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# The values of liberté, égalité, fraternité fifty years on:

# why the 'free speech' debate makes it even less likely that Mai '68 could happen in Britain now than it was then.

## Abstract

***In May 1968 there was a strong sense of left-wing camaraderie that drew many French university students into collaboration with the workers' unions to rise up against de Gaulle's government. It is highly unlikely that British campuses could be gripped by these values of solidarity and shared agency in a common cause: what can that tell us about Britain? In Britain there are assumptions on the part of many young adults that we are free, equal and fraternal. The parallel digital world that they inhabit so comfortably appears to encourage and facilitate consumer behaviour and freedom of expression: it seems possible to buy and write online almost exactly what you like without consequences. Yet against a backdrop of crass populist discourse there are urgent issues regarding ethical behaviour: online and offline use of language is sharply racialised and gendered. People of colour and women of all ages are frequently attacked. Hate speech is poorly controlled and legal restraints are lagging behind the global digital empires. In addition, on campus the British government is intervening much more than ever before, which makes some students less free, less equal and less fraternal than others. Free speech is being constrained. Populism is on the rise, framed by political alienation. Finally, precarity affects the young in their responses to university; is it worth incurring the debt of high fees? The philosophy of Ricoeur and Lorey show how to interrogate dominant discourses and attempt a better world.***

## Introduction

In 20C France the ideas of Karl Marx took many forms and provided students with various models for challenging the state and showing solidarity with workers. Not only is Marxism largely lacking in Britain, but also political activities of all types are being actively discouraged on campus. There are two ways in which government achieves this. Firstly the 2015 Counter Terror and Security Act has spawned a set of guidelines (the Prevent Duty Guidance) that advises reducing discussion of Islam and the Muslim world, in case students are radicalised into committing acts of terror. There is no evidence that this has ever happened on campus but it is taken seriously nevertheless. This approach affects three important aspects of university campus life: student society activities, visiting speaker invitations and the curriculum. Secondly the student unions

have recently been constrained by the Charity Commission to behave like charities and become apolitical. This discourages student society activities about anything that does not directly concern the local welfare of students on that campus. My research shows that these two regulatory mechanisms are having a chilling effect on freedom of expression and that the instruction from the Charity Commission to avoid discussing – for example - environmental issues, whale hunting, Prevent, Israel/Palestine and the state of political prisoners abroad is having an oppressive influence upon students. There are complex reasons for this that require analysis, at a time fifty years on from May 1968 when urban French campuses are again in turmoil from militant student action and British campuses are, again, not rising up. In the context of this chapter these issues of Prevent and the Charity Commission can only be summarised. More detailed analyses are provided by Heath-Kelly 2017, Scott-Baumann 2017, 2018a and b, and Scott-Baumann and Perfect 2019 (in preparation).

## Free, equal and fraternal in 1960s Europe

In May 1968 I was an English teenager, I wore my skirts and my hair long, and I read Mao's little red book and Baudelaire's poetry. All that summer I sat on the floor with my penfriend in Strasbourg and we spoke very seriously about freedom and identity, read *Les Fleurs du Mal* to each other and opined on the rebellious, cool dudes manning the barricades in Paris. Perhaps we were quite relieved that they were a long way away. Later I wondered if much at all had happened, and when I went to university in England I was not in the least interested in, or cognisant of, political activism among the student body. That level of inactivity was then, and still is, characteristic of students in well-established democracies - except for the French and possibly the Germans, who coined their own terms: the *soixante-huitardes* and the *Achtundsechziger* respectively.

However, Vinen's suggestion that there was a lack of sincerity during the 'long '68' seems unjust and inaccurate (Vinen 2018). Believing in ideals, even when some behaviour was frankly ridiculous, gives us values to honour. The image of young adults walking 20 abreast down a boulevard in Paris, Lille or Lyon, arms linked, heads held high, proselytising zeal flashing in their eyes about something or nothing in particular, is an 'iconic' one that we can conjure up easily because we have seen it often in black and white photographs from the late 1960s and early 1970s. British students don't have the same reputation. Indeed both then and now, levels of political literacy on campus appear to be low: French students are revolting again in 2018 but British students don't seem

to have noticed the chilling effect orchestrated by the Prevent Duty Guidance agenda and by the Charity Commission. In fact this chilling effect intensified soon after 9/11 and was present even before that with regard to certain topics that had already been discouraged for some time, most notable of which is Israel/ Palestine.

