

Article

# The Ethics of No Platforming: Defending the Defense of Immoral Ideas on University Campuses

#### Michael Veber 1,\*

<sup>1</sup> East Carolina University, Greenville, NC, USA

\* Corresponding author: veberm@ecu.edu

Submitted: 2 February 2024, accepted: 6 July 2024, published: 30 October 2024

**Abstract:** A common justification for no platforming on university campuses contends that it is immoral to discuss and debate certain "problematic" points of view. The conventional line of response from campus free speech advocates denies this contention. This article offers an unconventional answer to the moral no platformer. I concede that it is immoral to publicly discuss and debate certain points of view. But I advocate doing it anyway. The argument appeals to the notion of admirable immorality and a traditional conception of what a university is.

**Keywords:** no platforming; free speech; academic freedom; admirable immorality; comic immoralism; following the argument wherever it leads

**How to cite:** Veber, M. The Ethics of No Platforming: Defending the Defense of Immoral Ideas on University Campuses. *Journal of Controversial Ideas* **2024**, *4*(2), 12; doi:10.35995/jci04020012.

©2024 Copyright by the author. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY 4.0) license.



#### Introduction

No platforming is the practice of preventing or prohibiting someone from contributing to public discussion because that person advances what are (or what are thought to be) objectionable views. Although it can happen in any public setting, cases of no platforming on university campuses are perhaps the most philosophically interesting. On the one hand, universities have historically touted themselves as bastions of open discussion and debate. But on the other hand, at the time I write this, the Foundation for Individual Rights and Expression's Deplatforming Database lists 1,507 attempts to no platform people at universities in the United States since 1988 with 110 of those occurring this year.<sup>1</sup>

There are primarily two types of justification for no platforming: epistemic and moral. The epistemic justification says certain controversial speakers advance views that are

<sup>&</sup>lt;sup>1</sup> You can view the database at link to the article.

false and unwarranted. Hosting such speakers therefore undermines the university's effort to produce and maintain knowledge. I have critiqued epistemic justifications for no platforming elsewhere.<sup>2</sup> In this article, I address moral justifications for the practice. The moral no platformer contends that allowing certain views to be defended and publicly discussed on campus harms people either directly, by offending and alienating them, or indirectly, by encouraging others to act in violent or otherwise harmful ways.

The conventional response from campus free speech advocates is to deny that it is immoral to publicly engage with offensive ideas. This disagreement generates other debates over complex conceptual and empirical issues. Is offense a harm? How likely is it that discussion of an immoral idea will cause people to act on it?<sup>3</sup> Is the idea in question really immoral? What if it's true? And how can we know the answer to that question unless we have the discussion?

I want to circumvent those messy debates and offer an unconventional response to moral arguments for no platforming. Unlike the typical defender of campus free speech, I shall concede to the no platformer that, for the usual reasons, it is indeed immoral to publicly engage with "problematic" ideas and arguments on campus. But, I say, let's do it anyway.

The main argument will go as follows. Full commitment to the epistemic mission of the university requires that certain kinds of moral concerns must be overridden or ignored. This means any real university will have a good bit of immorality built right in. And that immorality, I claim, is a key part of what makes the university a uniquely admirable and important social institution.

To lay the groundwork for this position, I shall begin by offering some criticisms of the ways in which opposition to no platforming is typically expressed.

#### How We Defend Our Campus Contrarians

Whenever people get denied a speaking invitation or are otherwise in trouble for something said in an academic setting, there are some common lines of defense. But some of the ways we stick up for our campus contrarians are not as pro-free speech and pro-academic freedom as they might initially appear.

First, there is what – in honor of an old Phil Ochs song – I will call the "love me, I'm a liberal" strategy. This is where one attempts to deflect moral criticism by pointing out that, although the speaker's views on the relevant topic may be controversial, this is someone who holds most of the mild and mainstream opinions you expect to find in a typical academic. And therefore, this person is, deep down, one of the good guys. Now if you can, it is also an important component of this strategy to say that the speaker is a member of some marginalized group.

For instance, in September of 2023 a panel discussion entitled "Let's talk about Sex Baby: Why biological sex remains a necessary analytic category in anthropology" was removed from the program of a joint meeting of the American Anthropological Association and the Canadian Anthropology Society.<sup>4</sup> The conference organizers supported their decision to scuttle the session by claiming that allowing it would have harmed "Trans *and* 

<sup>&</sup>lt;sup>2</sup> Michael Veber, "The Epistemology of No Platforming: Defending the Defense of Stupid Ideas on University Campuses," *Journal of Controversial Ideas* 1 (2021).

<sup>&</sup>lt;sup>3</sup> If you are concerned that ideas aren't the sorts of things that can be immoral, you can put the question this way: How likely is it that public advocacy of an immoral action will cause people to act immorally?

<sup>&</sup>lt;sup>4</sup> You can read the cancellation notification and the response to it at link to the article.

LGBTQI" people [emphasis mine] both within the field of anthropology and the "community at large". And, in case anyone was planning to slip a similar paper past the reviewers in the future, the organizers promised "a major review of the processes associated with vetting sessions at our annual meetings."

In response to this decision, the erstwhile panelists penned an open letter and posted it online. The letter points out that the would-be speakers were planning to defend positions that (at least in their own eyes) are supportive of contemporary notions of gender identity and sympathetic to the struggles of women and transgender people. The letter also says that theirs was an "international" panel that included "a group of diverse women" who are all concerned about "the erasure of women" and one of whom is a lesbian.

