Constitutional Issues in Higher Education Symposium
Panel: Classroom Environment as a Battleground

Panel structure:

- Panel overview and panelist introductions: 7 minutes
- Panel questions: 3 questions. Each panelist should provide a 5-7 minute response to each question (see questions and designated panelist(s) below). Moderator will provide a warning at the 5-minute mark.
- Questions from audience: 15-20 minutes

Panel overview:

Discussions about trigger warnings, safe spaces, and micro aggressions have occurred this year on most college campuses. The impact and implications of these issues are felt in faculty senate meetings, deans’ offices, student organization spaces, and the classroom. In a national political climate that is polarizing, students who speak out about experiences of oppression and exclusion by the behavior of faculty and fellow students in the classroom and those who believe students are demanding university policies and practices that will result in overprotection, coddling, and censorship square off. The vitriol can overshadow the need to thoughtfully promote academic freedom, encourage free expression and open dialogue, and maintain campuses that foster respectful discussion and behavior. This panel will discuss how we address the challenge of open dialogue and academic freedom within a polarizing climate of disrespectful debate.

Panelists:

Derek Bambauer is Professor of Law at the University of Arizona, where he teaches Internet law and intellectual property. His research treats Internet censorship, cybersecurity, and intellectual property. He has also written technical articles on data recovery and fault tolerance, and on deployment of software upgrades. A former principal systems engineer at Lotus Development Corp. (part of IBM), Professor Bambauer spent two years as a Research Fellow at the Berkman Center for Internet & Society at Harvard Law School. At the Berkman Center, he was a member of the OpenNet Initiative, an academic consortium that tested and studied Internet censorship in countries such as China, Iran, and Vietnam. At Arizona, Bambauer is the founder and director of the IP & Entrepreneurship Clinic, which offers legal services to start-ups. He is one of the authors of Info/Law, a popular blog that addresses Internet law, intellectual property, and information law. He holds an A.B. from Harvard College and a J.D. from Harvard Law School.

Dr. Kevin Byrne, Ph.D., is an assistant professor of Theatre Studies in the School of Theatre, Film, and Television at the University of Arizona. His research and publications center on African American drama, racial performativity, and minority cultural representation. He was recently named to the Advisory Board of the Journal of American Drama and Theatre. He also serves on the University of Arizona Diversity Task Force.
Dr. Karen Seat, Ph.D., specializes in U.S. religious history, American evangelicalism, and gender studies. In 2012, Dr. Seat began serving as director of the Religious Studies Program, and in 2015 she was appointed head of the Department of Religious Studies and Classics. Her publications include “Providence Has Freed Our Hands”: Women’s Missions and the American Encounter with Japan (Syracuse University Press), on nineteenth-century Protestant women's mission movements and their impact on American ideologies regarding gender, race, Christianity, and civilization. Her current research focuses on conservative Christians' engagement with American politics in modern American history. She teaches courses on American religious history and gender studies in religion.

Moderator:

Najwa Nabti, J.D., is the Director of Undergraduate Law and Master of Legal Studies programs and a Professor of Practice at the University of Arizona. Her work at the University of Arizona builds pathways and opportunities for students to receive instruction in critical legal skills as well as explore educational opportunities outside of the classroom. Her research and legal specialization is in international criminal law and accountability and redress for gender-based violence.

Panel questions:

1. Since the focus of this panel is on striking an appropriate balance between encouraging free expression and debate and maintaining a respectful and safe learning environment, I’d like both of you to address how you have sought to strike this balance in your respective areas of teaching and expertise. It would be helpful if you could provide an example to illustrate a particularly difficult conflict or issue, and summarize how you resolved it

2. What are some misperceptions that students and/or faculty may have about the extent of their protected speech in university classroom and other academic settings? To what extent is their speech protected and/or restricted when they engage in dialogue – e.g. in the classroom, in faculty meetings, in online discussion fora such as D2L?

3. Even if hurtful or discriminatory speech is protected under the Constitution, is it lawful and/or good policy to restrict such speech in classroom settings, and if so, where should faculty and administrators draw the line, particularly when it comes to issues such as religion, gender, and race?

Open for questions from the audience (15-20 minutes total)
LETTER FROM OBERLIN

THE BIG UNEASY

What’s roiling the liberal-arts campus?

BY NATHAN HELLER

At Oberlin, it started in December, when the temperatures ran high, although the weeping willows and the yellow poplars that had flared in the fall were bare already. Problems had a tendency to escalate. There was, to name one thing, the food fight: students had noted the inauthenticity of food at the school’s Afrikan Heritage House, and followed up with an on-site protest. (Some international students, meanwhile, complained that cafeteria dishes such as sushi and bánh mi were prepared with the wrong ingredients, making a mockery of cultural cuisine.) There was scrutiny of the curriculum: a student wanted trigger warnings on “Antigone.” And there was all the world outside. A year earlier, a black boy with a pellet gun named Tamir Rice was killed by a police officer thirty miles east of Oberlin’s campus, and the death seemed to instantiate what students had been hearing in the classroom and across the widening horizons of their lives. Class and race mattered. Power in a system would privilege its authors. After a grand jury declined to indict Rice’s shooter, the prosecutor called the death a “perfect storm of human error.”

