



Trigger Warnings and Safe Spaces in Higher Education: Keeping Students ‘Safe’ or Suppressing Free Speech?

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In light of the increasingly polarized and politicized world of college campuses, this session examines the spread of trigger warnings and safe spaces, constructs now emerging in Australian and American colleges and universities.

Trigger warnings are notices about the content of classes or presentations by guest speakers and on written materials advising students they may encounter ideas with which they disagree and/ or find offensive. A related construct, safe spaces are locations on campuses where students can gather to be free from hearing about ideas with which they disagree or to discuss their reactions to materials they consider offensive. Critics of trigger warnings and safe spaces maintain that these constructs limit the academic freedom of faculty members and invited guest speakers, whose appearances have been cancelled while inhibiting the free exchange of ideas in class or elsewhere, leading to the suppression of freedom of speech on campuses.

In light of the 2017 theme for the ANZELA Conference of “Education Law for a Safe World,” as well as legal and cultural developments in Australia and the US due to the call for trigger warnings and safe spaces, this session is divided into two parts. The first section examines the status of the developments in Australia and US involving the status of trigger warnings and safe spaces along with litigation on free speech and academic freedom. The second part fits into the Conference theme by exploring the relationships between and among academic freedom, freedom of speech, and trigger warnings as they intersect with the rights of faculty members.

The presentation concludes by discussing the viability and wisdom, or lack thereof, of trigger warnings and safe places in the hope of enabling educational leaders, working with their attorneys, to develop sound policies to protect the rights of all stakeholders in higher education.