Another common defensive maneuver is what I call "no he didn't." Whenever there is a movement to no platform someone, there is also an interest in making the target sound as vile as possible. That often leads to attributing views to the target he does not hold. This is made easier by the fact that the most vocal critics of contrarians are often people who have little understanding of what the person they are going after says or thinks. Since no platformers hold that the target's ideas and arguments should not be engaged with, perhaps not reading those ideas and arguments is what consistency requires. In any case, this generates a predictable response from the other side, namely, to point out that these hateful and extreme points of view are not what the person in question thinks. "He never said *that!*"

Consider the academic who probably holds the world record for most appearances on the receiving end of a campus cancellation petition, Peter Singer of Princeton University. The earliest attempts to no platform Singer took place in Germany in 1989. And he led off with a double. In that year, Singer accepted an invitation to speak at a conference on 'Bioengineering, Ethics, and Mental Disability' in Marburg and another from the University of Dortmund on whether severely disabled infants have a right to life. Both invitations were revoked amid complaints and threats of further protest from disability advocates, some of whom likened Singer's views on disability to those of Adolf Hitler.

In the decades to come, Singer's detractors would continue to imply that the world's most prominent ethicist – a man best known as an advocate for humane treatment of animals and aid to the poor and who is also Jewish – endorses the philosophy of The Third Reich. In 2021, Singer was invited to participate in an online discussion on pandemic ethics hosted by Rhodes College. Faculty in the Department of Anthropology and Sociology and the Africana Studies program lobbied to have Singer's invitation rescinded on the grounds that his type of thinking "has a long and violent history" and is the same logic that "underlies eugenicist arguments marking various marginalized populations as unfit to be a part of the advancement of the human race." Some faculty in history followed suit saying, "we historians are all too familiar with ideas that justify labeling marginalized, vulnerable, and minority populations as 'life unworthy of life,' and the murderous consequences for those deemed 'unfit' to live."<sup>5</sup> (And, I might add, you know who *else* was a vegetarian?)

In response to the controversies in Germany, Singer explained in detail how his views "had nothing whatsoever to do with what the Nazis did."<sup>6</sup> Thirty-two years later,

<sup>&</sup>lt;sup>5</sup> Quoted in Justin Weinberg, "Faculty at Rhodes College Urge Cancellation of Online Talk by Peter Singer (updated)," *Daily Nous*, September 28, 2021. link to the article

<sup>&</sup>lt;sup>6</sup> Peter Singer, "On Being Silenced in Germany," New York Review of Books, August 15, 1991. link to the article.

Eric Sampson, one of the people at Rhodes responsible for inviting Singer to speak, was compelled to make the same point. "Singer has never advocated for anything approaching the 'genocide', 'extermination', 'slaughter', 'forced sterilization', or 'targeting' of people with disabilities. … He has not questioned the 'basic humanity' of people with disabilities or even severely disabled infants."<sup>7</sup>

In this context, it is also helpful to consider the only academic philosopher whose work can make even Singer's spiciest stuff look family-friendly, SUNY-Fredonia's Stephen Kershnar. In 2021, Kershnar appeared as a guest on the *Brain in a Vat* podcast for an episode on sexual taboos. The format of the show is that the guest opens with a thought experiment. Kershnar's involved imagining a middle-aged man who wants to have sex with a twelve-year-old girl who is, in Kershnar's words, a willing participant. "It's not obvious to me," he went on to say, "that there is anything wrong with this."<sup>8</sup>

An edited clip of Kershnar saying that (and a few other things) was posted on the widely popular (and widely despised) Twitter (or, as it's now called, X) account Libs of Tik Tok. Even if you have never heard of Kershnar or that Twitter account before, you can predict what happened next.<sup>9</sup> (And if, like me, you've followed Kershnar's work over the last twenty years, you wondered: what took them so long? More on that later.) At the time I write this, Kershnar is prohibited from being on campus and the philosophy program at SUNY-Fredonia has been marked for elimination.

In response to the outrage over Kershnar's appearance on *Brain in a Vat*, the hosts of the show came to Kershnar's defense with a no he didn't. They point out that, despite what the social media mobs were claiming, Kershnar never said child rape is morally permissible, did not trivialize child sexual abuse, and did not advocate pedophilia. In fact, they also point out, Kershnar has said that he finds adult–child sex personally disgusting.<sup>10</sup>

It is of course worthwhile to set the record straight on who said and thinks what. This is especially important when people are not only attempting to prevent others from speaking but also trying to ruin their reputations, careers, and livelihoods. But at the same time, if "love me, I'm a liberal" or "no he didn't" is all that gets said, there is a sense in which the real issue – at least as I see it – is overlooked. Worse yet, these defensive postures invite, encourage, and perhaps even tacitly condone a line of thinking that runs counter to a robust commitment to free speech and academic freedom – the very sort of commitment those who employ these popular defensive strategies typically claim to endorse.

Think of it this way. What if your panel on the importance of biological sex did not consist of a diverse group of international women? What if instead it was a bunch of conservative old white men who think talk about the erasure of women is overblown? Or what if, despite your best efforts, you could find no lesbian willing to serve on your panel? Are we saying the cancellation would have been justified in that case? I assume not. But then why bring that stuff up? And what if an academic had explicitly advocated for the kinds of views Singer and Kershnar's most outraged detractors ascribe to them? What would you tell the people with the pitchforks then? Or would you find yourself among them?

<sup>&</sup>lt;sup>7</sup> Quoted in Weinberg, 2021.

<sup>&</sup>lt;sup>8</sup> You can listen to the podcast at link to the article.

<sup>&</sup>lt;sup>9</sup> A rundown of the events – complete with updates as they unfolded – can be found in Justin Weinberg, "Kershnar Cycle Reactivated (several upates)," February 3, 2022. link to the article.

<sup>&</sup>lt;sup>10</sup> Mark Oppenheimer and Jason Werboloff, "Stephen Kershnar and the Importance of Unaskable Questions," *Quillette*, March 26, 2022. link to the article.

We have not thought seriously and deeply about free speech or academic freedom until we confront those kinds of questions. In that sense, these popular defensive strategies can be ways of ducking the hardest, most uncomfortable, and therefore the most interesting philosophical issues in this area.

