

Scholars Under Fire: Attempts to Sanction Scholars from 2000 to 2022





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Executive Summary

In this report, we explore the phenomenon of “cancel culture” as it applies to scholars in higher education institutions across the country. Specifically, we examine the nature of attempts to professionally sanction scholars, from 2000 to 2022, for speech that is — or would, in public settings, be — protected by the First Amendment. The Scholars Under Fire [database](#) is updated on a weekly basis, and the data in this report include all sanction attempts from 2000 to 2022 that we discovered before March 8, 2023. Any attempts discovered after that date, or that occurred in 2023, are viewable on the database but are not reflected in the findings of this report.

The key findings of this report include:

- 1,080 scholar sanction attempts occurred between 2000 and 2022.
- The annual number of attempts has increased dramatically over time, from four in 2000 to 145 in 2022.
- Almost two-thirds of attempts resulted in sanction, including 225 terminations (698 of 1,080, or 65%).
- Nearly three-quarters of terminations involved untenured, rather than tenured, scholars (165 of 225, or 73%).
- More than one-third of attempts were initiated by undergraduates (402 of 1,080, or 37%).
- In 2021, 213 sanction attempts occurred, more than in any other year. This was partially due to Turning Point USA calling on parents and students to contact the institutions of 61 professors featured on their Professor Watchlist website.

- Individuals and groups from the political left of the scholar have initiated more sanction attempts than those from the political right of the scholar (560 of 1,080, or 52%; 442 of 1,080, or 41%).
- Sanction attempts initiated by groups on campus — namely, undergraduates and/or other scholars — tend to come from the left of the scholar (301 of 402, or 75%, attempts from the left by undergraduates; 146 of 177, or 82%, attempts from the left by other scholars).
- Sanction attempts initiated by off-campus groups — namely, by the members of the public and/or government officials — tend to come from the right of the scholar (60 of 77, or 78%, attempts from the right by the general public; 64 of 74, or 86%, attempts from the right by government officials).
- More than 4 in 10 sanction attempts were in response to a scholar’s teaching practices and/or scientific inquiry (467 of 1,080, or 43%, in total; 278 of 1,080, or 26%, in response to teaching practices; 238 of 1,080, or 22%, in response to scientific inquiry).
- Scholars most often came under fire for speech about race (426 of 1,080, or 39%). Other controversial topics include institutional policy (259 of 1,080, or 24%) and partisanship (235 of 1,080, or 22%).
- Fewer than 1 in 10 sanction attempts occurred because the scholar engaged in contemptuous or malicious speech (64 of 1,080, or 6%). Nearly three-quarters of these attempts came from the right of the scholar (47 of 64, or 73%).
- Sanction attempts occurred most often in the disciplines at the core of a liberal arts education: law (95), political science (79), and history (71).
- The schools with the highest number of sanction *attempts* were: Harvard (23), Stanford (22), UCLA (19), Georgetown (16), Columbia (14), and University of Pennsylvania (14).
- The schools with the highest number of *successful* sanctions were: Harvard (12), University of Central Florida (10), Columbia (9), UCLA (9), and University of Florida (9).
- 90 of the top 100 universities in the U.S. have had at least one sanction attempt since 2000.
- The top 10 universities have had 113 attempts, with nearly 3 in 4 coming from the left (83, or 73%).

About Us

The Foundation for Individual Rights and Expression (FIRE) is a nonpartisan, nonprofit organization dedicated to defending and sustaining the individual rights of students and faculty members at America's colleges and universities. These rights include freedom of speech, freedom of association, due process, legal equality, religious liberty, and sanctity of conscience — the essential qualities of liberty.

For more information, visit thefire.org or FIRE's Twitter account, [@thefireorg](https://twitter.com/thefireorg).

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Greg Lukianoff
President and CEO, FIRE

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The Scholars Under Fire database is available online: <https://www.thefire.org/research-learn/scholars-under-fire>

Overview

When an authority figure punishes an individual's expression, this signals to the rest of a community's members what can be said or discussed openly and what is considered beyond the pale. Nicolaus Copernicus published "On the Revolutions of the Celestial Spheres," in which he outlined the theory of heliocentrism, just before his death because he feared retribution and scorn if he had done so earlier. Galileo did not heed Copernicus' example; he was declared a heretic after his peers appealed to the authority of the Catholic Church to punish him for his support of heliocentrism, and ordered to abstain from even discussing it.¹ When convicted of heresy a second time later in life, Galileo was placed under house arrest until his death. Two centuries later, Charles Darwin delayed the publication of the theory of natural selection for almost two decades to avoid the kind of punishment that befell Galileo.

Today, at least in Western democracies, the Catholic Church's ability to act as a gatekeeper to scholarly publication has waned. Scholars do not face the same kinds of obstacles Copernicus, Galileo, and Darwin did when expressing controversial, but also potentially groundbreaking, viewpoints. For instance, scholars are not being placed under house arrest for their support of, or opposition to, critical race theory. However, elected officials can and do try to restrict academic freedom in a variety of ways. Some write directly to a university to demand a professor face repercussions for criticizing them² or because they disapprove of the scholar's research.³ Others pass legislation banning books⁴ or restricting what can be taught in college classrooms.⁵ Some even initiate legal investigations into a scholar's work.⁶

1 S. Drake, Galileo's explorations in science. *Dalhousie Rev.*, 217-232 (1981)

2 See the Scholars Under Fire database: <https://www.thefire.org/research-learn/scholars-under-fire#home/targeting-incident-details/6of73eae8b84b3001f79be12/>; <https://www.thefire.org/research-learn/scholars-under-fire#home/targeting-incident-details/63dae45b20f54b0012155373/>

3 See the Scholars Under Fire database: <https://www.thefire.org/research-learn/scholars-under-fire#home/targeting-incident-details/63dae45b20f54b0012155373/>

4 "Book Banning Efforts Surged in 2021. These Titles Were the Most Targeted." *The New York Times*. <https://www.nytimes.com/2022/04/04/books/banned-books-libraries.html>

5 See Florida's "Stop WOKE Act": <https://www.flsenate.gov/Session/Bill/2022/7/BillText/er/PDF>, which led to FIRE's lawsuit: <https://www.thefire.org/research-learn/novoa-et-al-v-diaz-et-al-complaint>

6 See the Scholars Under Fire database: <https://www.thefire.org/research-learn/scholars-under-fire#home/targeting-incident-details/63d0277883300e00126dbebc>

In the United States, the McCarthy era (roughly 1947-1955) is well known for the chilling effect that hung over college and university faculty. Survey data indicates that almost 1,000 faculty members were accused of harboring suspicious loyalties and that about half of these faculty were sanctioned in some way.⁷ It is also estimated that roughly 100-150 faculty were fired or forced to resign.⁸ As a result, other professors censored their own political views so that they would not be investigated for possessing communist beliefs.⁹ Notably, even though some students were easily offended and quick to make snap-judgments about a professor's politics, the prevailing view among scholars during the McCarthy era was that threats to academic freedom came primarily from outside academia.¹⁰ Academia, however, is also a social reputational community¹¹ and scholars can be, and are, sanctioned by their school's administration and by their colleagues.¹²

This report discusses attempts to professionally sanction scholars at American institutions of higher education over the past 23 years (2000 to 2022), an analysis that includes community colleges and four-year institutions. Our findings are concerning. **Over these years, a total of 1,080 sanction attempts have been documented, and nearly two-thirds of them have resulted in some form of sanction (698 of 1080, or 65%). This includes 225 terminations, with 60 involving tenured professors.** It is also clear from our analysis that the frequency of sanction attempts has dramatically increased since 2014, with 877 of 1,080, or 81%, of sanction attempts occurring during the past eight years. 6 in 10 of these attempts (522 of 877, or 60%) resulted in some form of sanction, a figure that includes 156 terminations.