Weeks passed. Finals came and went. The media turned its attention to the approaching Iowa caucus, while on campus an unease spread like a cold front coming off the lake. In mid-December, a group of black students wrote a fourteen-page letter to the school’s board and president outlining fifty nonnegotiable demands for changes in Oberlin’s admissions and personnel policies, academic offerings, and the like. “You include Black and other students of color in the institution and mark them with the words ‘equity, inclusion and diversity,’” it said, “when in fact this institution functions on the premises of imperialism, white supremacy, capitalism, ableism, and a cissexist heteropatriarchy.”

The letter was delivered by hand, but it leaked onto the Internet, and some of the more than seven hundred students who had signed it were hit with threats and hate speech online from anonymous accounts. The president, Marvin Krislov, rejected the letter’s stance, urging “collaboration.”

All across Oberlin—a school whose norms may run a little to the left of Bernie Sanders—there was instead talk about “allyship”: a more contemporary answer to the challenges of pluralism. If you are a white male student, the thought goes, you cannot know what it means to be, say, a Latina; the social and the institutional worlds respond differently to her, and a hundred aggressions, large and small, are baked into the system. You can make yourself her ally, though—deferring to her experience, learning from her accounts, and supporting her struggles. You can reach for unity in difference.

On February 25th, TheTower.org published an article that included screenshots from the Facebook feed of Joy Karega, an assistant professor of rhetoric and composition at Oberlin. The posts suggested, among other things, that Zionists had been involved in the 9/11 plot, that 1918 was a puppet of Mossad and the C.I.A., and that the Rothschild family owned “your news, the media, your oil, and your government.” The posts did not sit well with everyone at Oberlin, where, weeks earlier, a group of alumni and students had written the president with worries about anti-Semitism on campus; the board of trustees denounced Karega’s Facebook activities. As a teacher, however, she’d been beloved by many students and considered an important faculty advocate for the school’s black undergraduates. The need for allyship became acute. And so, with spring approaching, students and faculty at one of America’s most progressive colleges felt pressured to make an awkward judgment: whether to ally themselves with the black community or whether to ally themselves with the offended Jews.

During this academic year, schools across the country have been roiling with activism that has seemed to shift the meaning of contemporary liberalism without changing its ideals. At Yale, the associate head of a residence barked at the suggestion that students avoid potentially offensive Halloween costumes, proposing in an e-mail that it smothered transgressive expression. Her remarks were deemed insensitive, especially from someone tasked with fostering a sense of community, and the protests that followed escalated to address broader concerns. At Claremont McKenna, a dean sparked outrage when she sent an e-mail about better serving students—those of color, apparently—who didn’t fit the school’s “mold,” and resigned. In mid-November, a thousand students at Ithaca College walked out to demand the resignation of the president, who, they said, hadn’t responded aggressively enough to campus racism. More than a hundred other schools held rallies that week.

Protests continued through the winter. Harvard renamed its “house masters” faculty deans, and changed its law-school seal, which originated as a slaveholder’s coat of arms. Bowdoin students were disciplined for wearing miniature sombreros to a tequila-themed party. The president of Northwestern endorsed “safe spaces,” refugees open only to certain identity groups. At Wesleyan, the Eclectic Society, whose members lived in a large brick colonnaded house, was put on probation for two years, partly because its whimsical scrapbook-like application overstepped a line. And when Wesleyan’s newspaper, the Argus, published a
controversial opinion piece questioning the integrity of the Black Lives Matter movement, some hundred and seventy people signed a petition that would have defunded the paper. Sensitivities seemed to reach a peak at Emory when students complained of being traumatized after finding "Trump 2016" chalked on sidewalks around campus. The Trump-averse protesters chanted, "Come speak to us, we are in pain," until Emory's president wrote a letter promising to "honor the concerns of these students."

Such reports flummoxed many people who had always thought of themselves as devout liberals. Wasn't free self-expression the whole point of social progressivism? Wasn't liberal academe a way for ideas, good and bad, to be subjected to enlightened reason? Generations of professors and students imagined the university to be a temple for productive challenge and perpetually questioned certainties. Now, some feared, schools were being reimagined as safe spaces for coddled youths and the self-defined, untested truths that they held dear. Disorientingly, too, none of the disputes followed normal ideological divides: both the activists and their opponents were multicultural, educated, and true of heart. At some point, it seemed, the American left on campus stopped being able to hear itself think.

This spring, at Oberlin, I tracked down Cyrus Eosphoros, the student who'd worried about the triggering effects of "Antigone." We met at the Slow Train Café, a coffee joint on College Street, one of the two main streets that make up Oberlin's downtown. (The other is called Main Street.) Eosphoros is a shy guy with a lambent confidence. He was a candid, stylish writer for the school newspaper and a senator in student government. That day, he wore a distressed bomber jacket and Clubmaster glasses. His hair was done in the manner of Beaver Cleaver's, with a cool blue streak across the top. Eosphoros is a trans man. He was educated in Mexico, walks with crunches, and suffers from A.D.H.D. and bipolar disorder.

(He'd lately been on suicide watch.) He has cut off contact with his mother, and he supports himself with jobs at the library and the development office. He said, "I'm kind of about as much of a diversity checklist as you can get while still technically being a white man."

Half a century ago, Eosphoros might not have had access to elite higher education in the United States. In that respect, he is exactly the sort of student—bright, self-made, easily marginalized—whom selective colleges like Oberlin have been eager to enroll. So I was taken aback when he told me that he'd just dropped out for want of institutional support.