One person who does not hide from the hard questions here is Elizabeth Barnes. In an essay entitled "Arguments that Harm – and Why We Need Them", she addresses the efforts to no platform Singer. Although her rhetoric is tamer, she agrees with the disability advocates who say Singer's views cause significant harm to disabled people. However, the central thesis of her essay is that Singer's arguments on disability are worth engaging with and he should not be no platformed. Nonetheless, Barnes has her limits. She writes:

I think that there are some ideas that shouldn't be engaged with. If a fellow philosopher tells me that they have an argument for the moral goodness of rape, I quite simply don't want to hear it. I won't go to that talk, I won't invite that person to my conference, I won't read that paper. I don't think the argument deserves attention. ... Taking seriously an argument that justifies rape has the potential to cause intense pain to victims of rape, not to mention the potential to promote rape. ... Whatever minor intellectual value there might be in entertaining an argument that justifies rape, it isn't worth the callous disregard for the real suffering of real people.<sup>11</sup>

You will find essentially the same argument in any petition to no platform someone in a university setting. The only major difference is in where the lines are drawn.

I suspect that many people, even many who identify as pro-free speech and pro-academic freedom, would endorse a view like Barnes' where no platforming is warranted or even obligatory if the speaker's position – or the speaker – is odious enough. If those suspicions are correct, then disagreements over no platforming are often not disagreements over deep philosophical principles but over where those principles apply. In that sense, the view I defend here is designed to put pressure on both parties in the conventional dispute. The root of this position involves appeal to a familiar epistemic ideal and conception of what a university is.

## Following (and Refusing to Follow) the Argument Where It Leads

It is often said that the core purpose of the university is captured by the Socratic injunction "to follow the argument where it leads." Justice Frankfurter says this in his opinion on the famous free speech and academic freedom case of *Sweezy v. New Hampshire*.<sup>12</sup> And the line gets repeated in university faculty manuals.<sup>13</sup> "We aim to follow the argument where it leads" is a nice thing to say but, as with many slogans you see repeated in university documents, we must get clear on what it means.

The Socratic commitment is an epistemic orientation that stands opposed to dogmatism. The dogmatist holds fast to a point of view regardless of what the evidence indicates. So, at the very least, a commitment to follow the argument where it leads is a

<sup>&</sup>lt;sup>11</sup> Elizabeth Barnes, "Arguments that Harm – and Why We Need Them," *The Chronicle of Higher Education*, February 18, 2018. link to the article.

<sup>&</sup>lt;sup>12</sup> Quoted in Rodney Smolla, *The Constitution Goes to College* (New York: New York University Press, 2011), 31.

<sup>&</sup>lt;sup>13</sup> Thomas Kelly, "Following the Argument Where it Leads," *Philosophical Studies* 154 (2011): 106, 120.

commitment to change one's mind when new evidence makes it reasonable to do so. But that is not enough.

Instead of digging in and trying to maintain belief in the face of counterevidence, the prudent dogmatist will try to avoid contact with any potentially undermining evidence in the first place. A person who does his best to avoid counterevidence might be disposed to change his mind when he confronts it. But, in virtue of avoiding contact with counterevidence as a means of maintaining his current opinion, such a person is still being dogmatic. Just as you cannot follow the map where it leads if you refuse to look at it, you cannot follow the evidence where it leads if you refuse to engage with it – or only engage when it points in the direction you are already headed. Therefore, following the argument where it leads is not just a disposition to change one's mind when new evidence – especially when that evidence runs counter to what you think is true.<sup>14</sup>

The Socratic commitment is primarily individual and derivatively institutional. If the above correctly describes what it means for a particular person to be committed to following the argument where it leads, then a university upholds that commitment when those within it are not only free to engage with contrarian arguments and ideas but are encouraged to do so. Whether that is the case will depend upon the policies the university endorses and holds itself to.

For instance, in 2015 The University of Chicago released a free speech policy statement reaffirming its commitment to "free and open inquiry in all matters." The "Chicago Statement," as it has come to be called, has subsequently been endorsed by over a hundred other institutions.<sup>15</sup> The statement asserts that "it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive" and that "concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community."<sup>16</sup>

The Chicago Statement is a clear example of how a university can codify its commitment to follow the argument where it leads. Thus, it is not surprising that the 2018 call to rescind a speaking invitation to Steve Bannon was rejected by the administration.<sup>17</sup> But simply endorsing the Chicago statement or the ideal that underlies it does not address the no platformer's objection.

Understood in the context of the Socratic ideal, the objection is that a robust commitment to following the argument where it leads will inevitably be unethical. And therefore, such a commitment should not be made in the first place. The typical opponent of no platforming denies the premise and contends that there is nothing morally wrong with a university endorsing something like the Chicago Statement and holding itself to what it says. The central move in this article is to accept the no platformer's premise but reject his conclusion. A key step in the argument appeals to some ideas from meta-ethics and the philosophy of humor.

<sup>&</sup>lt;sup>14</sup> For more on this point, see my "The Epistemology of No Platforming," 2021.

<sup>&</sup>lt;sup>15</sup> "Chicago Statement: University and Faculty Body Support." link to the article

<sup>&</sup>lt;sup>16</sup> You can read the entire statement at link to the article

<sup>&</sup>lt;sup>17</sup> You can read the letter requesting that Bannon be no platformed, signed by 122 faculty, at link to the article.