Even more alarming is that over the past eight years scholars are increasingly facing sanction attempts that are initiated from within academia. Perhaps this is why scholars are more fearful of expressing their views today than they were near the end of the McCarthy era, when 9% of social scientists surveyed in the spring of 1955 said they self-censor for fear of causing controversy.¹³

In contrast, in FIRE's 2022 faculty survey, roughly one-third of faculty (34%) said that they could not express their opinion at least a few times a week because of how students, colleagues, or their school's administration would respond. And, when provided with a definition of self-censorship,¹⁴ one-quarter of faculty said they were very (11%) or extremely (14%) likely to self-censor in their academic publications, and 45% said they were very (18%) or extremely (27%) likely to self-censor in official meetings or offices of administrators, faculty, or student groups. This survey also found that 34% of faculty have been pressured by their colleagues to avoid researching controversial topics, and that 29% have been pressured by their college administration

7 Lazarsfeld, P.F. & Thielens Jr., W. (1958). *The Academic Mind: Social Scientists in a Time of Crisis*. The Free Press of Glencoe.

8 Holmes, D.R. (1989). *Stalking the Academic Communist: Intellectual freedom and the Firing of Alex Novikoff*. Vermont; McCormick, C.H. (1989). *The Nest of Vipers: McCarthyism and Higher Education in the Mundel Affair*. University of Illinois Press; Schrecker, E.W. (1986). *No Ivory Tower: McCarthyism and the Universities*. Oxford University Press; Wilson, J.K. (2014). *A history of academic freedom in America*. Theses and Dissertations. 257. <https://ir.library.illinoisstate.edu/etd/257>; Woods, R.B. (2005). *Quest for Identity: America Since 1945*. Cambridge University Press. See also Lazarsfeld & Thielens Jr. (1958).v

9 Lazarsfeld & Thielens Jr. (1958); Schrecker (1986); Wilson (2014).

10 Lazarsfeld & Thielens Jr. (1958).

11 Jussim, L., Krosnick, J. A., Stevens, S. T., & Anglin, S. M. (2019). A social psychological model of scientific practices: Explaining research practices and outlining the potential for successful reforms. *Psychologica Belgica*, 59(1), 353-372; Stevens, S.T., Jussim, L., & Honeycutt, N. (2020). Scholarship suppression: Theoretical perspectives and emerging trends. *Societies*, 10(82).

12 German, K. & Stevens, S.T. (2022). Scholars under fire: 2021 year in review. Available online at: <https://www.thefire.org/research/publications/miscellaneous-publications/scholars-under-fire/scholars-under-fire-2021-year-in-review-full-text/>; See also Lazarsfeld & Thielens Jr. (1958).

13 Lazarsfeld & Thielens Jr. (1958).

14 Self-censorship was defined as: Refraining from sharing certain views because you fear social (e.g., exclusion from social events), professional (e.g., losing job or promotion), legal (e.g., prosecution or fine), or violent (e.g., assault) consequences, whether in person or remotely (e.g., by phone or online), and whether the consequences come from state or non-state sources.

to avoid teaching controversial topics.¹⁵

The body of this report contains seven sections. We first demonstrate that scholar sanction attempts have dramatically increased since 2000 and discuss possible reasons for this increase. Next, we discuss who is involved in sanction attempts, what kind of expression gets targeted for sanction, where this expression occurs, why the scholar is expressing themselves, and what the outcomes of sanction attempts are. Before concluding this report, we discuss some of the most controversial scholars targeted with sanction attempts over the last two decades.

Sanction Attempts Increased Dramatically From 2000 to 2022

In the year 2000, one-third of Americans used a dial-up modem to connect to the internet,¹⁶ the presidential election between Al Gore and George W. Bush went to a recount,¹⁷ and four attempts to sanction scholars for their free expression occurred at American colleges and universities. From 2000 to 2009, 108 sanction attempts occurred, with the annual total peaking at 17 in 2005 and again in 2008.¹⁸ In the next five years, from 2010 to 2014, there were 121 sanction attempts — 13 more than the entire previous decade — with the most (37) occurring in 2011. Comparing the frequency of sanction attempts over longer time-spans in the early 2000's to shorter ones in later years puts their increasing frequency in stark relief: In the span of 10 years (2000-2009) there were 108 sanction attempts; then, in the span of five years (2000-2009) there were 121; and in the span of just two years (2015-2016) there were 90.

The use of petitions and open letters in sanction attempts has gone from nonexistent to fairly common in the last 20 years. From 2000 to 2022 the annual number of

¹⁵ Honeycutt, N., Stevens, S.T., & Kaufmann, E. (2023). *The Academic Mind in 2022: What Faculty Think About Free Expression and Academic Freedom on Campus*. The Foundation for Individual Rights and Expression. Available online: <https://www.thefire.org/research-learn/academic-mind-2022-what-faculty-think-about-free-expression-and-academic-freedom>.

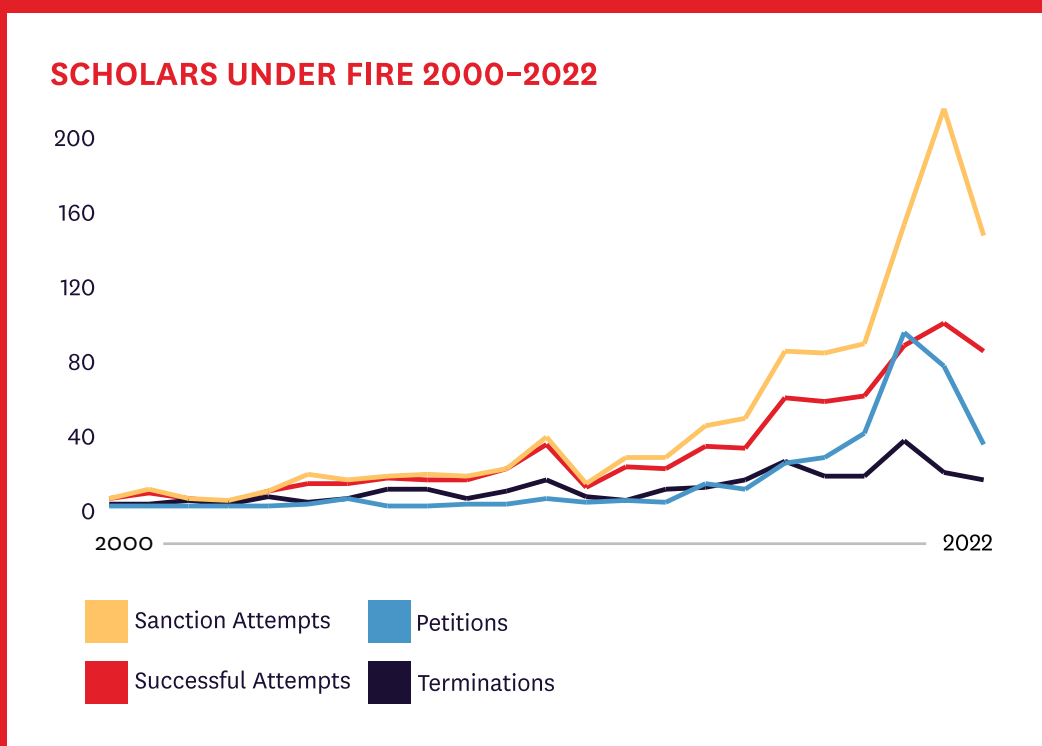
¹⁶ Zickuhr, K. & Smith, A. (August 26, 2013). Home broadband 2013. Available online: <https://web.archive.org/web/20140209214950/http://www.pewinternet.org/Reports/2013/Broadband.aspx>.