"There's this persistent, low-grade dehumanization from everyone," he said. "Somebody will be, like, 'Yeah, I had a class with a really great professor, and it was wonderful,' and I'll be sitting there, like, 'Oh, yes, that was the professor who failed me for getting tuberculosis,' or 'That was the professor who, because I have double time on exams, scheduled them during lunch.'" Eosphoros was drinking Oberlin's specialty, the Albino Squirrel: a white mocha with hazelnut syrup and a generous dollop of whipped cream. In an Oberlin Review essay explaining his "Antigone" experience (it was Antigone's case for suicide that concerned him), he argued that trigger warnings were like ingredient lists on food: "People should have the right to know and consent to what they're putting into their minds, just as they have the right to know and consent to what they're putting into their bodies."

Not every Oberlin kid is an activist like Eosphoros—far from it—but even many who are not are fluent fellow-travellers. They generally acquired the requisite vocabulary in college. If the new campus activism has a central paradigm, it is intersectionality: a theory, originating in black feminism, that sees identity-based oppression operating in crosshatching ways. Encountering sexism as a white, Ivy-educated, middle-class woman in a law office, for example, calls for different solutions than encountering sexism as a black woman working a minimum-wage job. The theory is often used to support experiential authority, because, well, who knows what it means to live at an intersection better than the person there?

"It's just a massive catastrophe," Eosphoros reported of the microaggressions he encountered even in his work-study life. "You get your supervisor monologuing about how everyone is just here for 'poor money,' and you're sitting there going, 'You cancelled the shift on Sunday, and, because of that, I can't pay my rent.'" He feels that he's been drawn into a theatre of tokenism. "It's always disappointing to be proof of concept for other people," he told me.

Some would call such students oversensitive. In September, the pundit Greg Lukianoff and the social psychologist Jonathan Haidt published a cover story in The Atlantic called "The Codding of the American Mind," arguing that young people taught to embrace "vindictive protectiveness" were being poorly educated for the challenges of the real world. Shielding students from unwelcome ideas was unhealthy for the workforce and the democratic commonwealth, they wrote.

But elite colleges don't educate commonwealth-size populations. A guiding principle of today's liberal-arts education—the gold-filter admissions, the seminar discussions, the focus on "leadership" and Emerson and exposure to difference—is the cultivation of the individual. And students like Eosphoros are where the inclusive—elite model gets tested. If students' personal experiences are beside the pedagogical point, then diversity on campus serves a cosmetic role: it is a kind of tokenism. If they're taken into account, though, other inconsistencies emerge. "As far as what people talk about liking, you have to listen to the absence," Eosphoros said. "I'm actually still trying to reconcile how unhappy I've been here with how happy people were insisting we must be."
because he will never be a lawyer, and then gives him a rare A, since, by virtue of struggling toward his goal, a lawyer is what he has learned to be? We celebrate the idea that through disorientation and challenge we find growth. But who sets measures of growth in the first place? For most of the nineteenth century, Harvard professors taught a single, prescribed canon to a single, prescribed social circle. Today, horizons of knowledge are broader. A paradoxical promise—we’ll programmatically educate a group of you by drawing out your individuality—is inherent in modern liberal education, and a lot of classroom pedagogy tries to finesse the contradiction.

"In yoga, the practice is you breathe to the point where you’re just being challenged—and then you stretch a little more, and breathe," Wendy Hyman, an associate professor of English at Oberlin, told me one day at Aladdin’s Eatery, half a block from Slow Train. I was drinking a lukewarm green juice. Hyman, who was on leave to finish writing her book on Renaissance erotic poetry, wore bright-red cat’s-eye glasses and matching lipstick. The field of sixteenth- and seventeenth-century literature is full of misogyny and violence, she says, but she’s never taught something because of what it contained. Instead, she thinks of trigger warnings in the context of their real-world precedents. ("You’re going to a Quentin Tarantino film. You’ve never seen one before. It would be a normal thing to say, ‘So how are you with blood?’")

"The trick is to find a way to get us open and receptive rather than defensive," she told me. "I have sometimes done things as earnest as walk around the room saying, 'I am now creating a magic circle inside this space. In here, we’re going to act with as much openness and curiosity as we can, and give each other permission to think out loud." That goes a long way."

Hyman started college in the eighties. Her generation, she said, protested against Tipper Gore for wanting to put warning labels on records. "My students want warning labels on class content, and I feel—I don’t even know how to articulate it," she said. "Part of me feels that my leftist students are doing the right wing’s job for it."

Whichever job they’re doing, they appear to do it diligently. "In class, sometimes I say, ‘Is your identity a kind of knowledge?’" James O’Leary, an assistant professor of musicology at the Oberlin Conservatory, told me. "The answer, for ever, has been no. But his current students often vigorously disagree. In the post-Foucaultian tradition, it’s thought to be impossible to isolate accepted “knowledge” from power structures, and sometimes that principle is turned backward, to link personal discomfort with larger abuses of power. "Students believe that their gender, their ethnicity, their race, whatever, gives them a sort of privileged knowledge—a community-based knowledge—that other groups don’t have," O’Leary went on. The trouble comes when their perspectives clash.