**So what happened in May 1968 in France: sex and drugs and rock'n'roll**

This was photogenic stuff: we witnessed fighting on the streets, burning cars and Gauloises-smoke-filled rooms heady with Marxist debate. In fact France was moved: President de Gaulle fled the country briefly, the government of France nearly fell and when it was all over the French workers had secured considerable improvements in their working conditions (*salles de réunions, panneaux syndicales;* staff rooms and union noticeboards) and salaries. Students had won the right to sit on management committees (*cogestion* co-management) although that turned out to be somewhat illusory. These changes came as a result of this socialist form of left wing populism and France felt chastened and relieved. At that time in Britain, the Labour working class was strongly united in values based on equality, but after that, the 1970s miners' strikes led to the destruction of Labour's main base: the workers (Ali 2018:6). Thus in 1968 there was a great deal of counterculture but the middle classes did not unite with the workers. It was not politics at the barricades, it was cultural politics: rebellious music, theatre, clothes and sex. The sex was very present on French university campuses too; while French students' support for workers' strikes had led to improved pay and working conditions, students were also keen on liberating each other.

For Paul Ricoeur, French philosopher and witness to these events, it seemed that one could actually attribute the events of May 1968 partly to a sexual revolution (Ricoeur, 1974). Ricoeur attributed the unrest also to the mixing of socio-economic groups (middle-class and working class, broadly speaking). Surely we must also see the febrile world context. Many French students knew about and regretted their country's and others' colonial actions and made attempts to retrieve some good from them: they recalled 1954 Dien Bien Phu, 1955 Bandung, 1959 Cuba, 1960 African colonial independence, they despised the French government's dealings with Algeria ('freed' in 1962), they noted the 1966 tricontinental conference and there was always Vietnam. British students tended to use music lyrics, fashion statements and art to express their understanding while French students rioted.

In France, Ricoeur found the Sorbonne system oppressive, inefficient and impersonal. He had great hopes for the new campus at Nanterre, mud pits in the

suburbs that he hoped would create a blueprint for a new university system. The social revolution that ensued, starting at Nanterre with features of a political revolt, was in fact a great disappointment to him. His work on the violence of language and the necessity for balance in dialectical provisionality and debate would have benefited the students greatly if they had been in a state of mind to listen. We can still learn from Ricoeur's sophisticated versions of thought from that turbulent time, trying to lessen the impact of Hegel in order to admire and critique Freud. Meanwhile the British university system, although still elitist and sexist, already represented the practical approaches for which Ricoeur longed; tutorial systems, smaller lecture halls than France and academic staff on site available for discussion.

**The situation in 21st C Britain**

There are economic and ideologically driven values at stake on the British campus. In economic terms neoliberal marketization has made the student-as-customer and debtor into the single unit that defines the modern university and colleagues on mainland Europe commiserate on our loss of the independent British university system that Ricoeur admired so much forty years ago (Collini 2018: 39). This is in stark contrast to the 19C sense that knowledge will empower the individual to enrich society culturally, economically and even morally. These older values can still be seen occasionally on campus, particularly because of the unusual nature of the university community, a vibrant place where young people of different backgrounds, cultures and socio-economic means can meet who would otherwise never do so. Yet there are ideological values embedded in the surveillance policy structures I've mentioned that militate against frank discussion of controversial matters, let alone revolt.