¹⁷ “The Bush-Gore Recount Is An Omen For 2020: An oral history of the craziest presidential election in modern history” *The Atlantic*. <https://www.theatlantic.com/politics/archive/2020/08/bush-gore-florida-recount-oral-history/614404/>

¹⁸ This spike from the previous year was primarily because one scholar, Ward Churchill, faced seven sanction attempts in 2005 over an essay titled “On the Justice of Roosting Chickens” in which he described the people working in the World Trade Center on 9/11 as “little Eichmanns.”

petitions and open letters calling for sanction went from zero to 33. In 2021 there were 75 — more than during any other year. The advent and popularization of social media coincides with the adoption of petitions and open letters circulated online as a method of demanding sanctions against scholars for their speech. In fact, there were *no* petitions or open letters from 2000 to 2004 and, at most, one each year from 2005 to 2010.

Terminations of scholars have also increased over the past two decades. In 2000, one scholar — a tenured professor, Jean R. Cobbs — was terminated from Virginia State University, purportedly for her conservative political views.¹⁹ Over the next decade another 46 scholars were terminated for their expression, nine of whom had tenure. Then, from 2011 to 2022, 178 scholars were terminated for their expression, 50 of whom had tenure. Of these 178 terminations over the past decade, 156 happened just since 2014, a figure which includes 44 tenured professors and suggests that the problem is becoming even more acute.



Sanction attempts — particularly attempts involving petitions and open letters — have risen astronomically since 2000. But have these attempts been *successful*? Nearly 2 in 3 sanction attempts have resulted in some form of sanction ranging from investigation to termination (671 of 1,053, or 64%). The success rate of sanction attempts has remained fairly stable since 2000, suggesting that sanctions — including terminations — have increased since 2000²⁰ not because censorial people are becoming more effective, but rather because their attempts to censor scholars have become more common.

¹⁹ See the Scholars Under Fire database: <https://www.thefire.org/research-learn/scholars-under-fire#home/targeting-incident-details/63ed28e0a1153a002a8ada30/>.

²⁰ Ironically, 2021, the year when sanction attempts peaked, had the lowest success rate (94 sanctions out of 210 attempts; 45%). This can be partially because *none* of the 61 attempts initiated by TPUSA via Professor Watchlist in 2021 resulted in sanctions.

Trump's Election, #MeToo Movement Spark Surge in Sanction Attempts

Then in 2017 there were 83 sanction attempts, followed by 82 in 2018 and 87 in 2019 — a total of 252 sanction attempts over three years, compared to a total of 319 over the previous 17 years. Of the 83 sanction attempts that occurred in 2017, 25 involved expression regarding partisanship, 23 focused on the political right, and 20 of them focused on specific politicians — in 2016 the number of sanction attempts related to these topics were 9, 4, and 6, respectively. In 2017, sanction attempts were also more likely to be initiated from the right of the scholar than from the left (48, or 58%, from the right; 32, or 39%, from the left).²¹ Consistent with our findings that sanction attempts initiated from the right are more likely to come from off-campus sources, 17 attempts from the right (20%) were initiated by the general public and eight (10%) were initiated by government officials — compared to two (4%) and one (2%), respectively, in 2016, and to seven (9%) and four (5%), respectively, in 2018.

Toward the end of 2017, the MeToo movement became prominent and gender-related expression was targeted for sanction with increased frequency. For instance, in 2016, 10 of 47 sanction attempts involved gender-related expression. This number increased to 18 in 2017, although the percentage of attempts regarding expression about gender was nearly identical to the percentage in 2016 (22% and 21%, respectively). In 2018 however, 33 of 82 sanction attempts, or 40%, occurred because of expression regarding gender, and 29 (or 35%) occurred because the focus of the expression was women, compared to 9 (19%) in 2016 and 14 (17%) in 2017. Additionally, the number of male scholars targeted for sanction because of expression regarding gender spiked. Of 33 attempts that occurred because of gender-related expression, 21 targeted male scholars compared to eight (17%) in 2016, nine (11%) in 2017, and 11 (13%) in 2019. Finally, of 33 sanction attempts initiated in 2018 because of gender-related expression, 25 (76%) came from the left of the scholar compared to seven (21%) that came from the right.²²

When these findings regarding what led to sanction attempts in 2017 and 2018 are considered together, they suggest that the surge in sanction attempts was driven, in part, by Donald Trump's election to the presidency and, later, by the emergence of the MeToo movement.

21 The remaining 3 attempts were not initiated from either the left or the right.

22 The remaining attempt was not initiated from either the left or the right.

After George Floyd: A Tsunami of Sanction Attempts

The most noticeable spike in sanction attempts occurred in 2020 and can primarily be attributed to George Floyd's murder in Minneapolis, Minnesota, that May. Of the 151 sanction attempts that occurred in 2020, 87 occurred in response to race-related expression (58%) — a figure more than double the 42 sanction attempts due to race-related expression in 2019 (48%). Of these 87 sanction attempts, 77 came from the left (89%) and the remaining 10 came from the right (11%). Additionally, 37 sanction attempts were due to expression regarding law enforcement protests (25%) — 31 of these came from the left (84%) and the remaining 6 came from the right (16%).

In 2020, undergraduates in particular ramped up their efforts to sanction scholars — from 45 attempts in 2019 to 79 in 2020 — and accounted for more than half of the 151 sanction attempts. Of these 79 sanction attempts, 67 came from the left (85%), almost three-quarters of these were in response to race-related expression (49 attempts, or 73%), and a third were in response to expression about protesting law enforcement (22 attempts). Furthermore, undergraduate attempts from the left accounted for over 9 in 10 of all sanction attempts initiated in response to race-related expression in 2020 (49 of 52 attempts, or 94%).

All of these findings indicate that expression regarding George Floyd's murder and the subsequent racial justice protests led to a deluge of sanction attempts frequently initiated by undergraduates.

What about 2021, when sanction attempts peaked at 213? Like the previous year, race-related expression was one of the primary reasons a scholar faced a sanction attempt in 2021, with 108 of all sanction attempts occurring in response to this kind of expression (51%). Expression regarding partisanship (61, or 29%), institutional policy (45, or 21%), and gender (40, or 19%) also led to a number of sanction attempts.

Of 213 sanction attempts in 2021, 111 came from the right of the scholar and 99 came from the left.²³ Sanction attempts initiated from the right in 2021 occurred primarily in response to race-related expression (56, or 50%), partisan expression (44, or 40%), and/or institutional policy (24, or 22%). Sanction attempts initiated from the left were similarly motivated. Over half of them occurred in response to race-related expression (49 of 92 attempts, or 53%). A number of sanction attempts from the left were also motivated by gender (23, or 25%), institutional policy (19, or 21%), and/or partisan expression (17, or 18%).

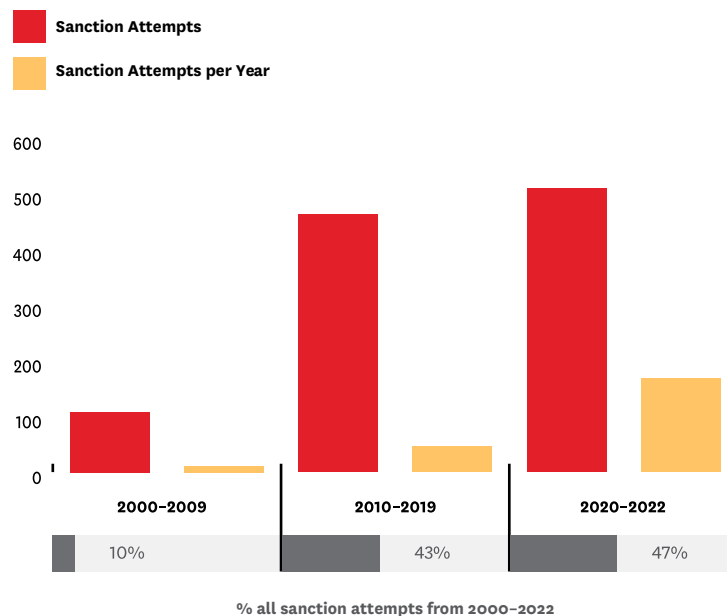
²³ The remaining 3 sanction attempts did come from either the left or the right.

