement equality.

It is not a fact it is a principle.

It is not yet reality it is a right.

We have things to do there.

Otherwise calls university robust debate, et cetera et cetera et cetera without diverse faculties without diverse curriculum.

Speaking as member of the academy not as a judge we have work to do to really diversify and implement diversity on our campuses.

>> PETER-ANDRE ALT: Thank you.

There is one question which is reflecting the inner side of university teaching.

I would like to quote, how can the courts help us as universities teach us and professors in situation where minority of students, several hundred protest because you discuss controversial issue for example culture clashes between regions and sexuality and so on

>> SUSANNE BAER: Speaking as a judge only help if we are called upon properly.

This comes late.

First we have the responsibility to help our university presidents, deans rectors, professors.

German constitutional law we always emphasize freedom of research means being responsible for what you do there yourself first and for most.

We step in late.

Courts are late actors.

Courts law can help clarify the principles, why I took the opportunity to expand little bit on the notion of not only freedom of expression also the values of equality dignity next to it because in changes the debate.

If you start with my right to speak no limits you end the discussion there.

If you start with my right to speak but your right to speak as well respect of each other, you are another dimension. Becomes more complicated maybe it becomes more productive. Courts law the can help clarify the principles because we are trained use to apply proportionality assess limits takes limitations.

That's certainly important one.

The example, the question refers to is mix of very very classic case in American constitutional law yelling fire in a private theater and account of controversies happen many universities today where students protest controversial use, sometimes false assumptions presented as truth so there's a difference there.

We would have to look closely what exactly we are talking about.

But what I would like to say courts would definitely cherish any student who raises his or her voice in an auditorium isn't that what universities are about.

Wouldn't we try to protect the protesters from being kicked out the room.

Isn't that robust debate.

Isn't that what professors wish for students to be more engaged upfront.

Drawing on the law of associations and rallies one would apply attest no right can trump another so the protesters cannot fully silence those who want to speak while the speakers cannot fully silence protesters.

Laws has tools methods how to moderate conflict in a productive way rather than to finish close end discussion et cetera.

End finish, limit closure.

Law sounds that way.

But it's not our job.

Constitutional law is about opening a space and handle multi polar conflicts in those situations

>> PETER-ANDRE ALT: Another question is addressing the issue of definitions and interpretations.

One issue I found is that people deem speech or lack of speech on topic to be Wiland US constitution limits speech, do you think there is such a think violent speech who is allowed to determine what is violent or not

>> SUSANNE BAER: I think or actually from the research I know because at a time in my life I studied that, I know there is speech that creates harm which then can be called violence.

Term violence itself is debated term developed psychological violence, physical violence.

Violence has many many meanings.

It's not answer starting point to discuss level of -- speech inflicts harm.

There's great work out there and I am convinced from that data that speech inflicts harm and thus can be called violence if your concept of violence captures that dimension of harm, yes.

That is one of the limits which in my legal world which is Germany Europe and human rights law is accepted limit of speech.

Whether you take a knife or your words but hurt someone the same, that can happen in very different ways is not decisive. What is did he decisive human rights guarantee your safety and emotional well-being.

It's not comfort it's a baseline how you can be person in the world.

Speech can be violent because it has harmful affects that produces limitation to speech.

The difference then between discussing something which is a harmful experience which is highly problematic which is detested by some and teaching it as if it were a right, difference between research and ideology.

So when we look at the controversies that is what I think becomes important and interesting.

Is the speech somebody wants to defends really about robust debate and inquiry does it also consist of questions? Is it based on mutual respect for people who feel differently about it things or is it reaching something as the truth you simply have to take or leave.

That is not the idea of university.

The idea of the university that all stay and then we discuss together what counts in the future and what should be acceptable et cetera et cetera et cetera.

So yes violence is a limit based harm principle classic liberal thinkers of liberty also freedom of speech.

This is established almost every court I know of in the world from South Africa to international human rights.

For lawyers this is not news.

For people it's often he pretty evident there should be of such limit.

It is however in each and every case difficult to exactly define whether limit is there.

Sometimes courts must help.
 Very often universities themselves are better able with people and committees with diverse voices present to assist when harm starts and when speech should end.