In 2017 the Higher Education Policy Institute (HEPI) published their analysis of free speech on campus (*Keeping Schtumm*); they found that students are ambivalent about free speech, which is perhaps no surprise, as it is a complex issue. In March 2016 HEPI had conducted a student survey about free speech on campus. HEPI found that over fifty percent of the student sample they worked with believed that it is reasonable for universities to work closely with the police and security services to identify students at risk. They also supported the training of staff to recognise people who might support terrorism. One in five of the sample of students indicated they do not know what their personal opinion is. When asked about the NUS's non-platforming policy, 76% agreed wholly or partly with it and 48% support a safe space policy. It is difficult to know from these findings whether students were considering the issues around self-

censorship and whether it is commonly perceived to be necessary to ensure that a segment of the population do not express their thoughts. This may be thought of by many as a necessary evil: ring-fencing the possible danger from one small group can be accepted grudgingly as a utilitarian necessity when seeking to preserve the wellbeing of the majority. What is not clear is whether these students were aware that some students might feel freer to speak openly than others. This possibility was clearly understood from empirical data collected during the 2016-17 academic year for the three year AHRC project based at SOAS, Re/presenting Islam on campus. From a sample of nearly 300 staff and students at six university campuses, over 80 expressed concern about Prevent and its effects:

*And, as I say, I don't think terrorism is something that is … I mean, it's ludicrous to me to suggest that terrorism would be a concern with my students. But, at the same time, you know, I can imagine that they might feel intimidated by this sort of a climate of policing of their thought, and their ability to express ideas.* Academic staff member, AHRC research project

How can we understand students now: are they transformers of a nation's cultural imagination or are they 'snowflakes' that melt at the slightest whiff of controversy? Our evidence suggests that they feel constrained by the surveillance atmosphere and may become unwilling transmitters of a restrictive cultural imagination. In 1968 in Paris it was different: they daubed obscene or political slogans on lecture hall walls and used quotes from classical philosophy to show their erudition – sometimes misspelt! This was 'move fast and break things' but not as we see it now multiplied by the internet (Taplin 2017). Taplin analyses how, over the last few decades, this mantra has inspired and shaped much about Silicon Valley …..Contrasted with what happens in digital media now, the 1968 revolts seemed positively wholesome, because they were visible to all and physically enacted in public spaces by humans, not controlled by algorithms, disseminated by memes or secreted in supposedly private hate-filled chatrooms that periodically are 'outed' by a shocked chatroom member, as we shall see through discussion of events at Exeter and Warwick in spring 2018.

What we now have in 2018, in politicised spaces such as digital chatrooms and the right wing press, is a different and worrying tendency to use language to make non-dialogical and extreme assertions that are offensive, unproven and unprovable. These assertions make conversation impossible. In 1967, when the French student activism and desire to improve the French university system was beginning to build up, Ricoeur wrote an essay entitled *Violence and Language*, in which he demonstrates the dangers of these incompatible impulses becoming

conjoined. Violence is quintessentially an imbalance of power, and this is currently manifested in language through non-dialogic utterances that discount the possibility of an interlocutor. These linguistic features have become characteristic of the amorphous yet dangerous political impulse called populism, often seen as a 'thin ideology' that cannot stand alone and that is parasitic upon another ideology from which it feels alienated, usually liberal democracy.

Populism is thus often based upon perceived alienation from political agency, a dichotomy between a pure people and a corrupt elite, as well as a demand to retain popular sovereignty (Mudde and Kaltwasser 2017). Unlike communism or fascism that are recognisably themselves, populism is a chameleon and can be left wing or right wing or both. What characterises populism currently across Europe and N America is its dependence upon the use of extreme language as just described. This is so extreme and aggressive, often racist and hate filled, that students seek to avoid open contact with such utterances, perhaps believing that they cannot counter them. Students who engage in racist and sexist abuse online do not usually do so publicly and therefore cannot be challenged. This often creates a vacuum that populist assertions can fill, becoming strong without being challenged. Therefore I take populism as a challenge to us: a challenge to the language we have become accustomed to, online as well as off, a challenge to our memories of May 1968 and a challenge to our future agency after May 2018.