Notably, two-thirds of the 111 attempts from the right came from a specific source: Turning Point USA’s Professor Watchlist, whose goal is to “expose and document college professors who discriminate against conservative students and advance leftist propaganda in the classroom,”²⁴ (61 sanction attempts, or 55%). To accomplish this, Professor Watchlist maintains a list — an academic blacklist — of hundreds of professors across the country who they believe are indoctrinating students with left-wing ideas.

FIRE, along with others,²⁵ is concerned that being featured on the Watchlist can have a chilling effect on a scholar’s expression. However, we also do not believe that mere inclusion on the Watchlist represents a sanction attempt against a scholar. So, if a scholar is listed on Professor Watchlist, what warrants inclusion? At the bottom of the pages of some of the featured professors, **TPUSA calls on students and parents to contact the professors’ institutions, and provides the phone numbers for them to do so.** We consider this a sanction attempt because listing this information on some, but not all, profiles strongly suggests that the purpose of listing it is to spur complaints and demands for sanctioning these specific scholars. On the basis of Professor Watchlist calling on parents and students to contact specific professors’ institutions, we added a total of 95 sanction attempts (including the 61 from 2021) to the Scholars Under Fire database. Thus, the peak of 213 sanction attempts in 2021 is somewhat illusory. If these 61 attempts were excluded from 2021 the total number of sanction attempts would be 152, one more than the 151 in 2020 and seven more than the 145 in 2022.

In terms of longer-term trends, the past three years account for almost half of all sanction attempts since 2000 (509 total, or 47%). The total number of sanction attempts that have occurred in this time period has already exceeded the previous decade’s total of 463 (43% of all sanction attempts). The coming years will tell us if these past few years represent something akin to a 50-year storm that may pass or a “new normal” for frequency of sanction attempts that is clearly exponentially worse than it was two decades ago.

The graph below compares the first two decades since 2000 with the last two years alone, revealing the astonishing rate at which sanction attempts have increased.



24 “About Us.” Professor Watchlist. Available online: <https://www.professorwatchlist.org/aboutus> (accessed on February 20, 2023).

25 “Professor Watchlist Is Seen as Threat to Academic Freedom.” The New York Times. Available online: <https://www.nytimes.com/2016/11/28/us/professor-watchlist-is-seen-as-threat-to-academic-freedom.html> (accessed on February 26, 2023).

Who is Involved in Sanction Attempts?

In this section we explore who is likely to face a sanction attempt for their expression and who is likely to initiate a sanction attempt against a scholar.

Who is Targeted For Sanction?

Public institutions — that is, those that are owned by the government — are bound by the laws that constrain state control of expression. Scholars at public institutions are protected by the First Amendment; therefore, attempts to sanction them for constitutionally protected speech are almost always unlawful. Ordinarily, the speech of public employees can be constrained by their employers when it is within the scope of their official duties; the Supreme Court, however, declined to extend that rationale to “a case involving speech related to scholarship or teaching” in the opinion which crafted the standard.²⁶ As subsequent court decisions have solidified, despite the general rule cabining public employee speech, the scope of academic freedom for faculty of public institutions remains roughly coextensive with the scope of protected non-employee speech outside the educational context.²⁷

Meanwhile, at private institutions, the relationship between faculty (employee) and institution (employer) is contractual, and nothing constrains a private institution from promising as much or as little academic freedom as it sees fit. As a practical matter, however, most private institutions do promise some level of academic freedom, and in some cases, make promises nearly coextensive with those rights on a public campus.²⁸

There are a number of reasons why that happens. To receive federal student aid, a higher educational institution must be accredited by an agency approved by the U.S. Department of Education, and these agencies sometimes require a commitment to academic freedom.²⁹ An institution that seeks to draw high-profile faculty might well be motivated to offer a scope of freedom as great as its public peer institutions. And perhaps most of all, a commitment to the mission of expanding the body of human knowledge encourages open inquiry in the pursuit of truth. Whether a private scholar’s speech is protected on a given campus will always be a question of fact based on the contractual relationship between institution and scholar.

When considering who is targeted more frequently for sanction, our analyses reveal that scholars at public, state universities, are more likely to face sanction attempts than scholars at private institutions. Additionally, scholars from specific academic disciplines and scholars who are tenured, White, and/or male face sanction attempts more than other scholars.

²⁶ *Gil Garcetti, et al. v. Richard Ceballos*, 547 U.S. 410, 425 (2006).

²⁷ See, e.g., *Adams v. Trustees of University of North Carolina–Wilmington*, 640 F.3d 550, 562 (4th Cir. 2011) (holding that the ordinary rule “would not apply in the academic context of a university as represented by the facts of this case”); *accord Demers v. Austin*, 746 F.3d 402, 412 (9th Cir. 2014) (“We conclude that *Garcetti* does not — indeed, consistent with the First Amendment, cannot — apply to teaching and academic writing that are performed ‘pursuant to the official duties’ of a teacher and professor.”).

²⁸ See, e.g., *McAdams v. Marquette Univ.*, 2383 Wis. 2d 358, 439 n.17 (2018) (“Marquette University, although a private institution, chose to guarantee academic freedom to McAdams in his contract.”).

²⁹ For one example, see Sabrina Conza, FIRE alerts Saint Vincent College’s accreditor to compliance violation after college president vows to personally approve all speaker invitations, *thefire.org*, June 2, 2022, at <https://www.thefire.org/news/fire-alerts-saint-vincent-colleges-accreditor-compliance-violation-after-college-president>.

State Colleges and Universities

Most state colleges and universities enroll considerably more students than their private counterparts. A result of this is that there are, on average, more scholars at state colleges and universities compared to private ones,³⁰ and these scholars may be more likely to face a sanction attempt because there are simply more scholars expressing views that others may deem worthy of sanction. Indeed, from 2000 to 2022, sanction attempts occurred more often at public institutions than at private ones (620, or 57%, at public institutions; 458, or 42%, at private institutions).³¹

Unfortunately, not only are scholars at public, state colleges and universities more likely to face a sanction attempt, they are also more likely to be sanctioned and even terminated. Of 698 successful sanction attempts since 2000, 428 occurred at state schools, compared to 268 at private ones (61% and 38%, respectively). And of 225 sanction attempts that resulted in termination, 122 occurred at state schools, compared to 102 at private ones (54% and 45%, respectively). Thus, many state colleges and universities appear to be failing to deliver the First Amendment protections they are obligated to uphold.

Professional Characteristics

Since 2000, scholars in disciplines that routinely discuss and debate politically controversial topics faced 402 of 1,080 sanction attempts (37%). These disciplines include law (95 sanction attempts), political science (80), history (72), English (61), philosophy (47), and sociology (47). Although a large percentage of the total faculty population comes from these fields, they are still overrepresented in the database. By contrast, many other highly populated disciplines (e.g., business, engineering, biological sciences) were the site of fewer than 25 sanction attempts since 2000. In other words, the core human-centered disciplines of liberal arts education have other distinct characteristics that make them the primary site of our culture war.

Having tenure is also a risk factor in facing a sanction attempt. Perhaps tenured faculty feel more professionally secure, and thus free to exercise their free speech and academic freedom. Or, tenured faculty may have larger platforms that allow more people, including critics, to hear what they have to say. More research is needed to understand whether professional security, audience size, or other factors make tenured faculty more likely to be targeted for sanction.