>> PETER-ANDRE ALT: Sorry.
 Again I could not be heard.
 One final question.
 How do you rectify your commitment to free speech with limitation of conservative or dissenting thought in any way. When conservative thought becomes overwhelming minority which is the case at University of Chicago.
 Why should additional protections of speech be offered to any group but them

>> SUSANNE BAER: I appreciate the power analysis of the situation.
 If that the case University of Chicago or any other institution is an overwhelming majority that dictates what to think et cetera et cetera et cetera, then there's a challenge out there.
 One should certainly address it.
 I have not -- I keep reading things even from the University of Chicago and I have not had the impression.
 But you are there you are the ones to judge it.
 However, the very function of freedom of speech classically was to protect dissent in minorities whoever they are.
 Conservative progressive, whatever.
 In the old days those were called progressive.
 These labels change.
 I was not talking about additional protection for anyone.
 I was talking about protection for even equal protection.
 That does not mean special treatment or extras.
 It means to take into account how people, in what situation people are and assess the inequalities you are talking about, person who asked the question, inequalities power relations and then act according.
 This is way beyond any symmetrical neutral at this idea there is no such thing as neutral ity and seen out there.
 There is also decision to support address recognize dismiss denounce and marginalize.
 We have complicated scenario which we have to assist, then address properly, properly based on the principles of equal liberties based on mutual respect not principle one speech for one.
 Everyone is always endangered on some count.
 It's complicated scene.
 We need principles to address all of them together rather than one of them with absolute right herald against the other

>> PETER-ANDRE ALT: Thank you so much for these fruitful commands.

Thank you for the questions interventions.

I took the liberty to select them because we had many it questions.

It was group of 20 questions.

So thank you again.

Now it's my pleasure to hand over to Dan Diermeier

>> DANIEL DIERMEIER: Thank you very much professor Alt thank you Professor Baer.

My name is Daniel Diermeier until recently I served university as provost.

It's my pleasure to introduce video that gives overview philosophical approach University of Chicago has with regard to free speech and education in general.

University of Chicago perhaps unique most universities in United States was founded firm set of principles, clearly stated purpose.

The purpose was focus on research and transformative education.

Principles that were stated over 130 years ago still have guided university throughout its history.

Then point of view how research and education should be conducted so it has impact on knowledge and education at the fundamental belief they are best served for culture of open discourse and free exchange of ideas.

What you will see in the video some of the aspects how this was put in practice throughout history.

Every president university Chicago.

Every provost context of their own times.

I think you get context of them as we move through the discussion.

Thank you very much.

>> JAN-MARTIN WIARDA: All right I can't start my video because the host stopped it.

Thank you.

All right thank you so much free expression.

University of Chicago core value.

I hope it's not only at University of Chicago but many universities around the world which also poses the question. Core value shared widely on the compasses, why is this event tonight necessary.

What's trial status academic freedom in Germany United States elsewhere.

What can of universities around the world do to safeguard this freedom of expression.

These are some of the questions we are going to discuss during our panel.

Some of the questions already have been discussed in the person my name is Jan-Martin I'm looking for lively debate. Before we start let me introduce panelist.

We all right met Peter-Andre Alt.

German literary scholar former president Brier Berlin. Welcome again.

We say professor Dan Diermeier.

Dean University of Chicago public policy until recently served provost of the university and just few days from now starting July 1st he will become chancellor of Vanderbilt university.

This is your final event for University of Chicago great to have you.

I like to welcome Geoffrey Stone.

Edward h Levi University of Chicago law school.

Also highly recognized scholar served he dean law school 87 to 94.

Provost from 94 to 2002.

Welcome.

I also like to introduce Katrin Kinzelbach.

She's nonresident fellow Global Public Policy Institute.

Outside think tanks also worked United Nations development program.

Katrin I would like to start with you.

You have main authors published in March 1st time University of Gothenburg.

Global public policy institute, title free university.

Report introduces dataset based on expert assessments 1,800 some scholars around the world until 2019.

Came up with can 110,000 observation points, eight indicators, aggregate index academic freedom index.

Looking at that index Germany is performing very well.

First Katrin from German perspective why do we need this panel today at all? Obviously Germany is performing very well when it comes to academic freedom and free speech.

>> KATRIN KINZELBACH: Thanks for the question and hello to everybody in the audience.

Of course the data we have collected shows that academic freedom in Germany is really actually very well protected.

I should say the index gathers data country year basis.

We are not looking at instances at particular universities.

Of course general countrywide score doesn't exclude the possibility that there are also attempts to limit academic freedom in this country.

I would like to underline global comparison we have very comfortable situation.

China.

I lived in China I taught at CEU.

Even here in Europe there are places academic freedom greater risk.

I think we need to differentiate, two different interrelated concepts.

For the United States we don't have the aggregate index data yet.

We have some data on freedom of academic expression.

Also there I must say the United States is fairing well Jan-Martin.