**Public and private spaces**

If May 68 represented an attempt by students and workers to create a populist movement, shouting about everything they wanted and attempting to create *liberté, égalité* and *fraternité*, then populism presents a very different challenge for students in 2018. Outspoken talk has gone underground, i.e. online and has taken a very unpleasant turn: there is a specific example of this that shows how vulnerable students may have become to the illusion that the digital world is simultaneously liberating, egalitarian and fraternal. In spring 2018 it became public knowledge that two separate groups of students, one at Warwick University and one at Exeter, had been posting apparently racist and sexist messages to each other on what they believed to be private groups on Facebook and WhatsApp. Presumably a member of their group took a dislike to their posts and reported them. For some of these students this reportedly led to them losing their work placement at a law firm and being expelled from their university, for others it led to suspension. Lawyers became involved and there was much public discussion and newspaper coverage about these two episodes. I believe it would be inappropriate to comment upon the punishments meted out

by the two universities, because I do not know the exact details of each event. Nevertheless it seems likely that university managements in general find themselves perplexed as to how to respond, because of the potential reputational damage to the institution and the possibility that any punishment could be unfair, given the likelihood that there is a great deal of such online behaviour that remains undetected/ unreported.

**Public and private behaviour**

The values ostensibly at stake in monitoring online behaviour are those enshrined in the Human Rights Act, Article 9 (freedom of thought, belief and religion) article 10; (freedom of expression), and article 11 (freedom of assembly and association). In addition these are protected by article 14; (protection from discrimination in respect of these rights and freedoms). Recently I was briefly interviewed on the Today programme on radio 4 about the Exeter and Warwick cases - and I had time to make two points: first, nothing online is ever private. Secondly, the illegal/ borderline illegal nature of the hate speech that was used make it the responsibility of universities to warn students of the dangers of using such language and to put in place censuring and even punishment procedures. Certainly SOAS has a section in its code of conduct about such behaviour, on and offline. All students sign up to that upon arrival and the possibility of sanctions, including suspension and expulsion, are clear.

It is, however, possible that universities need to be more proactive in guiding students about online etiquette. I say this not least because of the tenor of the conversation threads that follow the newspaper articles that reported these events and the tone of my interlocutors in my radio interview. In both contexts there was a strong view that the young do make mistakes, they should be allowed to say unacceptable stuff and anyway they were writing privately. This is all true to a degree, but the debate indicates that there is therefore a general failure to acknowledge what Plato worked out a long time before the internet, namely that once you write something down, you cannot be responsible for it anymore. Nothing is private on the internet. There is also a possible failure of empathy: the perpetrators were young white men, writing obscene and racist posts about women and people of colour. Empathy can be considered to be a value that is highly prized in modern society. As the ability to understand another person's point of view, empathy can also be used ruthlessly in business, for example. However, it can be argued that a core principle of equality is the requirement that we should follow a broadly Kantian model, in treating others as we would wish them to treat us. Normally this means treating others with respect. Thus, while the parallel digital world appears to encourage and

facilitate freedom, there are major issues regarding ethical behaviour. Mostly the digital world is remarkably, even shockingly little regulated. In addition, the philosophical traditions and legal limits of free speech are poorly adhered to (Lee and Scott-Baumann 2019).

One of the great triumphs of populism is that it creates the impression that the privileged majority are in fact suffering at the hands of others (such as immigrants) *as if* they were a beleaguered minority: we see this on a small scale with these micro-aggressions that relatively privileged students feel entitled to write down online.

**Intrusion onto campus activities: the Charity Commission and Prevent**

In contrast with the unregulated digital world, central government is intervening much more than ever before in student activities on campus, which I will show makes students less free, less equal and less fraternal. We are told by the media and by government that there is a moral crisis on campus: free speech is being hampered by students using no-platforming and safe spaces, such that they render themselves incapable of dealing with difficult concepts and ideas. Beloff asserts that he was no-platformed, perhaps almost as a badge of honour (Beloff 2018: 13). We are told how Germaine Greer and Peter Tatchell were no-platformed. From this debate we have the idea of the snowflake generation (Wonkhe 2017).

In fact the situation in this 'moral crisis' is rather different to the one being discussed so much: universities are unusual settings, where young people mix and socialise and learn together who otherwise might well avoid each other. In our daily lives after formal education we choose who we spend time with but at university we are thrown together. Over two million students study each year in Britain, and although they are a privileged minority, they also represent many different and potentially incompatible viewpoints, religious approaches and cultural backgrounds. Yet, despite this rich heterogeneity, on each university campus thousands of public events take place every year, and most of them pass without incident. Germaine Greer and Peter Tatchell were not no-platformed after all, they were able to speak, although costly security was probably necessary, because of the adverse publicity generated beforehand.