The administration's response is at link to the article

### Can Bad Be Good?

In the last forty years, a handful of prominent ethical theorists have defended the idea that morality is not as important as many philosophers have made it out to be. In her classic essay on moral sainthood, Susan Wolf writes:

I don't know whether there are any moral saints. But if there are, I am glad that neither I nor those about whom I care most are among them. ... In other words, I believe that moral perfection, in the sense of moral saintliness, does not constitute a model of personal well-being toward which it would be particularly rational or good or desirable for a human being to strive.<sup>18</sup>

In other words, moral imperfection can make us, in some hard to specify sense, *better people*. In *Moral Luck*, Bernard Williams puts the point in terms of worlds rather than individual people:

While we are sometimes guided by the notion that it would be the best of worlds in which morality were universally respected ... we have in fact deep and persistent reasons to be grateful that this is not the world we have.<sup>19</sup>

To see how this could be, consider Williams' example of (a somewhat fictionalized) Gauguin who shirks his duties as a father to run off to the South Pacific and pursue art. On the one hand, that's a bad thing to do to his family and yet, on the other, his devotion to art is admirable and the world is better because of it. Michael Slote offers some more examples – Churchill's carpet bombing of Dresden, a loving father who hides his fugitive son from the police – and dubs the phenomenon "admirable immorality."<sup>20</sup>

Not everyone agrees there is such a thing as admirable immorality. A standard objection is that, in any alleged case of it, what makes the action (or the person) admirable is conceptually distinct from what makes it immoral. We admire Gauguin's art and his level of commitment to it. But we do not admire him for abandoning his family (or for a few of the other things he did).<sup>21</sup> So, the thought goes, the immoral part of Gauguin's character is not admirable and the admirable part is not immoral. The same may be true of all Slote's examples.<sup>22</sup> But there are some things whose value can only be explained by appeal to their immorality.

"Comic immoralism" is a name given to a family of views in the philosophy of art and art criticism that each attempt to explain the value of comedic art by appeal to moral defects in the work. For the sake of this discussion, I'll take comic immoralism to be the idea that some things are funny because they violate moral norms. Once you know what to look for, illustrative examples come easy.

For instance, my favorite episode of *Seinfeld* aired in May 1996 and is entitled "The Invitations." In this one, George Costanza's fiancée Susan dies from licking the envelopes

<sup>&</sup>lt;sup>18</sup> Susan Wolf, "Moral Saints," *Journal of Philosophy* 79 (1982): 419–431, 419.

<sup>&</sup>lt;sup>19</sup> Bernard Williams, *Moral Luck* (Cambridge: Cambridge University Press, 1982): 23.

<sup>&</sup>lt;sup>20</sup> Michael Slote, *Goods and Virtues* (Oxford: Oxford University Press, 1990).

<sup>&</sup>lt;sup>21</sup> Meredith Mendelsohn, "Why is the Artworld Divided Over Gaugin's Legacy?" *Artsy*, August 3, 2019. link to the article.

<sup>&</sup>lt;sup>22</sup> For this sort of reason, Slote concedes that his original defense of admirable immorality may not have been apt in his contribution to *Should We Always Act Morally*? ed. Sebastian Schleidgen (Baden-Baden: Tectum Wissenschaftsverlag, 2012).

of cheap wedding invitations he picked out. It ends with George learning that Susan is dead and trying – not too hard – to hide his delight at having exited a marriage and relationship he never wanted to be in but never had the guts to get out of. Jerry is upset over George's fiancée's death but only because *he* is still engaged and they had a pact to *both* get married. As the closing credits roll, we watch George call up Marissa Tomei to try and get a date.

It is clear how comic immoralism applies. George and Jerry's behavior is funny because it's wrong. A critic might dismiss the example on the grounds that it is only a fictional story and thus no genuine wrong was ever committed. But there are real life illustrations of comic immoralism too.

Years ago, my uncle threw a party for his mother's 100th birthday. While most of the revelers were mingling in the living room, a few hung out in the kitchen next to the food and drink spread. My aunt, frazzled from hosting so many guests at her house, ran into the kitchen and announced that she forgot to feed the cat. She opened a can of cat food, turned it upside down, plopped it on a plate, put the plate on the floor next to the basement door, and returned to the party. My father promptly picked up the plate of cat food, fanned crackers around its edge, and placed it on the buffet table next to the spinach dip. Sure enough, guests trickled in and sampled the delicious "pâté" as they wondered why the guys in the kitchen were watching them so closely and trying not to spit up their beer.

My old man's prank violated moral norms against deception and using people as a mere means. None of the victims of this prank would have consented to eating a can of cat food and only did because they thought they were eating something else. That is why what my dad did was wrong. That's also why it was funny.

There are some things whose value and immorality are not separable in the way other alleged instances of admirable immorality arguably are. Humor – at least a certain kind of humor – is an example of something that is valuable *because* it is immoral. This is not to say all immoral behavior is funny or that everything funny is also immoral. And it is not to say that jokes can always be made funnier by adding some immorality.<sup>23</sup> It is only to say that at least some instances of funny cannot be explained without appeal to immorality. And since humor is valuable, immorality is too – at least sometimes. And what makes at least some comedians admirable people and valuable members of society is that they are willing to override and ignore certain moral norms in pursuit of a chuckle.

#### Academic Immoralism

How does appeal to admirable immorality and comic immoralism help advance the debate over no platforming on university campuses? NBC's airing of "The Invitations" generated a flurry of complaints, angry letters, and articles in the popular press. For instance, Dr. Sherwin Nuland – famous Yale surgeon, death expert, and author of the best-seller *How We Die: Reflections on Life's Final Chapter* – said he was "tremendously upset" by the episode, found it "enormously disgusting," and wondered whether he should ever watch *Seinfeld* again.<sup>24</sup> Looking back on the controversy surrounding that episode and the show

<sup>&</sup>lt;sup>23</sup> For a defense of that view, see Connor Kianpour, "Strong Comic Immoralism," *Journal of Aesthetics and Art Criticism* 81(3): 363–377.

<sup>&</sup>lt;sup>24</sup> It is worth noting that Nuland said he also found the episode "enormously helpful." Nisid Hajari, "Latest TV Trend: Death," *Entertainment Weekly*, June 7, 1996. link to the article

in general, Jason Alexander (the actor who played George) said, "on that set, funny was the ruler, and it was unquestionably funny. Wrong and rude and dangerous – but funny."<sup>25</sup>

In other words, *Seinfeld*'s creators had what Slote would call a "single-minded devotion"<sup>26</sup> to comedy. And that single-minded devotion inevitably led them to violate various moral norms. It is also a key part of what made *Seinfeld* great.