>> JAN-MARTIN WIARDA: If Germany well, United States performing well, academic freedom and freedom of speech is not the same one might come to the conclusion well why do we need this debate Katrin, why to we need it.

>> KATRIN KINZELBACH: I think it's timely debate we have heard some reflections on the time. This is also debate of global importance because of course we operate in a global lied academic world.

I do think we of course also discuss Chicago principles today, we have had had reaction to increasing challenges at least perceived challenges to freedom of expression by the University of Chicago announce these principles.

So I see certain reactionary move there.

Reaction to challenges and I would be very interested in discussing this further because of course historically when the University of Chicago gotten gauged on this issues there was political context.

I think we cannot understand any norm entrepreneur without trying to understand political context.

American politics are much better place to speak to that.

Maybe we should listen first and discuss first

>> JAN-MARTIN WIARDA: This gives opportunity to Geoffrey Stone.

When I'm watching something like this I tend to think why do they have to stress something that should go without saying. Why do you have to stress at The University of Chicago freedom of speech is core value.

Shouldn't this be something natural without saying

>> GEOFFREY STONE: First of all that has not been case American universities.

Throughout history American colleges university have censored faculty and students who have for example challenged creation ism19th during World War I opposed draft or war, 1930s, 40s 50s, there's long history in the United States of universities not being committed freedom of expression tolerance of views that offends leaders of the university and students in the university.

Chicago has in fact been distinct if I have throughout it's history taking different position.

I should note by the way I chaired the committee that wrote the report and so we gave a lot of thought to the history of the university and learned a lot about that.

Two things we took away from that is first the reality is that censorship often turns out to be wrong in the sense whether you look back with hindsight what were they thinking how they thought it was appropriate to silence people who advocated civil rights for African Americans, women rights, socialism or opposed war in Vietnam.

What were they thinking they all thought they were right at the time.

In hindsight they were wrong.

The other thing we take away from that is who do you trust to make decisions about what ideas are right or wrong? The answer I think is nobody.

I don't trust anyone else to decide from me what I'm allowed to say.

I wouldn't mind having the power what anybody else would say. If you want truly free society and open academic environment, you can't have authorities deciding what ideas what points of view are permissible what are not

>> JAN-MARTIN WIARDA: There's should be no limitations to free are free speech at all. We heard about balancing rights fundamental rights for example free speech, equality inclusion, so there should be no limit to free speech at all Geoffrey.

>> GEOFFREY STONE: University of Chicago recognized in our statement of principles so restriction to speech not about content, time place and manner, use loud speakers interfere with classes.

That could all be regulated.

We're over certain categories of speech like defamation threats can be regulated, are allowed to be regulated under the first amendment.

It's ideas, ideas that cannot be prohibited.

That's the key to it.

You can regulate speech in lots of different ways.

To say idea is impermissible what we say university should not do.

>> JAN-MARTIN WIARDA: Before I move on there has been case study last couple of days at the University of Chicago talking about professor hulang. University of Chicago has closed investigation into the claims that he has scorned junior during class. There has been wide debate what he was allegedly said also on the tweets he sent out.

What's your take on that.

>> GEOFFREY STONE: It was in class and in class

professors can be restricted in certain ways they aren't permissible otherwise.

The certain that had been raised some former students particular occasionally may have acted in a way that was insulting and harassing discriminatory.

The university looked into it and apparently decided it was not in fact an accurate characterization of what happened and they absolved him having done anything appropriate.

That was appropriate.

If he had done something that was truly racially insulting degrading to students in classroom that would be subject to restriction.

>> JAN-MARTIN WIARDA: Right now university says there's no basis for more investigation at this point in time.

Thank you very much.

Daniel dear area.

You're originally from of Berlin.

You spent most academic life in United States.

Free speech as observing between US and Germany, this case is one good case to look at when it comes to the culture of debate

>> DANIEL DIERMEIER: Thanks very much thanks for having me on panel.

I spent part of my life university in Berlin and United States so I do have sense context and differences there.

I was also I think instruct by some of the things which has to do with the constitution and it political context.

If you just think about the different constitutional traditions, first amendment United States German constitution because of its particular history has particular set of emphasis.

You have clear differences there.

What I think is essential to the debate we do not confuse those different political and culture context with what I would say are the kind of foundational questions in the context of the university.

What do I mean by that? I think we share whether Germany or United States or most universities around the world kind of idea belief for what universities are for.

You heard that clearly expressed in the video.

If I one of the ideas -- one way to think about the universities, places where people can -- where they can realize their full potential engage in debates discussions about what is true what is justice and what's beautiful.