³⁰ “Characteristics of Postsecondary Faculty.” National Center for Education Statistics (NCES). <https://nces.ed.gov/programs/coe/indicator/csc/postsecondary-faculty>

³¹ The remaining 2 sanction attempts occurred at Federal Service Academies.

630 sanction attempts involved tenured scholars compared to 450 involving untenured scholars (58% and 42%, respectively). Tenured scholars faced sanction attempts at nearly triple the rate that would be expected given their numbers nationwide (299,776 tenured faculty of 1,386,105 full- and part-time instructional staff nationwide, or 22%).³²

Demographic Factors

Finally, demographic factors were also relevant to the frequency of sanction attempts. 845 sanction attempts involved White scholars (78%), compared to 92 involving Black scholars (9%), 41 involving Asian scholars (4%), 39 involving Middle-Eastern scholars (4%), 38 involving Hispanic/Latino scholars (4%) , and two involving Native-American scholars (1%) . These numbers roughly match the percentages of full- and part-time faculty of each race.³³

Males comprise less than half of full- and part-time faculty (671,952 of 1,386,105 full- and part-time instructional staff nationwide, or 48%), yet they are nearly two-and-a-half times more likely than females to face sanction attempts (765, or 71%, male scholars; 309, or 29%, female scholars).³⁴ When looking at the combination of tenure status, race, and gender, tenured White male faculty, who comprise less than a fifth of full-time faculty nationwide (128,935 of 730,786, or 18%),³⁵ represent over a third of the scholars who have faced sanction attempts (368 of 1,080, or 34%), more than any other group.

³² We calculated national numbers for tenure, race, and gender using the National Center for Education Statistics (NCES)'s Integrated Postsecondary Education Data System (IPEDS) Comparison Tool: <https://nces.ed.gov/ipeds/use-the-data>.

³³ See previous footnote.

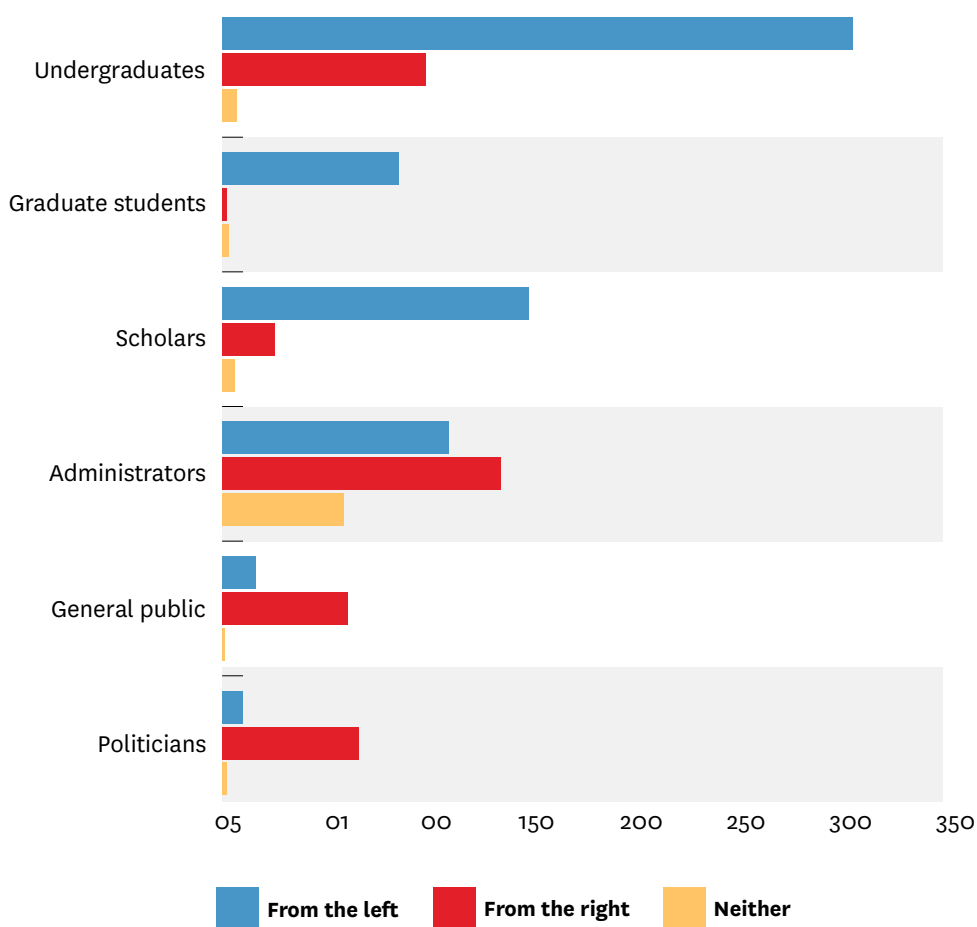
³⁴ 6 scholars identified as trans or non-binary.

³⁵ National Center for Education Statistics (NCES). Integrated Postsecondary Education Data System (IPEDS). Available online: <https://nces.ed.gov/ipeds/use-the-data> (accessed on February 17, 2023).

Who Initiates Sanction Attempts?

We now consider the other side of a sanction attempt — who initiates them? Overall, we distinguished six primary sources of scholar sanction attempts: undergraduate students (402 of 1,080, or 37%), graduate students (89 of 1,080, or 8%), other scholars (177 of 1,080, or 16%), administrators (299 of 1,080, or 28%), the general public (77 of 1,080, or 7%), and government officials (77 of 1,080, or 7%). Sanction attempts can come from on or off campus. Off-campus sanction attempts are typically initiated by the general public and/or government officials, while on-campus sanction attempts are typically initiated by undergraduates, graduate students, other scholars, and/or administrators.

THE 6 PRIMARY SOURCES OF SANCTION ATTEMPTS



Off-Campus Sanction Attempts

Off-campus sanction attempts tend to be initiated from the right of the targeted scholar — namely, by government officials and the general public. Nearly 9 in 10 attempts by government officials since 2000 were initiated from the right (65 of 77 attempts, or 84%), and nearly 8 in 10 by the general public were initiated from the right (60 of 77 attempts, or 78%).

Government-initiated sanction attempts were almost nonexistent from 2000 to 2009, when a total of four occurred. Over the next decade, government officials initiated 34 sanction attempts, although three-quarters of these attempts (24) occurred from 2017 to 2019. The pace at which government officials initiate sanction attempts rose exponentially in the past three years — there have already been 39, eclipsing the previous decade’s total already. These attempts take many forms, including letters³⁶ and text messages³⁷ to administrators, public statements from one’s office,³⁸ comments to the media,³⁹ and tweets.⁴⁰ Indeed, in 2021, conservative legislators attempting to reduce “left-wing indoctrination” introduced a series of bills⁴¹ that, if passed, would severely restrict academic freedom in a number of states.

The pattern is similar for sanction attempts initiated by the general public. There were six such attempts initiated from 2000 to 2009, then 46 the next decade — notably, 37 of these attempts occurred from 2017 to 2019 (80%). From 2000 to 2022, the frequency of sanction attempts initiated by the general public has continued to increase, and is currently at 25 for those years.

On-Campus Sanction Attempts

Over a third of all sanction attempts between 2000 and 2022 were initiated by undergraduates (402 of 1,080, or 37%), 8% were initiated by graduate students (89 of 1,080), and 16% were initiated by other scholars (177 of 1,080), and the frequency of these attempts has increased dramatically over time. In the same time span, university administrators have initiated over 1 in 4 sanction attempts (299 of 1,080, or 28%).