Yet it seems that there is some chilling of speech happening on campus. Not only are we receiving malinformation, but also there is undoubtedly some censorship, as it is harder than it used to be to discuss certain topics: Student Union (SU) officers report that they have to fill in a lot of paperwork for outside speakers and that they are more careful about what they discuss with students than they used to be (Scott-Baumann and Perfect in preparation 2019). This

comes from the recent re-categorising of the SUs as full, no longer exempt, charities. By coming directly under the regulation of the Charity Commission, SUs have to accept CC regulations: SU behaviour must conform by being apolitical and by avoiding not only illegality but also controversy. Being controversial seems to be measurable on a Google test; if a prospective speaker is vilified online they may be considered too controversial to invite. This is having a chilling effect on those campuses where there are Muslims. Moreover it accords a great deal of power to the media to create controversy that becomes damaging even if unfounded.

This creates ethical dilemmas for student unions. As the Joint Committee on Human Rights pointed out in the final report about its investigation of free speech on campus:

*the generic guidance on protecting a charity's reputation does not place due weight on the fact that inhibiting lawful free speech can do as much damage to a student union's reputation as hosting a controversial speaker.* Pp 36-7 JCHR final report

Legal experts warn of the dangers of this and when Helen Mountfield QC gave evidence to the same JCHR investigation of free speech on campus she expressed her concern:

*The Charity Commission's view is that that expression of opinion goes beyond the student union's charitable objects and I think that rather depends on the way in which the opinion is presented. I think it goes too far and may suppress speech that is actually lawful and within the student union's charitable objects.* P 34 JCHR final report

## Precarity conditions students' responses to university

Students are now encouraged to see themselves as customers, consumers of the education that they require in order to secure good jobs with their university degree. The idea of knowledge as intrinsically valuable, a good in itself seems to have fallen by the wayside. Annually over 2 million students are attending UK universities. Debt and difficulties in securing jobs are major factors in many of these young people's lives and yet the state we inhabit is still *relatively* stable: as integral components of the necessary balances in a mature democracy, the judiciary is still relatively independent of government and although education may no longer be, it is at least aware to some extent of its dependency

(Collini 2018). Lorey demonstrates how the neoliberal approach functions within this stable state to create the impression of instability which makes us easier to govern. This is achieved partly by increasing fears about security, manifested in the perceived need for enhanced police and military support, surveillance regimes, and discourse about freedom and insecurity, not about freedom and security (Lorey 2012:64). Because it is becoming difficult for students to be confident about job prospects, economic instability is, relatively speaking, a major concern that may not be demonstrably improved by attending university. The shrunken state apparatus increasingly functions to construct this impression of social insecurity, which makes the precariousness of living well into a reality. The Brexit discourse is perfectly attuned to amplifying this pervasive sense of insecurity whereby 'insecurity becomes a normalized mode of government' (Lorey 2012: 65). It seems unlikely that students in Britain would rebel when they find themselves increasingly embedded in insecurity, although of course Britain is still a safe and stable country. In challenging and addressing these phenomena, the young have a unique role to play. A university education allows for higher-level formation of abstract and practical ideas, which should encourage a critical approach to extremisms, as well as higher chain production where developed western economies can compete on a global scale – led by university education, innovation and research.

Populism is creating societal tensions and we ask why it is that the young seem unable to see the dangerous possibilities of populism in its current forms. We know that youth activism erupts at times when established political structures and players prove unable or unwilling to tackle a problem: racism in Birmingham, Alabama 1963, capitalism in Paris 1968, Russian control in the Prague spring 1968, oppression in Soweto 1976, desire for democracy in the Arab spring 2011, gun control protests in USA 2018, and there are many more. Students protest against injustice, they protest for specific change, and they are capable of achieving a mood swing in a population that can put inescapable pressure upon the political classes. Of course we know that young people are less likely to vote and are often infantilized by their elders (who mock the young as 'snowflakes'), cannot withdraw their labour because they are students, and thus often have less of a say in the issues that finally cause them to erupt in protest. Young people also interact in many different ways with political ideologies: they voted for Margaret Thatcher in 1979 and 1983 and many voted for Trump in 2017. Yet the young are also known to be good diffusers of innovations (Rogers, 2003).