For years, a campus café and performance space called the Cat in the Cream had a music-themed mural, painted by an alumnus, that celebrated multiculturalism: it featured a turbaned snake charmer, a black man playing a saxophone, and so on. Students recently raised concerns that the mural was exoticizing. "We ended up putting drywall over it, and painting over that," Robert Bonfiglio, who had been the chair of the Student Union Board, told me. "They were saying, ‘Students are being harmed. Just do something now.’" But if individuals’ feelings were grounds to efface art work, he reasoned, every piece of art at Oberlin would be in constant danger of being covered up, or worse—a practice with uncomfortable antecedents. "The fear in class isn’t getting something wrong but having your voice rejected," he said. "People are so amazed that other people could have a different opinion from them that they don’t want to hear it."

Aaron Pressman, a politics and law-and-society major, told me that he has always felt free to express his opinions on campus, but has faced "a lot of social backlash." One of his ambitions is to become a public defender, and he has studied the free-speech work of the A.C.L.U. Last year, when he noticed a broadly worded clause about flirtatory speech in Oberlin’s new sexual-harassment policy, he advocated for more precise language. (His research told him that such broad prohibitions were often used to target ethnic groups.)

"A student came up to me several days later and started screaming at me, saying ‘I’m not allowed to have this opinion, because I’m a white cisgender male,’" Pressman recalled. He feels that his white maleness shouldn’t be disqualifying. "I’ve had people respond to me, ‘You could never understand—your
“They rifled through our drawers, ransacked our closets, and completely redeveloped the central character in Carlton’s novel.”

...culture has never been oppressed.” Pressman laughed. “I’m like, ‘Really? The Holocaust?’”

On Main Street, one spring afternoon, I met up with Megan Bautista, a co-liaison in Oberlin’s student government. Elsewhere, her position would have been student-body president, but Oberlin is down on hierarchy—also on the authoritarian tendencies of solo leadership—so she was a liaison, and she shared the role with a young man. We got a coffee at the Local Coffee & Tea, a belowground shop popular mostly because it has good bagels and is not Slow Train. Bautista, who was finishing her fifth and final year, devoted a lot of time to activism, and she told me that she had lost interest in hanging out with people who didn’t share her views. “I do think that there’s something to be said about exposing yourself to ideas other than your own, but I’ve had enough of that after my fifth year,” she said. She was exhausted.

Bautista identifies as “Afro-Latinx.” (The “x” signifies independence from overdetermined gender roles.) She grew up in the Bronx and attended the exclusive private school Fieldston, thanks to a recruitment program for gifted kids. She didn’t do much activism there. “There just wasn’t a critical mass of students of color who wanted the same things,” she said. “I was very much still in the Du Bois, I’m-gonna-sit-back-and-read-my-things state.” At Oberlin, Bautista’s sense of urgency sharpened. She was on campus in early 2013, when flagrantly bigoted flyers, posters, and graffiti appeared over a period of weeks. “Two undergraduates are said to have been responsible, one of whom told police that it was ‘a joke to see the college overreact.’” The episode led to the cancellation of all classes for a day, and galvanized many students. “I don’t want to say we were ahead of the curve or anything, but we were starting this trend of millennial activism,” Bautista told me.

The movement quickly fizzled. She explained, “A lot of people here are the first in their families, or in the position where they really have to be the breadwinners as soon as they graduate.” They didn’t have the luxury of hours for unpaid activism. Protest surged again in the fall of 2014, after the killing of Tamir Rice. “A lot of us worked alongside community members in Cleveland who were protesting. But we needed to organize on campus as well—it wasn’t sustainable to keep driving forty minutes away. A lot of us started suffering academically.” In 1970, Oberlin had modified its grading standards to accommodate activism around the Vietnam War and the Kent State shootings, and Bautista had hoped for something similar. More than thirteen hundred students signed a petition calling for the college to eliminate any grade lower than a C for the semester, but to no avail. “Students felt really unsupported in their endeavors to engage with the world outside Oberlin,” she told me.

It is sometimes said that the new activists are naïve about the demands of the real world. But as I talked with Eosphoros and Bautista and other students I began to wonder whether they were noticing an ideological incongruity in some older people weren’t. A school like Oberlin, which prides itself on being the first to have regularly admitted women and black students, explicitly values diversity. But it’s also supposed to lift students out of their circumstances, distinguishing difference. Under a previous idea, one that drew on terms such as “affirmative action,” students like Eosphoros and Bautista would have been made to feel lucky just to be in school. Today, they are told that they belong there, but they also must take on an extra-curricular responsibility: doing the work of diversity. They move their lives to rural Ohio and perform their identities, whatever that might mean. They bear out the school’s vision. In exchange, they’re groomed for old-school entry into the liberal upper middle class. An irony surrounds the whole endeavor, and a lot of students seemed to see it.

“Oberlin does a really good job of analyzing intersectonality in the classroom—even in discussions, people are aware of who’s talking, who’s taking up space,” Kiley Petersen, a junior, told me. “But there’s a disconnect in trying to apply these frames of intersectonality and progressive change to departments and this school as a whole.” Some students have sought out their own solutions. Earlier this year, a sophomore, Chloe Vassot, published an essay in the college paper urging white students like her to speak up less in class in certain circumstances. “I understand that I am not just an individual concerned only with
comfort but also a part of a society that I believe will benefit from my silence," she wrote. She told me that it was a corrective for a system that claimed to value marginalized people but actually normalized them to a voice like hers.