More specifically, between 2000 and 2009, undergraduates initiated a total of 26 sanction attempts, graduate students initiated none, other scholars initiated 13, and administrators initiated 56. During the next decade, from 2010 to 2019, undergraduates initiated 182 sanction attempts, graduate students initiated 39, other scholars initiated 65, and administrators initiated 138. Since 2020, undergraduates initiated 194 sanction attempts, graduate students initiated 50, other scholars initiated 99, and administrators initiated 105.

36 See, e.g., <https://www.thefire.org/research-learn/letter-virginia-gop-chair-rich-anderson-university-virginia-president-james-ryan>

37 See, e.g., <https://www.thefire.org/research-learn/collin-colleges-contacts-legislators-documents>

38 See, e.g., <https://markgreen.house.gov/press-releases?id=2E37C209-3906-46C9-BFA4-651A4F6FE51C>

39 See, e.g., <https://www.cbsnews.com/miami/news/cuban-privilege-fiu-faces-backlash-over-hosting-author-of-new-book/>

40 See, e.g., https://twitter.com/AGJeffLandry/status/1468706752136945669?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1468706752136945669%7Ctwgr%5E474ac87103825dddce9d1cf9cc4405ccad65d866%7Ctwcon%5Esi_&ref_url=https%3A%2F%2Fwww.nola.com%2Fgambit%2Fnews%2Fthe_latest%2Fattorney-general-jeff-landry-is-trying-to-get-an-lsu-professor-fired-for-being-kind%2Farticle_1c35ee60-5936-11ec-b82d-7309471e0e40.html

41 See Florida’s “Stop WOKE Act”: <https://www.flsenate.gov/Session/Bill/2022/7/BillText/er/PDF>, which led to FIRE’s lawsuit: <https://www.thefire.org/research-learn/novoa-et-al-v-diaz-et-al-complaint>

In contrast to off-campus sanction attempts, the vast majority on-campus sanction attempts come from the left of the targeted scholar.⁴² This is not surprising given that professors⁴³ and students⁴⁴ at most American colleges and universities are predominantly liberal. On the other hand, when on-campus sanction attempts are initiated from the right, the administration is typically the source. Since 2000, 133 sanction attempts have been initiated from the right, compared to 108 from the left. The remaining 58 sanction attempts initiated by administrators came from neither the left nor right.

Administrators are tasked with maintaining order, and thus may be inclined to penalize speech transgressions that draw backlash from people both on and off campus. Administrators often also have their own concerns about institutional policies that may not fit neatly into our categorization of “from the left” or “from the right.” These administrative responsibilities and concerns can help explain why more than 1 in 5 administration-initiated sanction attempts came from neither the left nor right.

Overall, more than three-quarters of all sanction attempts since 2000 have been initiated from within academia (818 of 1,080, or 76%), and more than half have been initiated by students — undergraduate or graduate — and/or other scholars on campus (558 of 1,080, or 52%).

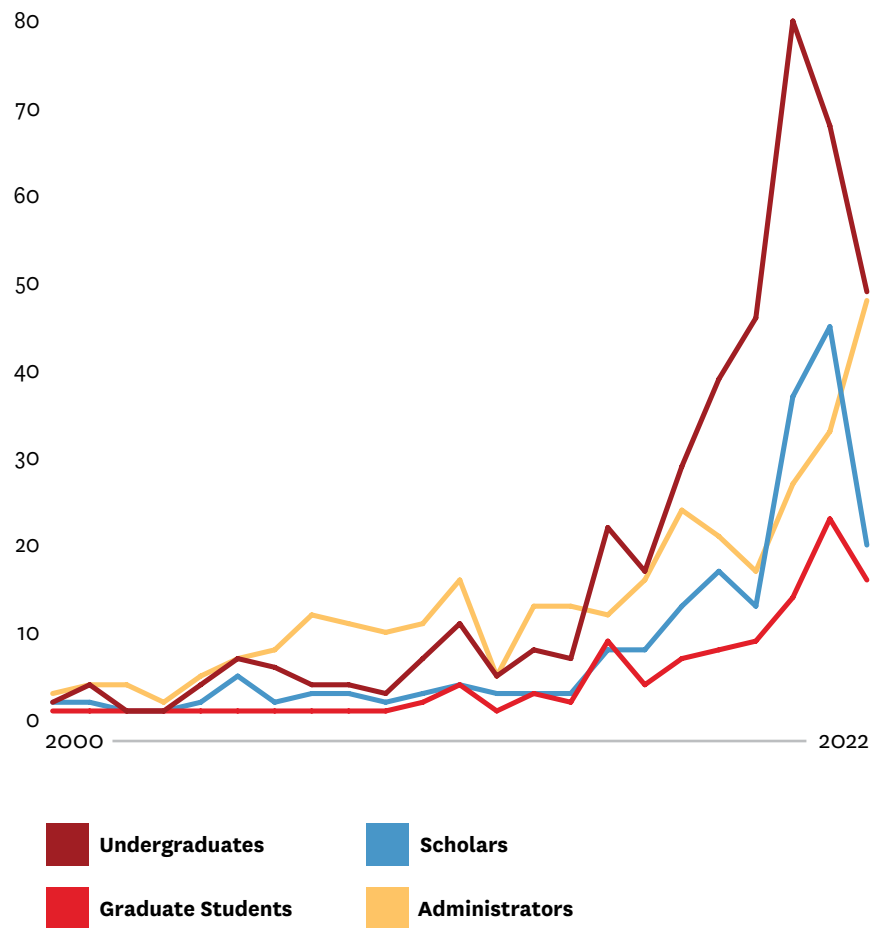
42 Three in four sanction attempts initiated by undergraduate students came from the left (295 out of 394; 75%); More than nine-in-10 attempts initiated by graduate students came from the left (83 out of 88; 94%); and more than eight-in-10 attempts initiated by other scholars came from the left (141 out of 172; 82%).

43 Gross, N., & Fosse, E. (2012). Why are professors liberal?. *Theory and Society*, 41(2), 127-168.; Langbert, M. (2018). Homogenous: The political affiliations of elite liberal arts college faculty. *Academic Questions*, 31(2), 186-197; Ladd, E. C., Liset, M. (1976). *The Divided Academy: Professors and Politics*. New York: W. W. Norton & Company; Zipp, J. F., & Fenwick, R. (2006). Is the academy a liberal hegemony? The political orientations and educational values of professors. *International Journal of Public Opinion Quarterly*, 70(3), 304-326.

44 Stevens, S.T. (2022). 2022 College Free Speech Rankings: What’s the Climate for Free Speech on America’s College Campuses. Available online: <https://www.thefire.org/research-learn/2022-college-free-speech-rankings> (accessed on February 17, 2023).

This trend is concerning. Academia is a social reputational community in which the production and dissemination of knowledge, and one's own career advancement, depends almost exclusively on the evaluations of one's colleagues. In other words, almost all academic incentives are fundamentally social.⁴⁵ Hiring, tenure, promotion, funding, and publishing decisions all depend on the value one's peers place on one's ideas. When such evaluations are central to one's success, fear can be easily induced. The veracity of one's ideas may be insufficient to defend oneself from professional sanction, especially when various groups on and/or off campus have countervailing interests. The traditional conception of academic freedom — that it provides protection against outside political pressure — does not protect a scholar's ideas from suppression by colleagues who have an ax to grind.