We do that metaphorical speak, sitting around the table we discuss argue the great aspiration of the university, in these settings to kind of slightly paraphrase the better

argument wins.

Forces force of the better argument.

Universities have fallen short, sometimes still fall short of that.

For example over many decades universities in the United States Germany were exclusionary, included women, minorities from participating on this debate.

They think they have worked very hard to change that and have recognized it, to have more diverse universities better university not only for the people have seat at the table but for everybody else.

That's No. 1.

But the second piece I think where the concern comes in is that because context because of the experience of marginalization so forth making sure everybody participates requires work.

Participating in the work of university requires particular set of norms.

For example, the ability when you participate not only to say something the willingness to be convinced by better argument I think important academic norm as well.

Where things get problematic is not so much bringing voices in.

That's already encompassed.

Where things get problematic where you want to silence other voices because they make others uncomfortable or things where they're finding offensive.

That's where the real question is.

That is not so much question I think about history political structure.

It's question how do you think about university, what's your point of view in education and research.

There can be diversity.

You have many of universities in United States that have religious hour spiritual tradition may put limits on that.

At University of Chicago since founding you want to put little as possible that maximal pre dome for if a can you actual and students to engage pause that creates best most transformative education

>> JAN-MARTIN WIARDA: So what would you reply to justice Baer's notion of safe spaces as something positive, something that actually empowers free speech? Obviously as I understand your point of view, you think that somebody who's claiming safe spaces hinders the debate.

>> DANIEL DIERMEIER: I think there are two concepts of safe space that need to be distinguished. Idea comes from originally really to create literally a space where marginalized groups would be protected from harassment.

That's the origin of that.

That's seems to me completely unproblematic.

The debate has been what's been called intellectual safe spaces. That's not about creating space where people are free from harassment.

That's a question whether certain ideas questions are off the table because they make a certain group uncomfortable in a particular way.

That's the particular question.

Again, different universities control differently.

At the University of Chicago the view has been is that while you engage in debate even if the ideas that are expressed are -- make you uncomfortable or controversial university administration will not regulate.

People around the table may regulate, that's terrible that's fine.

But the university as an institution will not interfere

>> JAN-MARTIN WIARDA: Thank you very much.

Peter-Andre Alt, this debate on safe spaces, snowflakes

A. Is this American debate is that of also something you observe German universities or maybe risks problems in Germany are different ones.

>> PETER-ANDRE ALT: I think this is by no means American phenomenon.

We have to witness number incidents at German university causes concern led us to reassert freedom of expression and safe spaces.

Also the general political framework.

Number of these incidents is also on the rise.

In this situation, large society our universities are taught. I think we had to a certain extent situation which was more comfortable couple of years ago.

But now we had for instance case which professor used seminar to enlighten populous claim they could have freedom, seen at violence to protest against professors and their lectures. We entered the process of struggling concerning the question its free speech issue which is consented or is it dissent on certain aspects.

It's also in discussion reflecting situation as well

>> JAN-MARTIN WIARDA: To clarify if professor in advices right wing speakers to the university to speak, is this something we should allow and cherish or not?

>> PETER-ANDRE ALT: It's causing general question how to organize it.

When I was charge, we had similar examples.

Students use to invite politicians most cases left wing parties.

We were encouraging them to do so but academic framework,

seminar which could be self organized by them.

Closely linked to junior research.

The major of the premise for the invitation the talk would not be campaign.

I think universities should not be place for political campaigns.

But should be place for political discussions.

If these discussions are embedded into academic environment we can contribute to the academic side.

We can shape the discussions.

If this is given here, then I would not have any doubt you can also invite from right wing party but you should embed into forum which bring up many voices at university not only one party.

I think academic discourse has many means and tools to balance discussions to offer transparent approach, to reflect issues, to critically commend on these issues, all these instruments of our intellectual discourse highly appropriate to organize discussion also to balance these conflicts.

It is not the case if we are opening our universities to campaigns, then I'm critical I'm very reluctant.

If we're talking about the university as to role model, society's freedom and for social issues we want to protect we should also I think -- should also contribute from other side by our means our methods how to form a debate, how to shape a debate academically.

This is enormous issue that we can contribute to the debate.

We should not bend the standards.

We should stick to them add here to them

>> JAN-MARTIN WIARDA: Geoffrey Stone I'd like to ask your opinion on that.

Right wing people when embedded in a class fine but we don't want them to campaign on classes or universities is this something you would agree with who sets the limits, coursework what is campaigning.

There were right wing people that wanted to speak there were issues that led to Chicago principles in a way

>> GEOFFREY STONE: I think that it's important to hear people whose views you disagree with so you understand what they're saying what other people are hearing.