In superficial ways, Bautista is the systemic dream realized: a Bronx kid who, through talent and hard work, came to lead a bellwether student body and develop a covetable C.V. But she hadn’t been encouraged by her experience in elite schools. When I asked what she hoped to do after she graduated, this spring, she said, “I can see myself leaving the country.” In the immediate term, she hoped to join AmeriCorps and build her résumé. She thought she might end up being a class-action or impact-litigation lawyer. Then she wanted to get as far away from the United States as she could. “Working my piece of land somewhere and living autonomously—that’s the dream,” she said. “Just getting the eff out of America. It’s a sinking ship.”

In “the Old Regime and the Revolution,” a study of political ferment in late-eighteenth-century France, Alexis de Tocqueville observed that, in the decades leading up to the Revolution, France had been notably prosperous and progressive. We hear a lot about the hunger and the song of angry men, and yet the truth is that, objectively, the French at the start of the seven-teen-eighties had less cause for anger than they’d had in years. Tocqueville thought it wasn’t a coincidence. “Evils which are patiently endured when they seem inevitable, become intolerable when once the idea of escape from them is suggested,” he wrote. His claim helped give rise to the idea of the revolu-tion of rising expectations: an observation that radical movements appear not when expectations are low but when they’re high, and vulnerable to disappointment.

A quad-size version of this drama is unfolding. “This is the generation of kids that grew up being told that the nation was basically over race,” Renee Romano, a professor of history at Oberlin, says. When they were eleven or twelve, Barack Obama was elected President, and people hailed this as a national-historic moment that changed everything. “That’s the bill of goods they’ve been sold,” Romano explains. “And, as they get older, they go, ‘This is crap! It’s not true!’” They saw the deaths of Michael Brown, Eric Garner, Tamir Rice. And, at schools like Oberlin, they noticed that the warm abstractions of liberalism weren’t connecting with the way things operated on the ground.

Although we speak today of “millenials,” the group comprises at least two culturally distinct generations. Students in college about a decade ago (my cohort) faced an uncertain future. September 11th happened, homeland-security projects slithered out in unsettled ways, the Iraq War became a morass, and the world markets collapsed. People coming of age in that era of inevitable evils tend to be conservative in their life-style ideals (if not yet in their politics), and might be called the Builders: having reached adulthood on unstable ground, they’re opportu-nistic entrepreneurs, restless climbers, and deferential compromisers.

The kids in college now could be called the Firebrand Generation. They are adept and accomplished, but many feel betrayed by their supposed political guardians, and aspire to tear down the web of deceptions from the inside. “This is not just Oberlin, there is something happening at a lot of these schools,” Jeremy Poe, Bautista’s collaborator in the student government, told me. “These common buzzwords or whatever, appropriation, ‘authenticity,’ ‘problematic’”—the language that James O’Leary attributes to classroom theory—“you see in discussions all across campuses.” A nagging question goes like this: How much did the movement beckon such language from the lecture hall, and how much did the language make the movement?

“On or about December 2014, student character changed,” Roger Copeland, a professor of theatre and dance, announced early one afternoon. We were sitting at a table in the Feve, a college-town grill. Copeland was wearing an extremely loud Hawaiian shirt. He has thinning silver hair, glasses that darken in the sunlight, and a theatrical style of diction that most people reserve for wild anecdotes at noisy cocktail parties. At one point, I looked up from my notepad to find that he had donned a rubber nose and glasses.

Copeland has taught at Oberlin since the nineteen-seventies. He was puzzled by many things about today’s students—“They do not make eye contact! They do not look into your motherfucking eyes!”—but what galled him most was their apparent eagerness to go over their professors’ heads. In the late fall of 2014, during rehearsals for a play he was coordinating, he spoke sharply to a student: a misfire not of language, he says, but of tone. The student ran out of the room. Copeland says that he wanted to smooth ruffled feathers and keep the production on track, so he agreed to meet with the student and his department chair. At the meeting, the student asked that he leave the room, and she and the department head spoke alone for about half an hour.

Later, the dean of arts and sciences asked to meet with him. He reported complaints that Copeland had created “a hostile and unsafe learning environment,” and that he had “verbally berated” a student—but said that it must be kept confidential which student or incidents were concerned. Then the dean asked Copeland to sign a document acknowledging that a complaint had been lodged against him.

“I’m thinking, Oh, God! I’m cast in one of my least favorite plays of all time, ‘The Crucible,’ by Arthur Miller!” he told me. He gave the dean a list of students he thought could confirm that he hadn’t “berated” anyone. He says the list was brushed aside: “They said, ‘What matters is that the student felt unsafe.’” Then he was told that, because gender could have been a factor, the issue was being investigated as a possible Title IX violation. That inquiry was later dropped; by then, Copeland had hired a lawyer. In September, 2015, the original inquiry was still going on, and Copeland said that the dean told him that if he wouldn’t meet without his lawyer he would be brought before the Professional Conduct Review Committee. Copeland and his lawyer welcomed that idea: the committee process would bring some daylight. They never heard back.

The experience left Copeland feeling
wary and ideologically confused. During his student years, in the late sixties, he had been arrested many times at protests. In 1996, when Oberlin’s then-president criticized Tribe 8, the queercore punk band, for a campus performance involving a dildo, Copeland argued that stage performances should be protected as artistic expression. Students cheered him. Now he feels his survey course, History of the Western Theatre—the field he had been hired to teach—has been getting the evil eye.