Instead of denying that there is any moral wrong in publicly engaging with harmful and offensive ideas, the university's effort to follow the argument where it leads can be understood and defended in the same way Alexander defends *Seinfeld*. Engaging with arguments that run counter to our most fundamental beliefs – including our most fundamental moral beliefs – will inevitably be wrong and rude and dangerous. But that's what it is to follow the argument where it leads. That's what universities are for and that is what makes them uniquely valuable and admirable social institutions. Given the parallels, we can call this position "academic immoralism."

To understand and appreciate the appeal of the immoralist position, consider how it applies to a question that has spawned numerous high-profile cancellation petitions in recent years: What is a woman? No platformers complain that engaging with certain positions on this issue contributes to the ongoing mistreatment and oppression of transgender people. In an essay called "Taking Trans Lives Seriously," Mark Lance puts it this way:

[W]hen trans folks are systematically reviled, mocked and disempowered; when they are disproportionately harassed by police, arrested and brutalized – both on the street and in custody – and when there are active campaigns or existing laws in many countries to deny them basic human rights, one cannot merely have a polite discussion about the nature of gender and sex. To produce arguments, in this context – that trans women are not women, or trans lesbians are not lesbians – is not just a view we can easily reject as confused and offensive. It is complicity with systemic violence and active encouragement of oppression … [I]t is not permissible to debate the lives of people who are oppressed and murdered. Those who treat this like an intellectual game should not be engaged with."

The immoralist does not dispute Lance's claim that it is not morally permissible to debate the lives of the oppressed and murdered. Still, the very existence of transgender people makes manifest a host of philosophical problems including some highly abstract and ancient metaphysical ones. "What is a woman?" and the questions that surround it are undeniably interesting and philosophically important. It is impossible to engage in serious inquiry here – in other words, to play the intellectual game and follow the argument where it leads – without questioning people's identity and viewing them as instantiations of abstract metaphysical problems. So, granting the point that there is something morally wrong in this, following the argument where it leads means getting your hands dirty. A willingness to accept that consequence demonstrates the inquirer's extraordinary level of commitment to the Socratic ideal. That level of single-minded devotion to the epistemic ideal is what makes inquiry in this area admirable.

The same is true of inquiry into most – if not all – important fundamental questions. And insofar as it aids and abets this kind of immorality, the university will be, at least to

<sup>&</sup>lt;sup>25</sup> Seinfeld: Volume 6 – The Complete 7th Season. Inside Look. "The Invitations."

<sup>&</sup>lt;sup>26</sup> Slote, 1990.

some degree, an immoral institution. And that, the academic immoralist adds, is a crucial part of what makes those institutions valuable.

#### Advantages Over the Conventional Line

If the analogy is apt, those who appreciate morally transgressive comedy should find academic immoralism attractive. Sometimes, it's cool and fun to break the rules. But more can be said in favor of the position. Academic immoralism has several advantages over the conventional line of opposition to no platforming. These advantages provide further support for the position.

Some of the moral objections to things people have said in academic contexts are stupid and easy to make fun of.<sup>27</sup> But at the same time, it is not obviously incorrect to think it is morally wrong to publicly engage with at least some contrarian arguments on a university campus, as the above remarks from Barnes and Lance remarks make clear. And consider again Peter Singer. As already noted, he certainly does not say we should shoot all the disabled babies. But, as his detractors regularly remind us, he does say things like this:

[T]here will surely be some nonhuman animals whose lives, by any standard, are more valuable than the lives of some humans. A chimpanzee, dog, or pig, for instance, will have a higher degree of self-awareness and a greater capacity for meaningful relations with others than a severely retarded [his word<sup>28</sup>] infant or someone in a state of advanced senility.<sup>29</sup>

#### And

When the death of a disabled infant will lead to the birth of another infant with better prospects of a happy life, the total amount of happiness will be greater if the disabled infant is killed. The loss of happy life for the first infant is outweighed by the gain of a happier life for the second.<sup>30</sup>

Whatever the nuances of Singer's views on disability, it is clear how the same kinds of points Lance makes about debating the status of transgender people can be (and have been) made here as well.

The same is true of Kershnar's contrarian philosophical work. He does not say child rape – understood as non-consensual adult–child sex – is morally permissible. But in the podcast that caused all the trouble, he does say that we often do things to children without their consent, that children are capable of consenting to things they do not fully understand, that it is an open empirical question whether consensual adult–child sex is on balance generally harmful, and that if it is an open question whether an act is harmful, then we should err on the side of liberty. Kershnar has also published papers in defense of violent

<sup>&</sup>lt;sup>27</sup> For my money, this story from 2020 is still the one to beat in that category: Coleen Flaherty, "Failure to Communicate: Professor Suspended for Saying Chinese Word that Sounds Like a Slur in English," *Inside Higher Ed*, September 7, 2020. link to the article

<sup>&</sup>lt;sup>28</sup> It was the 70s.

<sup>&</sup>lt;sup>29</sup> Peter Singer, Animal Liberation: The Definitive Classic of the Animal Movement (New York: Open Road Media), 53.

<sup>&</sup>lt;sup>30</sup> Peter Singer, *Practical Ethics*, 3rd ed. (Cambridge: Cambridge University Press, 2007), 162–163.

rape pornography,<sup>31</sup> discrimination against women in hiring<sup>32</sup> and in higher education admissions,<sup>33</sup>and, with certain qualifications, slavery.<sup>34</sup>

The standard moral objections to inviting someone to campus to publicly defend positions like these are familiar and have already been noted here.<sup>35</sup> Insofar as he aims to uphold an unblemished moral record – both for himself and his institution – the conventional opponent of no platforming must contend that all such objections are mistaken. As noted in the introduction, that way of opposing no platforming forces one to take stands on a host of other complicated issues. Since he is happy to concede that it is morally wrong to engage with certain contrarian arguments, the academic immoralist does not have the burden of debating the no platformer on those issues. In that sense, the conventional opponent of no platforming is on shakier dialectical ground than his unsaintly ally in the campus free speech wars.

A further advantage of the immoralist position is that it is better placed to recognize the unique appeal of offensive academic work. Those who deny there is anything wrong with pursuing offensive arguments risk diminishing the value of those sorts of arguments and the thinkers who employ them.