This possibility of successful diffusion of knowledge can only be achieved when

there is legal protection of free expression, as emphasized by the JCHR final report on free speech on campus:

*This right to free speech is a foundation for democracy. It is important in all settings, but especially in universities, where education and learning are advanced through dialogue and debate. It underpins academic freedom. Universities are places where ideas are developed, a diverse range of interesting–and sometimes controversial–topics should be debated. Students are among those particularly affected.* (JCHR final report, 2018:3)

## Conclusions and recommendations

When young people group together to act, their activism can be said to be a necessary (although not a sufficient) trigger for progressive change. However, currently they are apparently not ready, willing or able to take on populism. Current outbreaks of populism in Europe and elsewhere are providing a platform for hate speech, racial discrimination, and social division, online and offline. Liberty, freedom and fraternity are under pressure. In Italy the young "hipster fascists" who support a return to fascism believe this is the only way. We may find that these populist movements are indeed based on reasonable questions about corrupt elites and the voice of the people being ignored, but they can lead to the wrong answers, such as giving the people a referendum vote on a subject they do not understand (Mudde and Kaltwasser, 2017).

A remarkable feature of the current British and European situation is that young people do not seem to be asking for explanations or for justice and many seem to accept the drift to extreme politics, while often despising it. Of course there are counter examples, such as the use of digital media by groups within the Labour Party such as Momentum, which galvanized thousands of young Britons in the run up to the most recent British election (Ali 2018: 8-9). Students on campus are the most potentially powerful group to act upon the negative use of digital platforms, yet they are not reacting, except perhaps to avoid these issues or select a different path, such as leaving their country to find work, as young Italians are doing. One correlational, possibly even causal factor in this mix is the use of populism on campus which has the effect of chilling free speech. The counter terror agenda serves the government as a populist ploy playing into fears of terrorism. The Charity Commission is endorsing such an ideology by having a chilling effect on 'controversial' topics.

A potentially important reason to focus on students is because they can have a valuable role as innovators and leaders in developing innovative ways of thinking about society's ills and then diffusing these innovations into society. There are precedents for these ideas about the characteristics of innovators in society. Rogers's (2003) seminal work on the diffusion of innovation, which has been used in numerous programme designs and empirical studies, proposes a model whereby innovation diffuses through a population as a normal distribution. He believed that innovators and opinion leaders, making up about 2.5% of the population, develop or take on new ideas first and then assist in the diffusion of these to other parts of society. According to Rogers' model, these innovators tend to be younger in age than the general population and higher in social class. They often have greater financial resources, have large social networks including other innovators, and have access to scientific sources. In short, university students share many important characteristics with innovators, facilitating the diffusion of innovation to the remainder of society. Students can be more flexible when it comes to activity changes. After establishing a family, people need more stability and have different responsibilities from those of students.

Lorey shows how being deprived of economic freedom creates a less equal society, but one that should make use of ideals of liberty, equality and fraternity- as the French students did in 1968 - in order to resist governmental pressures and inspire a better world. It should be possible to support students in becoming innovators in society and this would involve them becoming more critical of the digital world to which they are addicted. Research funding could be used to develop novel digital tools and activities which would support interventions to understand and respond critically to identified populism challenges. Relevant challenges may be directly on campus in terms of sensitizing students or research personnel to populism. It would be feasible to propose and develop mitigating strategies through the development of digital tools, such as online platforms, chatbots and apps. Such approaches could facilitate students' ability to debunk misinformation, and to recognize and understand populism. It is also possible to imagine meetings that bring together students on campus with researchers and members of the public, in order to plan to raise awareness of populism. Tools could be developed to support interventions in the curriculum or make additions to course structures. Additionally there could be on-campus campaigns or initiatives to consider how digital media can be used to address populism challenges and to establish arenas for debate and activism: the most potent value of all is exercising the right

to (controlled) free speech for the good of society. We are a long way from that at present.

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