“One of the hypocrisies of the call for a globalized curriculum is that the people calling for it don’t give a flying fuck if a subject is being taught properly,” he told me. He says that he lobbied his department for years to hire a scholar of East Asian theatre to help balance out his Western expertise. Instead, he sees a game of retitling courses and bowing to complaints in a transparent attempt to appease the college’s crucial customers: the students.

Through the late eighties and the early nineties, liberals on college campuses often spoke of “multiculturalism”: a reform of the curriculum to reflect the many traditions of the world. As the doctrine gained adherents, though, it was criticized by the academic left—not least, by many nonwhite scholars—who worried that it made a luxury commodity of otherness.

Marc Blecher, an Oberlin professor of politics, had problems with the program at the time, in part, he said, because thinking in terms of cultural identities often leaves out a critical factor: class. He believes the problem goes back to the early days of boomer politics, which he experienced as an activist at Cornell, in the sixties. “When we opposed the Vietnam War, we didn’t take seriously that all the draft dodging we were doing was screwing black people and poor people and forcing them to go fight,” Blecher said one afternoon, in his office. He had a gray beard and a somewhat stark, feral intensity; as he spoke, he put one leg, but not the other, on his desk.

In time, the sixties gave rise to more identity-bound movements: Black Power, second-wave feminism, gay liberation. Class was seldom fully in the mix, except, maybe, in a generalized Marxist way. Blecher suggests that this is how we ended up with market-friendly multiculturalism, and in universities, an almost consumerist conception of identity politics.

Identity politics used to be obligate: I am a woman of color, because the world sees me as such. Now there is an elective element: I identify as X and Y and Z right now. That can distract from the overriding class privilege of elite education. “Intersectionality is taken as a kind of gospel around here,” Blecher complained. For this he put a lot of the blame on Comparative American Studies, an influential program among Oberlin activists.

Wendy Kozol, the director of the program, agreed that many students glom on to intersectional ideas too broadly. “But that’s why we teach,” she told me. “When people are learning any theoretical framework, they learn it in stages, with various levels of nuance.” She calls the critiques of intersectionality “very compelling” but difficult. Many of them suggest that casting experience as an intersection of super-abstract social identities, such as “femaleness” and “blackness,” elides historical specificity. One of Kozol’s favorite critics, the Rutgers scholar Jasbir K. Puar, charges that intersectionality posits people whose attributes—race, class, gender, etc.—are “separable analytics,” like Legos that can be snapped apart, when in truth most identities operate more like the nighting to understand peoples and process in a world that’s changing.” Student movements have an odd habit of ending up on the right side of history.

How, then, to teach? Two years ago, when the Black Lives Matter movement took off, “it felt like it was going to be a moment when we were really going to have a national conversation about police brutality and economic inequality,” Kozol said. She was excited about her students’ work in Cleveland and elsewhere. “But then, at some point, it became really solipsistic.” A professor who taught a Comparative American Studies seminar that was required for majors on leave, and, as she was replaced by another substitute and then another, Kozol noticed something alarming: the students had started seating themselves by race. Those of color had difficulty with anything that white students had to say; they didn’t want to hear it anymore. Kozol took over the class for the spring, and, she told me, “it played out through identity politics.” The class was supposed to be a research workshop. But students went cold when they had to engage with anyone outside their community.

Kozol tried everything she could think of. She divided the seminar into work groups. She started giving lectures. She asked students to write down one thing they would do to contribute to a more productive dialogue. Only one person responded. So she did what she had never done in two decades of teaching: she dissolved the course mid-semester and let students do independent study for a grade.

Now it is afternoon at Slow Train. Kids are sitting on stools at a table at the back, and some are standing, because the light at this hour comes at angles, and the glare can be blinding. Jasmine Adams, a senior and a member of the black-student union, Abusa, is talking about arriving at Oberlin.

“It was, like, one day I was at college having fun, and the next day someone called me the N-word, and I had no avenue,” she says. She has on a red flannel button down shirt, open over a tank top. There’s a crisp red kerchief around her head, knotted above a pair of hip blue-and-brown-tortoiseshell glasses. “My parents don’t have the funds to drive so i
Oberlin when I’m crying and ready to self-harm. The only way that I can facilitate those conversations is to advocate for myself: That in itself makes me a part of a social-justice climate.

Adams supported the fourteen-page letter of demands that was submitted to Oberlin’s president in the winter. “At that meeting, about the demands, there were a hundred people, literally,” she says.

“Even those who didn’t write it had things to put into it,” Taylor Slay, a fellow Abusua member, says. She is sitting next to Adams, taking notes.

Adam goes on, “Me trying to appeal to people? Ain’t working. Me trying to be the quiet, sit-back-and-be-chill-and-do-my-work black person? Doesn’t work. Me trying to be friends with non-black folks? Doesn’t work.” She draws out her final syllables. “Whatever you do at Oberlin as a person of color or a low-income person, it just doesn’t work! So you’re just, like, I’ve got to stand up for myself.”

“I have to be political,” Slay says.

“I have to be political in whatever form or fashion,” Adams says. “Because I have nothing else to do.”

There were negative responses to the fifty demands (which included a request for an $8,20-an-hour activism wage, the firing of nine Oberlin employees deemed insufficiently supportive of black students, and the tenuring of black faculty).

But the alumni reactions were the worst, according to Adams. “They are quick to turn around and call twenty-year-old students the N-word, and monkeys, and illiterate uneducated toddlers, and tell us to go back to Africa where we came from, and that Martin Luther King would be ashamed of us,” she says.