There is some epidemiological evidence that chronic boredom can lead to premature death.<sup>36</sup> But apart from that, typical academic work – especially in academic philosophy – is not the sort of thing that could ever harm anyone. That is part of the reason why so few people find typical academic work interesting or important.

Contrarians like Singer and Kershnar are not your typical academics. They are not mere contrarian edgelords either. What makes their work interesting, subversive, risky, and therefore valuable is that their positions are derived from what are (at least initially) plausible premises. Where most thinkers would – and many would say *should* – lose their nerve and turn back, they follow the argument where it leads (or, at least, where they think it does). Even among philosophers, such fearless commitment to the Socratic ideal – a willingness to make the argument the ruler, to adapt what Alexander said of *Seinfeld* – is rare. And you have to admire it.

Given the above remarks about comedy, it should not be surprising that Singer and Kershnar are also both pretty funny. Denying there's anything morally objectionable in what they say spoils the joke. For instance, Singer defends bestiality in an article entitled "Heavy Petting."<sup>37</sup> In "Weigh More, Pay More,"<sup>38</sup> he defends the claim that fat people should be charged more for airline tickets or, at least, that they shouldn't be charged less than petite Asian women who bring along lots of extra luggage (his example). Kershnar has one called "In Defense of Asian Romantic Preference" published appropriately in the

<sup>&</sup>lt;sup>31</sup> Stephen Kershnar, "Is Violation Pornography Bad for Your Soul?" *Journal of Social Philosophy* 35 (2004): 349–366.

<sup>&</sup>lt;sup>32</sup> Stephen Kershnar, "Discounting Women's Applications when Hiring," *Philosophia* 48 (2020): 227–260.

<sup>&</sup>lt;sup>33</sup> Stephen Kershnar, "For Discrimination against Women," Law and Philosophy 26 (2007): 589–625 and see also "The Diversity Argument for Affirmative Action in Medical School: A Critique," Journal of Controversial Ideas 4 (2024).

<sup>&</sup>lt;sup>34</sup> Stephen Kershnar, "A Liberal Argument for Slavery," *Journal of Social Philosophy* 34 (2003): 510–536.

<sup>&</sup>lt;sup>35</sup> For a thorough and philosophically sophisticated defense of no platforming on moral grounds, see the final chapter of Jeremy Fantl's *The Limitations of the Open Mind* (Oxford: Oxford University Press, 2018).

<sup>&</sup>lt;sup>36</sup> Annie Britton and Martin J Shipley, "Bored to Death?" *International Journal of Epidemiology* 39 (2010): 370–371, link to the article

<sup>&</sup>lt;sup>37</sup> Peter Singer, "Heavy Petting," *Prospect*, April 19, 2001. link to the article

<sup>&</sup>lt;sup>38</sup> Peter Singer, "Weigh More, Pay More," *Project Syndicate*, March 12, 2012. link to the article

*International Journal of Applied Ethics*.<sup>39</sup> And on the aforementioned podcast, he reports an alleged anthropological fact that, in some cultures, it is common for grandmothers to calm colicky baby boys by performing fellatio on them. Kershnar notes that he does not know whether this is actually true but adds that, if it were true, "it's hard to see what would be wrong with it."<sup>40</sup>

Categorical denial of the immorality of engagement with offensive intellectual work also undervalues the university. Its fundamental commitment to follow the argument where it leads – even in cases where common moral decency recommends otherwise – is an important part of what makes the university uniquely admirable and societally important.

It is sometimes said that the courts are where the most careful epistemic standards are imposed. But the courts regularly restrict and control what sorts of evidence juries are permitted to consider. The fruit of the poisonous tree doctrine prohibits juries from considering evidence that is illegally gained, even in cases where that evidence would enable jurors to know that the accused is guilty. Rules of evidence are also epistemically paternalistic in prohibiting juries from viewing some evidence on the grounds that they might weight its value incorrectly.<sup>41</sup>

In that sense, our courts, unlike our universities, are not fundamentally committed to maintaining an environment where people are free to follow the argument where it leads. The reason why is clear enough. In the case of jury trials, allowing people to engage with evidence that is illegally acquired or highly prejudicial would threaten the achievement of justice in the long run. So here again we see how our fundamental moral aims conflict with a robust institutional commitment to follow the argument where it leads. This will become even clearer with another example.

#### An Argument that Deserves Your Attention

In response to what has been said so far, one might agree that there are harmful arguments but still hold the line Barnes defends where, depending on what the conclusion is, some harmful arguments should be engaged with and some should not. According to Barnes, what makes the difference is whether the argument is based on widely accepted premises. In cases like that, engagement provides provocation for critique of those premises. And, the thought goes, this makes engagement morally permissible. But there is no reason why even the most hideously offensive, harmful, and immoral conclusion could not be defended by appeal to widely accepted premises. To see why, let's take another look at Barnes' own example of a position that, according to her, does not deserve your attention.

Barnes says that if some philosopher has an argument for the moral goodness of rape, she does not want to hear it, will not go to that talk, and will not allow that person at her conference. In response, I offer the following:

1. Rape is non-consensual sex.

<sup>&</sup>lt;sup>39</sup> Stephen Kershnar, "In Defense of Asian Romantic Preference," *International Journal of Applied Philosophy* 32 (2018): 243–256.

<sup>&</sup>lt;sup>40</sup> You can listen to that episode of *Brain in a Vat* at link to the article Granny's old timey cure for colic is discussed at 5:50.

<sup>&</sup>lt;sup>41</sup> For a discussion and defense of epistemic paternalism, see Kristoffer Ahlstrom-Vij, *Epistemic Paternalism: A Defense* (New York: Palgrave Macmillan, 2013).

- 2. All coerced sex is non-consensual.
- 3. If two people, X and Y, are in a sexless romantic relationship and X expresses a desire to break up unless they start having sex, then X is guilty of coercing Y into sex.
- 4. If X and Y are in a sexless romantic relationship and X has a desire to break up unless they start having sex, it is morally good for X to express that desire to Y. *Therefore*,
- 5. Rape is morally good.