Not only seeing whether you might be wrong in disagreeing with them also you understand what they're saying.

When you address those issues you can address what their arguments are.

I think there's positive value being open to hear people whose views you completely disagree with.

Political point is little odd.

I don't think the university has any policy on the question

having people come in order to make political campaigns. Certainly we have lots of politicians come and speak at all sorts of events.

Nobody thinks twice.

My guess in general that would be permissible.

More importantly is this notion if someone thinks it would be useful to have right wing person come speak or communist speak or society record regards those views completely wrong headed I think it's important to hear them understand why you think they're wrong.

I think it's perfectly appropriate

>> JAN-MARTIN WIARDA: The way we debate right now it seems like freedom of speech or academic freedom is more endangered than has been couple of years ago.

Is that something that you would share, share this opinion or this view that speech at least German universities is more endangered than couple of years ago situation different from 5 or 10 years ago

>> KATRIN KINZELBACH: Our data doesn't show that. We have continuously high performance.

For the United States we can see small dip on this variable on academic expression specifically.

The US remains top of the score but there is small drop that I think should be taken seriously and discussed.

I do want to say that I perceive personally rather big differences situation in the United States and in Germany.

This is primarily I think also question of context.

I think in the current situation in the United States there is very divisive political terrain.

The universities are being used as spaces for political struggle.

I think it's rather difficult for universities to find their positions in such situations.

I don't think we have that kind of confrontational atmosphere in Germany.

I had personally encounters people trying to take recordings of my classes which is not allowed without permission. These were minor things I felt were relatively easy to handle.

We don't have these kind of scandal inviting or disinviting with few question exemptions.

The video said one interesting thing it's not easy to have your assumptions challenged.

I think what we see with people who like to discuss why certain speakers get invited to campus.

They challenge our assumption.

For that we should welcome their thoughts listen them out.

What are the arguments? I really would like to challenge

this idea that university that says basically anything goes and as long as faculty member in advices or member of the university in advices is appropriate.

I don't think it strikes right balance between freedom of speech and all the other values including risk factor equality.

I would really like to have much more discussion on specific cases understand rationale specifically people who protest. If they protest because they say that they themselves feel targeted by the speaker then I need we need to take them absolutely seriously.

I feel that this is quite different from sort of top down demand on universities censoring speakers

>> JAN-MARTIN WIARDA: So my impression is looking at German universities we are talking about freedom of expression not so much about inclusion or equality. Would you agree he we should talk about, is it something we neglect maybe

>> KATRIN KINZELBACH: We can never talk enough about these issues.

If you look at the academic scene which is not very diverse yet.

We are just trying to increase percentage of female professors.

I think we are on the right track but there's along way to go.

In terms of backgrounds other backgrounds we basically have very white academic scene.

The fact that these discussions in the United States are much louder also is I think thanks to more inclusion among faculty and the students.

I hope that we should cherish these debates with us.

Of course we do also have some discussions on trigger warnings so on.

Maybe we can still come to that because I think it's part of the debate

>> JAN-MARTIN WIARDA: Daniel maybe this is something Americans should be proud of they have this bigger aspect of inclusion more diversity in all the debates about trigger warnings about safe spaces, something that is very much valuable because it shows importance of inclusion whereas German universities to some degree are still elitist white dominated.

>> DANIEL DIERMEIER: American universities for the last I would say 20, 30 years have really worked hard to increase the diversity of their student body and faculty very hard.

It's hard work it's hard work because of course you're

dealing with -- tremendous inequality and challenges. It's very difficult to do and requires sustained effort. Also like having or living in a university context creates its own challenges you have to work through that. I think some of the issues that we have touched upon I think are consequence of it. I think thorough owe it's great to have them because they're some sense reflect real challenges we go through as societies and university. At the university need to be the place where these issues need to be debated. I think that I'm worried about is that we don't lose what makes universities special. What universities aspire to and what at the means to be university of course that is debated. There's a quality we should not forget here. I think sometimes -- the concern is the fundamental values of academic discourse and discussions can be swept away by the passions that come with broader political issues. I think our responsibility as academic leaders is to talk about it, engage in dialogue, also to step up make sure defends those values.

>> JAN-MARTIN WIARDA: Thank you very much Geoffrey. Go ahead.