“We knew realistically that most of those demands were not going to be met. We understand legality. We understand finances—”

“We see the pattern of nonresponse,” Slay says.

Zakiya Acey furrows his brow. “The argument was ‘Oh, so students ask for this, but it’s not legal,’ ” he says. “But it’s what I need. And it’s what this country needs, and it’s my country. That’s the whole point. We’re asking—”

“We’re asking to be reflected in our education,” Adams cuts in. “Literally am so tired of learning about Marx, when he did not include race in his discussion of the market!” She shrugs incredulously. “As a person who plans on returning to my community, I don’t want to assimilate into middle-class values. I’m going home, back to the hood of Chicago, to be exactly who I was before I came to Oberlin.”

Like everyone else at the table, Adams believes that the Oberlin board’s denunciation of Joy Karega’s Facebook posts shows hypervigilance toward anti-Semitism and comparative indifference toward oppression. “We want you to say, Racism is not accepted!” Adams says.

Acey, who insists that Karega’s posts were more anti-Zionist than anti-Semitic, thinks professors often hide their racial biases. “But they’ll vote in a way that does not benefit the students,” he says. “Like, the way the courses are set up. You know, we’re paying for a service. We’re paying for our attendance here. We need to be able to get what we need in a way that we can actually consume it.” He pauses. “Because I’m dealing with having been arrested on campus, or having to deal with the things that my family are going through because of larger systems—having to deal with all of that, I can’t produce the work that they want me to do. But I understand the material, and I can give it to you in different ways.

There’s professors who have openly been, like, ‘Yeah, instead of you know, writing out this midterm, come in to my office hours, and you can just speak it,’ right? But that’s not institutionalized. I have to find that professor.”

Also, things are trickier now than in the past. “In the sixties and seventies, you saw an attack on oppression,” Acey says. “How do we stop this from happening ever again? Then you have the introduction of multiculturalism: Let’s satisfy this. Let’s pretend we’re going to be diverse. Whereas what college does now is—”

“It separates us,” Adams says.

“It separates us, but it makes us busy. 24/7.”

“Also, we’re the generation that has more identities to encompass in our movement,” Adams says. “No shade to civil rights, but it was a little misogynistic. It had women in the back. A lot of other identities—trans folks and all that—were not really included. And we’re the generation that’s trying to incorporate everybody.”

“And we’re tired!” Slay says.

“That takes work,” Adams agrees.

“We do our work in the middle of the night,” Slay says.

“We meet at 11 P.M., and stay up till two o’clock in the morning doing work, and go to nine-o’clock class, and do that over and over and over,” Adams says. “We
The small, sandstone Cox Administration Building, where Oberlin's president has his office, seems to drift off the western edge of the town square like a tugboat unmoored from a barge. It is between North Campus, where the jocks and the straitlaced students are reputed to live, and South Campus, where the ethnic and arty theme houses lie. This morning, winds drive a flotilla of storm clouds away and back again. Inside the Cox building is quiet.

The president, Marvin Krislov, is bauld, with a wide smile and an air of introverted jollity, as if perpetually remembering a very funny joke that someone told him on his way to work. He wears a crisp white shirt under a sleeveless cardigan; two halves of a pair of ruby snap-together reading glasses hang around his neck. The night before, he hosted an ice-cream study break, to hang out with students, at a place called the Cowhaus Creamery. “There is nothing like ice cream to bring people together,” he says.

I ask Krislov about his response to the black students’ demands. In a public editorial, in January, he wrote, “I will not respond directly to any document that explicitly rejects the notion of collaborative engagement. Many of its demands contravene principles of shared governance. And it contains personal attacks on a number of faculty and staff members who are dedicated and valued members of this community.”

Krislov tells me that he doesn’t believe nonnegotiable demands are useful. He favors friendly conversation: “I reached out to students I knew in leadership positions and said, I mean what I say. We’re ready to engage. I want to have dialogue. I think there’s a sense that institutions—and Oberlin is not unusual in this regard—may not be comfortable places for some of our students. Particularly students of color may not feel included.”

Krislov starts to talk about the nineteenth century. Not long ago, he says, the college held a symposium about Mary Church Terrell, a black woman who earned two degrees from Oberlin in the eighteen-eighties and went on to become an influential suffragist and school-board member in the nation’s capital. When her daughters went to Oberlin, though, they were not allowed to live with white kids in the dorm.

“This window into our history shows that Oberlin is not perfect,” Krislov says. “Progress is going to be made. But it isn’t all in the upward direction.”

The college’s recent split alliances around Karega would seem to qualify as non-upward progress. Krislov says that he turned the matter back to the kids. “One of the things we’ve heard from students is that they want to talk about difficult issues among themselves—they prefer not to have people who purport to speak for them,” he says. He recently gathered a group of students and began to execute five concrete steps that they prioritized—requests ranging from a better-resourced Web site for low-income and minority students to an expanded library in the Afrikan Heritage House. “Michelle Obama came to our commencement last year, and she said something that I thought was very compelling. She said, 'Run toward the noise.'