This pro-rape argument is, by Barnes' own lights, worth engaging with. The premises are each widely accepted claims. 1 and 2 are definitional. 3 is commonly stated in campus sexual assault policies.<sup>42</sup> And 4 is a corollary of the claim that communication is the foundation of any successful relationship – something people say all the time.

I doubt many will be convinced by this argument. You might view it as a reductio on its premises. Given that these premises are each widely accepted, if the above argument shows that at least one of them is false, then the argument is significant. You might also object on the grounds that the conclusion does not follow because the premises only show that rape is morally good *in some cases*. That too would be a significant – not to mention rather surprising – lesson. In any case, if you find yourself rejecting a premise or questioning the inference, you are implicitly granting that the argument deserves your attention.

The result that there are interesting and intellectually valuable arguments for the moral goodness of rape is one any philosopher should have seen coming. There are interesting and intellectually valuable philosophical arguments for the proposition that nothing ever moves, that no one knows anything, that no one is bald, fat, tall, or rich, that everyone is bald, fat, tall, and rich, that it is impossible to give a surprise quiz, that there are no mountains, tables, chairs, or people, and – my personal favorite – that all anyone ever sees is part of his own brain.<sup>43</sup>

Our moral beliefs – even the most obvious and fundamental ones – are no more epistemically secure than our belief that stuff moves. Therefore, we should be no less open to the possibility that there are interesting challenges to them. And that is why we should encourage such challenges and welcome them when they arise. But this does not mean people are mistaken to think it is morally wrong to publicly engage with such arguments on a university campus. Inviting someone to defend an argument for the moral goodness of rape exhibits, in Barnes' words, a callous disregard for the real suffering of real people. But this is what robust commitment to following the argument where it leads requires and that's what makes it admirable.

#### The Truth Objection

At this point in the dialectic, someone who is both an opponent of no platforming and skeptical of the immoralist position might allow that the ideal university is one committed to following the argument where it leads. And this means it must be a place for open engagement with contrarian ideas even when those ideas threaten to undermine our most fundamental beliefs. But, it might also be contended, the purpose of the whole endeavor is to get at the truth. And that is enough to make the effort morally acceptable if not laudatory. So, while providing a forum for discussion and defense of contrarian ideas might offend,

<sup>&</sup>lt;sup>42</sup> See, for instance, the University of Missouri-Kansas City's policy found at link to the article

<sup>&</sup>lt;sup>43</sup> That last one comes from Bertrand Russell's *The Analysis of Matter* (London: Keegan Paul, 1954 [1927), 383.

alienate, or otherwise harm people in the short run, such harms are morally outweighed by the good to be had in our ultimately knowing the truth. But there are several problems with this line of thinking.

One problem arises from the fact that many of the leading candidates for no platforming campaigns are views that concern philosophical matters. And, given philosophy's track record, the proposition that continued philosophical discussion and debate will collectively lead us to truth and knowledge is dubious. An event that occurred at the 20th century's final World Congress of Philosophy, which took place in Boston in 1998, provides a lovely demonstration of this fact.

One night at that event included a panel discussion that assembled three of the most famous and influential philosophers on the planet: Willard Quine, Donald Davidson, and Peter Strawson. A member of the press put what, for any other serious academic discipline, would be a softball question: What have we learned from philosophy in the last hundred years? Quine said pass and then Davidson went on for a bit about the amazing wonders of email and jet travel.

Although *The New York Times* did not recognize it as such in its account of the event,<sup>44</sup> Strawson offered about the best answer anyone could give to a question like that. It depends on what's meant by "we." Is the question asking for a significant item of knowledge philosophers have agreed upon in the last century? Or is it asking for a conclusion some particular philosopher has reached in that time? "If it's the former," he went on to say, "the possibility of any reply seems remote. And if it's the latter, there is no shortage of replies."<sup>45</sup>

A quarter-century later, I doubt we could do much better in answering that kind of question. As Ernest Sosa points out,<sup>46</sup> philosophy places a premium on the attainment of first-hand knowledge or, we might say, on figuring things out for yourself. This, combined with the fact that it concerns the most fundamental and most abstract questions, makes it hard to believe philosophy will ever generate the kind of collective knowledge we get from other fields.<sup>47</sup>

What about individual knowledge? The level of disagreement we find in philosophy looks like good grounds to doubt even the claims of individual philosophers to have discovered the truth. But then again, whether one can know that P when others who are equally informed and intelligent disagree is also a matter of debate in epistemology.<sup>48</sup> So even the grounds for doubt are doubtable. In any case, it's a good bet that those who endorse the truth objection to academic immoralism are running up a moral tab they will never pay off. Since he is not committed to the comforting thought that the arc of inquiry bends toward justice, the academic immoralist need not claim that this will all be morally worth it one day when we find the pot of truth at the end of the rainbow.

It is helpful to note another parallel with morally transgressive comedy. To be funny, you can't *just* be obnoxious and offensive. Part of what makes the morally transgressive comic admirable is that he takes risks that may not – and, depending on the audience and

<sup>&</sup>lt;sup>44</sup> Sarah Boxer, "Think Tank; At the End of a Century of Philosophizing, the Answer is Don't Ask," *The New York Times,* August 15, 1998.

<sup>&</sup>lt;sup>45</sup> Ibid.

<sup>&</sup>lt;sup>46</sup> Ernest Sosa, *Epistemic Explanations* (Oxford: Oxford University Press, 2021), ch. 1.

<sup>&</sup>lt;sup>47</sup> For a defense of a much more optimistic view, see Daniel Stoljar's *Philosophical Progress: In Defense of a Reasonable Optimism* (Oxford: Oxford University Press, 2017).