SANCTION ATTEMPTS INITIATED BY UNDERGRADS, GRAD STUDENTS, SCHOLARS, AND ADMIN, 2000–2022

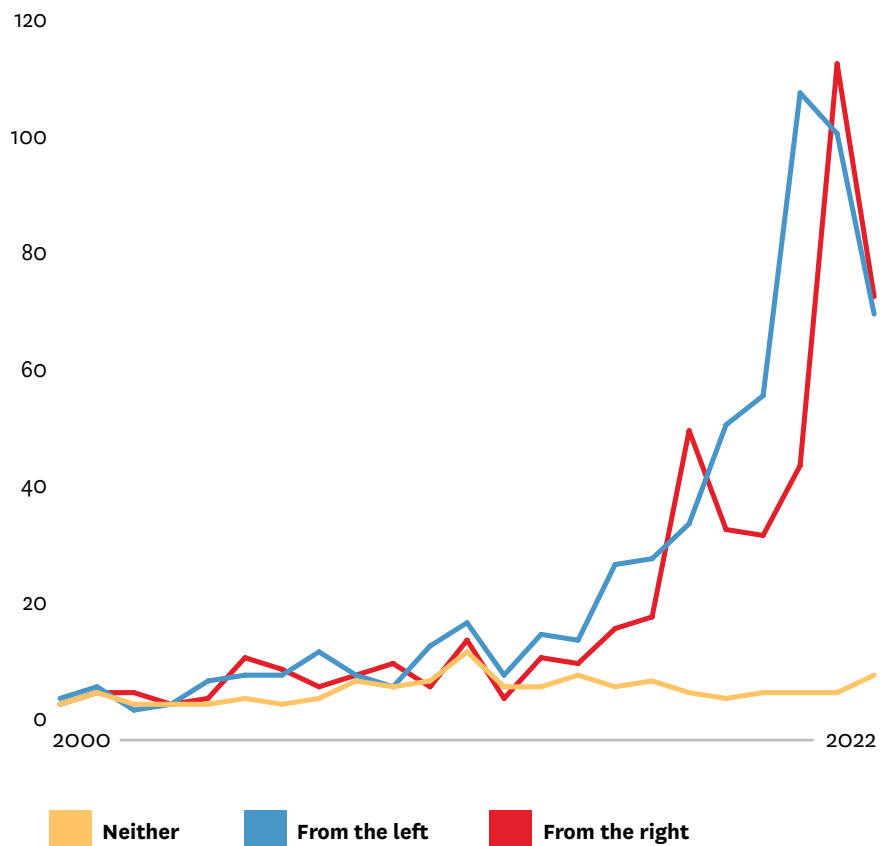


⁴⁵ Jussim, L., Krosnick, J. A., Stevens, S. T., & Anglin, S. M. (2019). A social psychological model of scientific practices: Explaining research practices and outlining the potential for successful reforms. *Psychologica Belgica*, 59(1), 353–372.

Political Motives

From 2000 to 2022, 560 sanction attempts were initiated from the left of the scholar (52%), 442 attempts were initiated from the right of the scholar (41%), and the remaining 78 came from people whose political motives were unclear or irrelevant (7%). Through the first decade, an equal number of sanction attempts were initiated from the left and from the right (44). The left-right discrepancy in sanction attempts emerged over the next decade. In fact, between 2010 and 2019, sanction attempts initiated from the left exceeded those initiated from the right in all years except for 2017. At the start of the current decade the ratio of sanction attempts from the left versus from the right was 283:218. The difference widened considerably in 2020 when 70% of attempts were initiated from the left compared to 28% from the right (106 of 151 from the left; 42 of 151 from the right). In the past two years, however, more sanction attempts have been initiated from the right than from the left (111 in 2021 and 71 in 2022 from the right; 99 in 2021 and 68 in 2022 from the left).

SANCTION ATTEMPTS INITIATED BY THE LEFT AND RIGHT, 2000-2022



What Kinds of Expression Are Targeted for Sanction

This section details how scholars have faced sanctions for expressing their views on social issues and/or politics, and for remarks about specific individuals or groups.

Views on Controversial Sociopolitical Issues

Since 2000, scholars have faced sanction for speaking about a myriad range of topics. Although the hot-button issues differ slightly from year to year, some topics frequently come up over time. Institutional policy was a frequent topic across the entire time-frame, race became a bigger issue in 2015 (388 of 426 sanction attempts since 2015), and partisanship entered the picture as a frequent topic in 2017 (198 of 235 sanction attempts since 2017).

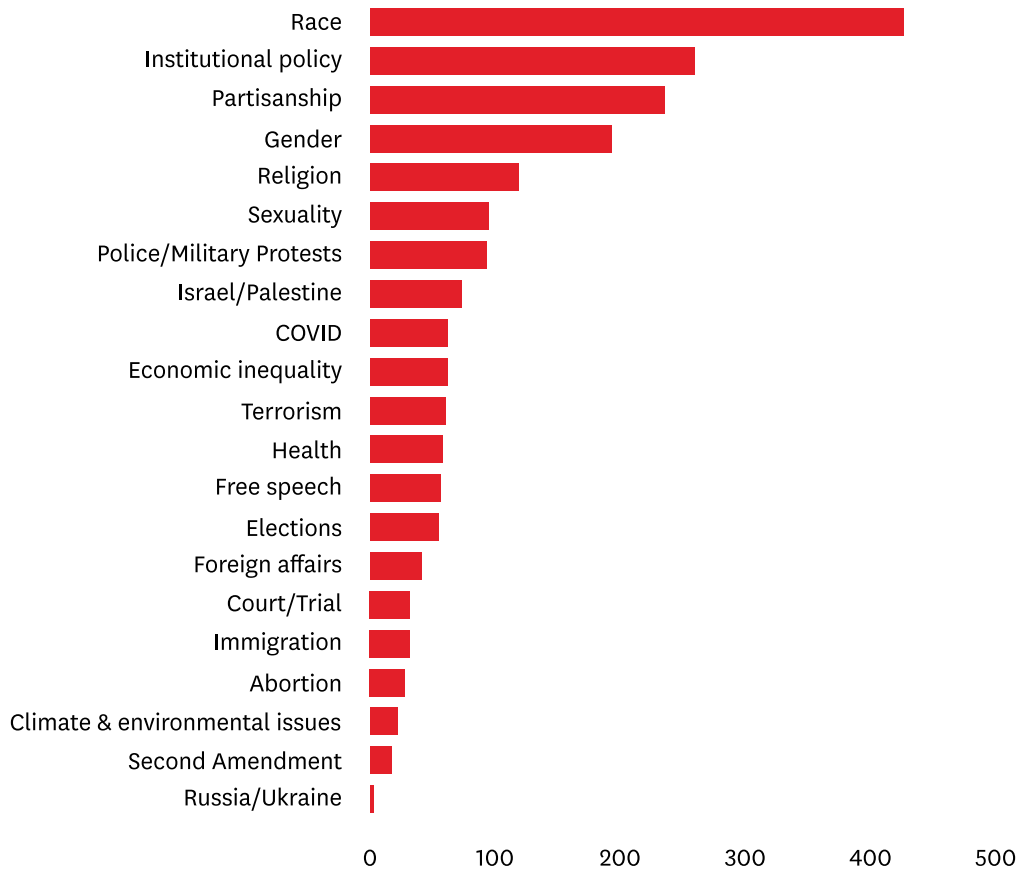
In total, from 2000 to 2022, 426 sanction attempts, including 64 terminations, involved scholars talking about racial issues such as racial inequality; historical racism; diversity, equity, and inclusion efforts; and the Black Lives Matter movement; and for quoting from or assigning texts containing racial slurs (e.g., works by James Baldwin and Martin Luther King Jr.) (39%). Of these sanction attempts, 274 were initiated by those on the left and 148 were initiated by those on the right. Four were initiated by neither.

In 259 sanction attempts, including 94 that resulted in termination, scholars expressed their views on institutional policy (24%). By “institutional policy,” we mean institutional conflicts of interest, funding, grants, outside pressure, tuitions, scandals, and/or policies. Of these, 117 were initiated by those on the left and 84 were initiated by the right, while 58 were initiated by neither.

In 235 sanction attempts, including 33 that resulted in termination, scholars were speaking about partisanship (22%). This includes speech about a political candidate and/or party (e.g., conservatives, liberals, left, right). Of these, 103 were initiated by those on the left and 132 were initiated by those on the right, while none were initiated by neither.