>> GEOFFREY STONE: The point about diversity role is important insight. When I was student at The University of Chicago laugh school there were two African American students in my class of 165 students. Today the classes 10, 12 percent African American. When some of these issues began last 5, 6 years I went back to talked to some of my students 30, 40 years ago African American students. Were there no issues there. They said no there were lots of time I was miserable. When I thought people were saying offensive and appropriate I wasn't going to go out there and do this. I think creating critical mass makes enormous you difference. It's a positive thing it's enlightening. Knowing that things you're doing are 0 in fact hurtful and disrupt tiff of good academic environment is good to learn. Even though you're free to say what you want doesn't mean you should. Advocating for mutual respect which is another key part of Chicago principles is something you learn how to do much better when the students who are minorities speak up and educate you about things you're saying and things you're

doing that you never realized were offensive and disturbing. That's a critical part of how you learn as an institution to deal with these issues

>> JAN-MARTIN WIARDA: Talking about critical mass, there has been question earlier on or after the presentation of justice Baer that maybe there is now overwhelming majority people who think overwhelming majority progressive left wing people at university, true minority at universities in the US are the conservative ones, that they should be protected somehow not the other way around.

That's interesting point of view.

Before I would like to introduce Paul Rand from the University of Chicago monitor department monitoring Q and A section.

You are encouraged in the audience to add comments.

Paul you will add to our discussion in a minute.

Thanks for doing that.

First let's get to this point who's minority, majority on campus.

We know there are right wing people out there who try to describe the universities in the US as places where the conservative voices are an absolute minority and actually that this majority of left people try to silence those voices.

Daniel what would you reply to that

>> DANIEL DIERMEIER: There are two answers first one is empirical question is it true, not, there's empirical answer. There's another question what follows from that how do we think about that? I think universities and universities are well advised to hire faculty based on academic credential without political point of views. They bring their whole self to the university of course. That's going to be part of participating university community.

But what we should do as university leaders whether it's deans or chairs or presidents or provost is to really focus on what is the intellectual contribution this person brings to the table with regard whether they're on left or right in the middle so forth.

That's the fundamental focus.

>> PAUL RAND: I wonder if I could build on that.

>> JAN-MARTIN WIARDA: Go ahead.

>> PAUL RAND: Builds on some of the questions.

Daniel will certainly provide answers to that.

In some ways universities are curating speech like you mentioned who they're hiring as faculty but also happening who they're admitting, what is being funded and even what is

considered diversity.

Is diversity typically going to be gender or race or other areas.

The broader question is how do these get balanced to truly create open culture that allows us to debate

>> JAN-MARTIN WIARDA: And who defines the term of diversity says this diverse background that we actually want to create Geoffrey.

>> GEOFFREY STONE: I think the answer to that question first of all it depends on the institution. I think ordinarily the leaders of the university will set forth their aspirations for intellectual and other forms of diversity of the institution.

It's the units make admission decisions who are basically deciding on what kind student body or faculty they are looking for.

I think they do take into account definitely take into account issues of diversity based on issues like race and wealth and poverty and on gender and political views maybe some extent but I think the admissions offices are looking to create a diverse environment that will enable the students to confront broad range of experiences ideas not to be home genius group that has free speech and freedom of expression but they're all talking to themselves.

What makes academic community successful making effort to bring in diverse set of faculty members, students learn from one another

>> JAN-MARTIN WIARDA: Peter do you see this kind of effort in Germany.

If you look at faculty I don't want to give wrong numbers I think below ten percent of German university are international background.

Three percent of professors are female.

Obviously the efforts are not that strong yet, are they

>> PETER-ANDRE ALT: I think we are at the very beginning when it comes to diversity.

We had to focus gender equality we made slow progress.

It is slow.

The diversity issue came on the agenda very late, relatively late.

I think actually we made progress in integrating much more students from different backgrounds.

This is enormous step forward.

If you take a look at the usual students groups.

Universities in the 80s, 90s when I did my study, I can remember very well.

It is white university and now it has deeply change.

You have to learn it's not only about students.

It's about productivity.

I would define sheer intellectual benefit.

It comes to research.

You can see it's question of perspectives and richness of perspective makes richness of science and research.

This is very much depending on diverse perspectives and insights.

Diversity can be defined many indicators we have mentioned actually.

Diversity of product of power of university.

I think universities have grasped this actually in Germany but it's long way to fund those who are now studying to bring them into career path, reliable career path.

I think this is question of the next generation

>> JAN-MARTIN WIARDA: So long way to go Katrin.

Are you silenced?

>> KATRIN KINZELBACH: I'm sorry I wanted to pick up the idea actually universities curate speech.

I think that's absolutely right.

In fact I think it's their task.

Universities task is not to protect any kind of speech.

