

2024 Yale Essay Contest Third Place Winner

Justin Crosby, Yale University, Senior

The Provocative, the Disturbing, the Unorthodox

For a while, I believed all speech was beautiful. Just look at photos of the March on Washington, or the gay activists picketing the White House in 1965, or the ladies in long dresses holding “VOTES FOR WOMEN” posters. They’re stunning, and in my youth, they’re how I pictured the First Amendment.

And then I grew and found myself listening to garbled bellows of street preachers, jeers and cheers of elites stripping an American flag from its pole, rowdy protests at a vigil for a slain transgender girl. I searched and searched for beauty, but I never found any. I didn’t want to accept how ugly it all was.

The Woodward Report’s prose is beautiful: “We value freedom of expression precisely because it provides a forum for the new, the provocative, the disturbing, and the unorthodox.” Perhaps it’s so beautiful that one forgets what some of those words—provocative, disturbing, unorthodox—mean.

Let’s turn the clock back to October 2015. Erika Christakis, associate master of Silliman College, was displeased by an email on “appropriate Halloween-wear” from the Yale administration. In a message of her own, she encouraged students to “talk to each other” if offense were to arise due to costumes. She dared claim it was not the place of the administration to tell students how to dress.

Soon after, Nicholas Christakis, her husband and the master of Silliman, was confronted in Silliman’s courtyard. A video shows a student, Jerelyn Luther, yelling at him: “Who the fuck hired you?” She must not have liked the idea of talking things out with her peers. “It is not about creating an intellectual space, it is not. Do you understand that?” she shouts. “It is about creating a home here.” One can hear faint snaps in the background. Christakis remains calm as a crowd circles him.

“You should not sleep at night,” she continues. “You are disgusting.”

Luther’s rage is provocative, disturbing, unorthodox. It’s ugly. I understand why much of the nation, and probably every friend of the First Amendment, was appalled by it. But hers is the very kind of speech the Woodward Report defends.

“Free expression is an important value,” wrote Kenneth J. Barnes in his dissent to the Woodward Report, “but it is not the only value which we uphold.” He argued that even if free expression were the best way of arriving at the truth, Yale must also value different kinds of knowledge, chiefly “human knowledge.”

What is human knowledge? It’s knowing “how to live responsibly in our modern society, how to deal with other people in a context of mutual respect and harmony,” claimed Barnes. He believed that when free expression disrupts harmony, Yale ought to curtail it. So should the administration have shut down or disciplined Jerelyn Luther? Or should they have sanctioned Erika Christakis for her email?

The administration rightfully punished neither. President Peter Salovey defended the Christakis, though they decided to resign anyway.

Silliman’s Halloween-gate was an international embarrassment to the Yale community, and it certainly disrupted “harmony” on campus. Barnes might’ve seen it as a failure of the Yale administration—one can imagine his lament: they should’ve enforced civility better!—but I see it as a failure of the Yale community.

Incivility and disrespect are symptoms of deeper illnesses. To conceal them without addressing their cause, as Barnes’ argument proposes, would be not only foolish but impossible. As soon as a bureaucracy steps in, clumsily “mandating” civility and respect, it will achieve neither and inhibit both. The disease behind Luther’s incivility was a deep-seated inability—one common at Yale—to talk with people different from one’s self. There is no easy remedy to this.

“The primary function of a university is to discover and disseminate knowledge,” reads the Woodward Report, “by means of research and teaching.” I agree with the first part of the statement, but I disagree that knowledge’s chief avenues are research and teaching. We are a community tasked with navigating our own co-existence, and I think therein lies our most important opportunity for “intellectual discovery.”

If civility is imposed—or rather, incivility forbidden—can we expect to know anything true and thorough about our university? Incivility, although unwise and unbecoming, plays a critical role in informing us about our community. When Luther yelled at Nicholas Christakis, she expressed anger that clearly lived deep in her. Her words and her delivery were sources of knowledge; they alerted the public to the intolerance flourishing at Yale. Intellectual discovery thus welcomes a level of disruption.

As much as I appreciate the disruptor, she does not have the right to cause total dysfunction. She is welcome to provoke, disturb, say unorthodox things—but regardless of what she believes, she should not have the right to step into a class and shout down a professor. Nor should she have the right to wail all night in a courtyard, or block a dining hall, or grossly inhibit the university’s elementary functioning.

To protect both free expression and the pursuit of knowledge, Yale should enforce the restrictions on free speech backed by First Amendment jurisprudence. For instance, the Woodward Report cautions that protests should not be permitted to disrupt “university activity.” In practice, this should look like reasonable and content-neutral time, place, and manner restrictions.

Though we can learn from incivility, it is destructive to discourse and social trust. This does not mean we should ban or punish it; it means we, as a community, should try to remedy its causes. When extreme incivility occurs, like in Halloween-gate, we are briefly inspired to locate and administer remedies. But I’m convinced the most pervasive and sinister incivility goes undetected by most.

A few years ago, three Silliman students dressed as the “three blind mice” for Halloween. Naturally, someone sent an email to all of Silliman, expressing how problematic the costume was. Although the women felt misunderstood, they did not dare respond. They changed costumes and have since gone to great lengths to keep their identities private. Barnes would be pleased by the maintenance of harmony.

But was there harmony to maintain? A campus on edge might be a quiet one, and for someone like Barnes, that quietude might seem like “harmony.” But for all those who do not toe the line of what’s “acceptable,” the quiet is uneasy. It’s tense. It trembles and always feels like it’s about to explode. It’s the polar opposite of harmony. It’s terror.

Yale’s problem is not normally one of dramatic incivility. It’s one of a quiet, pervasive, intolerance, which is made of emails and social media posts and gossip and a hundred other things. Too often, it goes unnoticed by those who conform to groupthink. Only when things turn more demonstrably uncivil are we all made to look soberly at how sick and unsightly we have become.

If we want beautiful, harmonious, speech, we need to become more beautiful, harmonious, people. Until then, we will be—and should be—forced to reckon with what’s provocative, disturbing, and unorthodox. And when Barnes comes around, offering us a shortcut to his crummy notion of “harmony,” we must warn him: Silence can be imposed, but civility and respect cannot be. Those must be earned.