This has been a line from the White House; in a Rutgers graduation speech last week, Barack Obama said, ‘Don’t feel like you got to shut your ears off because you’re too fragile and somebody might offend your sensibilities. Go at them if they’re not making any sense. Use your logic and reason and words.’” But at Oberlin a number of students seem to want to run away. More than a few have told me that they are leaving Oberlin, or about to leave Oberlin, or thinking about leaving Oberlin—and this at one of the country’s most resource-rich, student-focused schools. (“Many students say things,” Krislov tells me.) A number of them, especially less privileged students such as Adams and Eosphoros, speak of higher education as a con sold to them on phony premises.
Many also speak of urges to leave due to a fraying in their mental health, a personal price paid for the systemic stresses of campus life. I ask Krislov about this, and he glances in the direction of his bookshelf, which is adorned with toy cars and a motorcycle made from old Sprite cans. Both of his shoes are untied. “I don’t know if it’s related to the way we parent, I don’t know if it’s related to the media or the pervasive role of technology—I’m sure there are a lot of different factors—but what I can tell you is that every campus I know is investing more resources in mental health,” he says. (Data confirm this.) Maybe it’s the pressure of school, he says, but maybe it also has to do with a welcoming gate. “Students are coming to campuses today with mental-health challenges that in some instances have been diagnosed and in some instances have not. Maybe, in previous eras, those students would not have been coming to college.” He pauses thoughtfully. “That’s all to the good, in terms of society, because it means that we are bringing in people to be productive and capable and supporting them.”

A president’s job is to push past contradictions, while an activist’s duty is to call them out. The institutions that give many people a language and a forum to denounce injustice are, inevitably, the nearest targets of their criticism. If that is an irony; it is not a contradiction; American progressivism, from the Continental Congress to the college cafeteria, has functioned by embracing awkward combinations of great-sounding ideas and waiting for problems to arise. That is what Marvin Krislov means when he says that not all progress is upward, and it is what Cyrus Eosphoros means when he says that Oberlin’s abstract claims have not matched his experience. It is also what Roger Copeland means when he suggests that ideology is outstripping rigor. It usually is. When conceptual contradictions become too glaring, as in colleges’ promises to be both rarefied and inclusive, there’s a crisis, and the frame for the system shifts. “Allyship” and “privilege” are the edges of a new conceptual regime. In the course of the nineteen-sixties, famously, college parital rules came to be regarded as an intrusion on values like autonomy and privacy; the villainy of corporations became a liberal travest (it wasn’t in the fifties); and the moral legitimacy of state power was, to say the least, an open question. These normative shifts reflected and shaped the world view of the baby boomers, and, although subsequent generations of American liberals have advanced other causes (gay marriage, marijuana legalization), the basic frame for American progressivism has remained the same for the past fifty years.

But the Firebrands, beginning in the contexts of their campuses, are resetting that frame, much as the postwar generation did half a century ago. The historic banner that opened in the sixties is starting to close; the boomers’ memoirs of becoming no longer lead up to the present. When that sort of thing happens—when experiential contradictions become acute—a window opens for people whom the legal theorist Cass R. Sunstein calls “norm entrepreneurs” those promulgating new standards that others can adopt and defend, redefining bad behavior (say, from homosexuality to homophobia), rewriting social models, and shifting the default settings of political culture. Before long, another mural, displaying these new liberal virtues, will probably adorn the blank wall in the Cat in the Cream. Until then, the cracks in the American left are likely to grow—with more campaign arguments about who is the “true” progressive, more shouting past one another, and more feelings that, for at least one generation, everything is lost.

People tell me that I need to talk with Amethyst Carey, who organized a recent Anti-Oppression Symposium at Oberlin, because Carey is smart and at the center of it all, and I speak with her during my final hour on the campus, in a room with a big fireplace. The plan had been to meet that morning, but she pulled an all-nighter and needed sleep before her African-dance midterm. Carey wears sweatpants and a T-shirt that says “NJ needs more homes & jobs.” A senior now, she has organized a lot of campus social events—in the past, she helped coordinate popular “queer beers”—but the idea for her symposium, she says, came from a darker place. “Before winter term, I had been really depressed, and feeling really hopeless and frustrated with the way I see organizing happening on this campus and elsewhere,” she tells me, perched in an armchair in a corner of the room. “What rejuvenated me was reading radical work, and seeing other queer people, people of color, and black people doing organizing in a way that was always what I dreamed it could be.” Carey wears her hair in locs that fall over her ears and has a warm, nervous laugh. “I wanted to share things I feel like I’ve learned.”

The symposium, which took place over a month, comprised more than a dozen lectures, workshops, and colloquiaims. Carey says, “There’s an Audre Lorde quote, ‘There is no such thing as a single-issue struggle because we do not live single-issue lives.’ It: the point she has most embraced.

Carey, like Bautista, went to élite schools on scholarships; she says that, for her, the past few years have been about “unlearning” most of what she had been taught. She put together the symposium without support from the college, in part because she thinks that higher education, being a tool of capitalism, can’t be redeemed. Instead, her goal these days is to help people like her survive college and get on with their lives. “There’s been a shift from explicit racism to implicit racism,” she says. “It’s still racism. But now you’re criticized for complaining about it, because you’re allowed to go to college: ‘What are you complaining about? There’s a black President!’”

I ask her whether she is optimistic about what people her age will do from here on. She has curled up deep in the armchair. She is silent for a long time.

“I think I have to be,” she says at last. “Things are happening all over campus and the world. A consciousness is building. That’s the point.”

Outside, it is a spring day, and windy. The bench swings hanging from the campus trees have started swaying. “I’m not just doing this work because I’m in college,” Carey tells me, with a slight edge of indignation. “It’s not going to stop when I graduate here.”

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