University's task is to facilitate academic exchange and I think this is a very fine line and I think the line that we are trying to find but an absolute notion of free speech disregards other rights and values the notion that the university as a whole can in reality act neutrally I would argue is a fiction.

Those that challenge particularly speakers for example 2349 United States I think often are motivated by two different reasons.

One, they are challenge us to say this is deeply offensive speech.

I don't want my university to provide a platform and here I think we need to listen to the reasons also discuss what kind of format might be appropriate to give space for those people who would like to oppose those speakers.

The other reason is actually quite different.

It is deliberately trying to get controversial speakers invited at a university in order to create political havoc and point to the universities as institutions that don't allow freedom of expression.

This is political manipulation of the role of universities.

So I find we need to look instance by instance what is happening and depending on that analysis I would say the university has to also take different steps

>> JAN-MARTIN WIARDA: Paul let's move onto next round of questions.

>> PAUL RAND: This is somewhat timely discussion on

going discussions debates around racial injustices other areas.

Now there are debates about removing names from building taking down statutes as a way of showing avoidance or shutting down of different thinking and ideas. The question is how do people feel about doing that particularly on campuses?

>> JAN-MARTIN WIARDA: Those people who feel about that Geoffrey how do you feel about that.

>> GEOFFREY STONE: I think that as far as statutes are honoring a person and we have come to understand that it is not a person that we actually honor that it's perfectly appropriate for the institution to -- the institution decides what statutes to put up.

In that context it's engaging in its own speech.

I do think it's appropriate for an institution who makes those decisions all the time to decide whether this is someone we should be honoring or not.

I think if I were in a position to make those decisions I wasn't being inappropriately bullied by people by doing this. To the extent for example people who defend slavery in the United States, I think it's always been bizarre and inappropriate for us to honor those people.

They were traitors to our nation.

They advocated supported views policies that were apathetical views of nation.

Honoring thing doesn't make sense.

If University of Chicago has statute of Robert e Lee people want to take it down, I think it would be sensible

>> JAN-MARTIN WIARDA: What if there were people who feel differently.

>> GEOFFREY STONE: Free to express their views but they can't of force university to put up a statute. That's university decision

>> JAN-MARTIN WIARDA: Daniel.

>> DANIEL DIERMEIER: I think it's an nothing question I think the way to -- the way Jeff thought about this is fundamentally decision by the university, what it honors doesn't honor makes a lot sense.

One thing I would add to that I think it's important -- sometimes they're totally obvious cases.

The interesting cases where it's not so obvious.

I think one does this carefully one has a sense of what the context is exactly.

What we're doing this, we're making a statement very often about the country's history or institution history.

These are important statements that are made.

The only thing I would say they need to be carefully

considered, not as a response because of rush context because there's particular pressure.

That's the only caveat.

Like with everything else, when we make a statement about the values of an institution such as university it needs to be done carefully reasoned, thought about and not in response to a particular type of pressure from one side or another.

>> JAN-MARTIN WIARDA: Katrin starting similar debate in Germany.

There railroad debates about camps dealing with this person not with philosophy so much but maybe with the person behind it.

How can we deal with that? How should we deal with for example memory of Martin Luther, how should we deal with that

>> KATRIN KINZELBACH: This is complicated debate.

Need to be situated in time.

Then it will not be surprising to find with many of our big examples in academic history there were elements of their activities that we would today find deeply in appropriate.

I think we should be thankful for making that human development to see those problematic aspects.

I don't think we should shy away from having those discussions.

I don't think we should shy away from criticizing particular actions or also thoughts in big names in intellectual we cherish for their contribution.

We find many instances.

We see that because people who felt offended have now started to point that out.

And again, I can only say if people say they feel offended by a particular content of a class or of a reading, then that should be beginning very interesting discussion

>> JAN-MARTIN WIARDA: We are running short of time Paul but we have time for 1 or 2 more questions.

>> PAUL RAND: Thank you there's question come up trying to gain further distinction between academic freedom and freedom of expression.

I wonder if you can share your philosophy on the difference why are they each important

>> JAN-MARTIN WIARDA: That would be great if all of you could answer and answer very briefly.

Katrin you want to start

>> KATRIN KINZELBACH: I think freedom of expression of is part of academic freedom to the extend it facilitates academic pursuit but not all forms of speech are protected by academic freedom.

>> JAN-MARTIN WIARDA: Peter.

>> PETER-ANDRE ALT: I can fully agree in this finding. Academic freedom is including freedom of taking perspectives and expanding them. But there are also ethical limitations, gives us couple of examples.