<sup>&</sup>lt;sup>48</sup> For an overview of the debate, see Jonathan Matheson, *The Epistemic Significance of Disagreement* (New York: Palgrave-Macmillan, 2015).

the comic, probably will not – result in a laugh. In the same way, the morally transgressive philosopher's quest to find the truth is undertaken despite the smart money being against the shooter. In both cases, this is a crucial part of what makes the effort admirable.

That said, it is probably too skeptical to claim that truth is always out of reach in philosophy. And being itself a philosophical claim, it is also pragmatically incoherent. And of course, philosophers are not the only targets of cancellation campaigns. But even in areas where it is reasonable to think truth and knowledge are attainable, these are still questionable grounds for a moral defense of the effort to follow the argument wherever it leads.

Consider the controversy that arose in 2005 when Lawrence Summers, then President of Harvard University, proposed the hypothesis that the relatively low numbers of women in science and engineering might be due to differences in intrinsic aptitude. Against the predictable accusations of sexism and calls for Summers' resignation, Steven Pinker came to his President's defense. In that defense, Pinker distinguishes the normative claim – a claim he calls "the core of feminism" – that people should not be discriminated against on the basis of sex from the descriptive psychological claim that certain cognitive differences between men and women are biologically based. Endorsing the latter does not entail a rejection of the former. As Pinker puts it, "The truth cannot be sexist. Whatever the facts turn out to be, they should not be taken to compromise the core of feminism."<sup>49</sup>

The trained ear will detect notes of "love me, I'm a liberal" and "no he didn't" in Pinker's proclamation that the truth cannot be sexist. The line also nicely exemplifies the sentiment that underlies the truth objection to academic immoralism. Regardless of what we should think about the Summers controversy in particular,<sup>50</sup> there are several reasons to be skeptical of the claim that following the argument where it leads will not (or should not) compromise our fundamental moral principles.

First, what Pinker calls the core of feminism is already threatened by free and open debate and discussion within academia. As noted earlier, some of our boldest contemporary moral philosophers have argued that discrimination against women in certain social contexts is justified. But, for the last forty years or so, the more fashionable attack on the so-called core of feminism has come from people who identify as feminists and support various forms of sex-based discrimination in the other direction.<sup>51</sup> If we aim to follow the argument where it leads here, we cannot dogmatically hold to our moral principles whatever the facts may be. We must engage with arguments designed to undermine those principles and we must be ready to change our minds if that is what the best reasons dictate.

Second, the fact that a hypothesis is descriptive and not normative does not mean it cannot threaten our fundamental moral principles. Even if it is true that we cannot immediately derive an ought from an is, it is still the case that, depending on what our background principles happen to be, our empirical is-es will often have implications for our moral oughts. (After all, what supports our refusal to grant certain rights to children if

<sup>&</sup>lt;sup>49</sup> You can watch Pinker's talk at link to the article and you can read a transcript of it at link to the article.

<sup>&</sup>lt;sup>50</sup> Pinker is not the only one to defend the claim that the accusations of sexism against Summers are unwarranted. See, for instance, David Benatar, *The Second Sexism* (Hoboken, NJ: Wiley-Blackwell, 2012), 225–228.

<sup>&</sup>lt;sup>51</sup> For a classic debate on the issue of preferential treatment in hiring, see Allison Jaggar's "Relaxing the Limits on Preferential Treatment," *Social Theory and Practice* 4 (1977), 227–235 and Alan H. Goldman's "Reply to Jaggar," *Social Theory and Practice* 4 (1977), 235–237.

not empirically supported beliefs about their cognitive aptitudes?) If it becomes generally agreed that the relatively low number of women in science and engineering is a product of biologically based cognitive differences, someone like Pinker may refuse to draw any normative implications for how men and women ought to be treated. But others will. The apparent naturalness of these implications is no doubt why so many were so shocked by Summers' suggestion in the first place.

The fallibility of human reason and evidence are also important here. Sometimes it is epistemically rational to believe false things. Given that sexism is false, the truth by definition cannot be sexist. But that doesn't mean sexist beliefs cannot be an epistemically rational response to our best available evidence. And even when they are not rationally warranted by the evidence, such beliefs and practices might still be the outcome of inquiry on this kind of issue.

#### Conclusion

Aquinas said truth is a divine thing.<sup>52</sup> I disagree – for a couple reasons. One is that truth and knowledge are epistemic goods but that does not make them or the effort to obtain them morally good. Not every experiment is ethical. Even when the experiment consists only of discussion and debate, there can still be moral objections. The fact that so many would rather say "no he didn't" than "so what if he did?" when an academic is alleged to have advocated a morally atrocious position demonstrates the persuasive power of those objections.

In the conventional debate on no platforming, it is typically assumed that the issue turns on whether it is morally wrong to publicly engage with certain contrarian arguments on campus. On the usual way of looking at it, once that is acknowledged, the game is up and the no platformer wins. But academic immoralism shows us a third way. At the very least, this significantly changes the debate.

Even if it is obviously true, it is not enough to contend that publicly engaging with certain offensive ideas and arguments on campus is morally wrong. The no platformer must show, contra the case made here, that the moral reasons against engagement override the epistemic aims and interests of the inquirer and the university and not vice versa. Until that is shown, let us grant that following the argument where it leads is wrong and rude and dangerous. And let's do it anyway.

Funding: This research received no external funding.

**Acknowledgments:** For comments and conversation on earlier versions of this piece, I thank Gordon Barnes, Geddy R. Case, Rishi Joshi, Prof. Donny Hubcap, Jonathan Matheson, and Aeon Skoble. (Some have chosen to be thanked under a pseudonym.) I also thank audiences at the Southeastern Epistemology Conference, the FIRE Faculty Network Conference, the Alabama Philosophical Society, and the Philosophy, Politics, and Economics Society Conference. And I especially thank the anonymous referees at this journal.

**Conflicts of Interest:** The author declares no conflict of interest.

<sup>&</sup>lt;sup>52</sup> *Commentary on Nicomachean Ethics,* translated by C. I. Litzinger (Notre Dame, IN: Dumb Ox Books, 1993), Lecture 6, paragraph 77.