So I think we have to handle academic freedom by enabling people to express themselves but we have also to take care of the -- I won't say limitations but the backgrounds, framework and the level of reflection.

If we are missions as universities we have to keep up with this expectation to provide intellectual environments which enable people to reflect themselves but also to understand what others are doing business reflecting themselves

>> JAN-MARTIN WIARDA: Daniel.

>> DANIEL DIERMEIER: Add one more piece to this perhaps.

When we think about academic freedom that's about being able to pursue the type of research academic activities without constraint.

Like everything else there are constraints.

You can't falsify your data.

You have to get review process before you engage in experiments.

All these things are part of the environment but within that do not want to regulate or constrain what faculty are working on.

I want to add one thing which I think is important which is that people bring their whole self to the academic personality, background.

That's one reason it why we want to have diverse faculty, political beliefs so forth.

It's illusion we can regulate.

I think the way it works best is to put people together to have a confidence in the process of exchange of ideas and intellectual debate that is fundamental.

That I think is something we have to keep in mind.

I know there are different points of view on that.

It's just a fact that -- even in mathematics they bring own personality own background over beliefs.

For all of us been academic seminars these debates can be very intense.

>> JAN-MARTIN WIARDA: Geoffrey.

>> GEOFFREY STONE: I think academic freedom is focussed primary academic work of the institution it's about scholarship.

It's about teaching.

Where it's free expression goes well beyond that, goes on the

fact puts something on social media or student puts something on social media.

Or within academic freedom is part of it.

Goes beyond what we think about as academic freedom.

The other difference academic freedom we do evaluate and make important judgments about what we think to be equality of the work.

Whose academic work we think is not appropriate standards.

We will not prohibit faculty member inviting a speaker.

So free speech side is different in important ways from academic freedom.

They overlap obviously.

There are differences yes we have them why we think about them

>> JAN-MARTIN WIARDA: I have one final question to all of you.

This time I really need short answers (laughter).

We can talk on this topic all night long we can continue tomorrow but if it comes to us personally to each and every one of us is there one thing we all can do to be pro note free speech one little thing we can do daily routine to promote, not about institutions organizations but about all of us.

Geoffrey you want to start

>> GEOFFREY STONE: Promote stability and mutual respect.

Recognize there's ways to achieve one's goals that do not needlessly hurt and offends people.

I think it's important for people to think about that be conscious of it, to avoid gratuitously create problems you don't need

>> JAN-MARTIN WIARDA: Peter.

>> PETER-ANDRE ALT: Beyond all aspects of the issue of free speech itself, you have to handle productive conflicts which are derived from free speech.

You have to be aware of the fact these conflicts if you can manage them are very center of creative and productive university

>> JAN-MARTIN WIARDA: One small thing that all of us can do you can do personally to promote free speech.

>> DANIEL DIERMEIER: You want to talk to as many people that have different points of you in a respectful way.

>> JAN-MARTIN WIARDA: Thank you very much Katrin.

>> KATRIN KINZELBACH: I think we have to learn how to differentiate between disrespectful speech and hate speech and we have to be ready to draw the difference draw a line.

>> JAN-MARTIN WIARDA: Draw a line.

Thank you very much.

Thank you very much to all the panelists thank you very much to Paul as well for curating our questions.

I think there are many more questions that we wouldn't address in this short period of time.

Thank you very much for your thoughts for your insights.

Let's wrap up our session tonight with some final remarks by professor Alt and professor Diermeier thank you very much

>> DANIEL DIERMEIER: Thank you very much I want to thank all the panelists Justice Baer for participating. I think this is example, highlights importance of university as the place where difficult topics can be discussed in a serious manner by listening to different perspective.

Personal note I'm particularly happy to participate have University of Chicago cohost German recollect towards conference wonderful way to address that topic.

University of Chicago has been since its beginning heavily influenced by German university.

One of the first university in the United States heavily in influences University of Berlin types of values essential today part of that intellectual heritage.

I'm pleased to have this discussion today.

I'm I thank our co-organizers.

>> PETER-ANDRE ALT: Thank you very much professor Diermeier.

This was a timely topic.

Since we all much expect threats will continue to demand our serious attention in the future.

It's our task not only to attack this issue or enter free exchange risks on problems conflicts.

I'm I would like to thank our German participants for facilitating the discussion.

I should also thank our partners at the University of Chicago.

President provost Lee Daniel Diermeier.

Thanks to team made excellent job.

Candace Mueller, thank you for supporting this event making it possible.

Good night from Berlin.

Since here it's already 8:30.

Still warm and bright but the evening is beginning.

(End of meeting.)