Other topics that spurred a number of sanction attempts include gender (193 attempts, or 18%), religion (119, or 11%), sexuality (95, or 9%), and protests about the police or the military (93, or 9%).

FREQUENCY OF SANCTION ATTEMPTS BY TOPIC

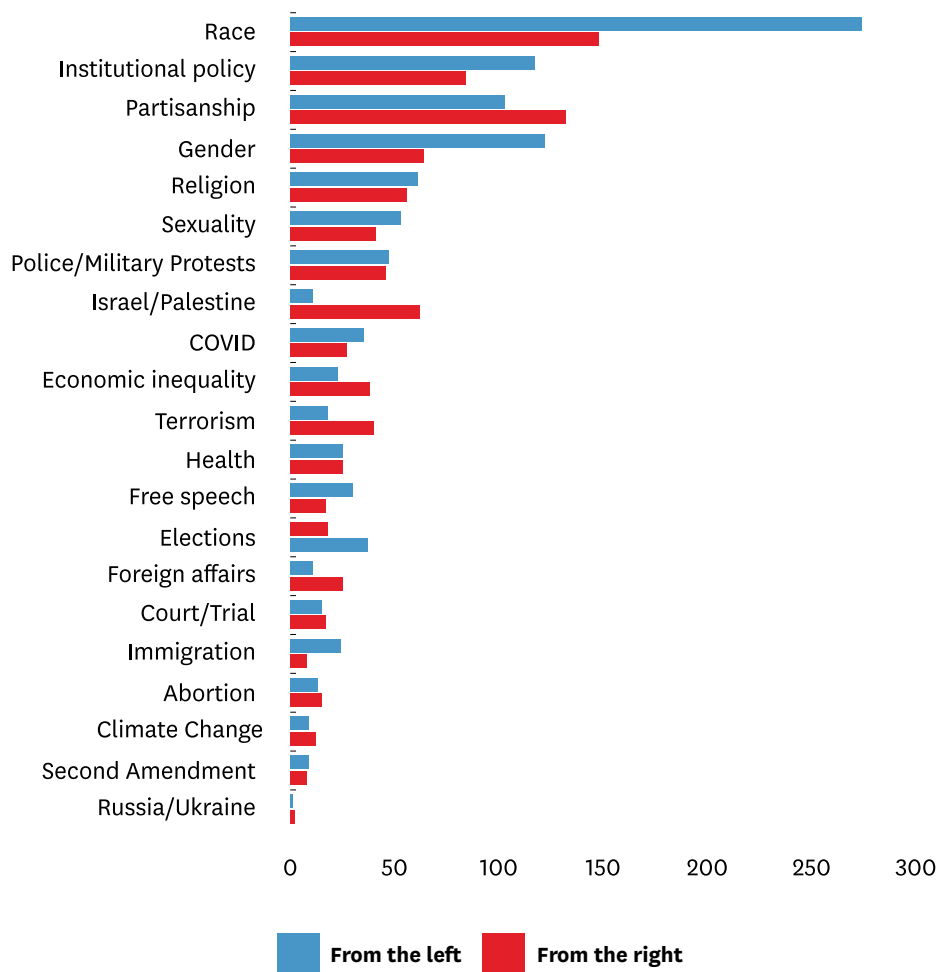


Scholars face sanction attempts most often for speech about race

Expression regarding racial issues has faced sanction attempts from the left and from the right fairly regularly, particularly since 2015. In total, 274 sanction attempts have been initiated from the left due to expression regarding racial issues. This is close to half of the total of 560 sanction attempts initiated from the left since 2000 (49%). Another 148 sanction attempts for race-related expression were initiated from the right — one-third of the total number of 442 sanction attempts initiated from the right. These right-wing attempts involve opposition to progressive attitudes toward race issues.

On the remaining topics, sanction attempts initiated from the left more often targeted expression about institutional policy (117 from the left; 84 from the right), gender (122:64), sexuality (53:41), COVID-19 (35:27), free speech (30:17), and immigration (24:8). Sanction attempts initiated from the right occurred more often when the expression was about partisanship (132 from the right; 103 from the left), Israel/Palestine (62:11), economic inequality (38:23), terrorism (40:18), elections (37:18), and foreign affairs (25:11).

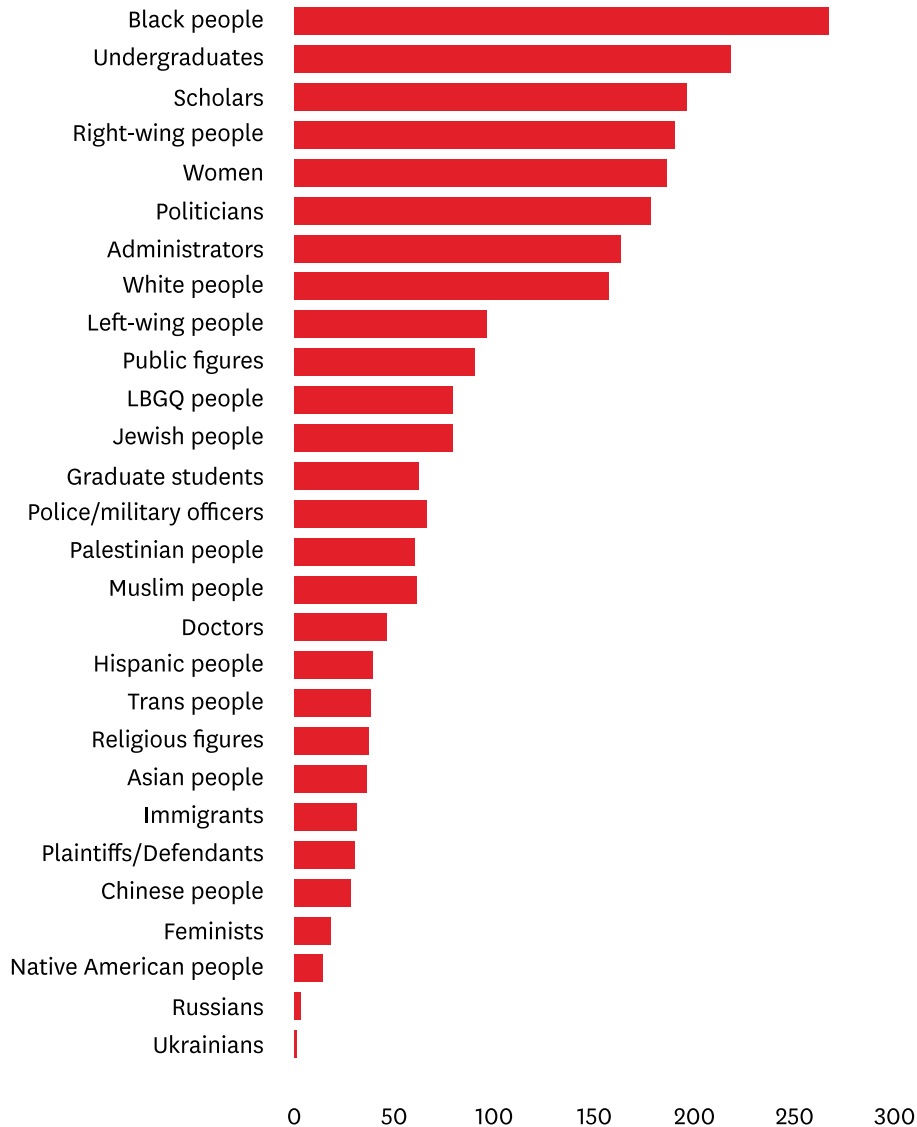
FREQUENCY OF SANCTION ATTEMPTS FROM THE LEFT VS. RIGHT, BY TOPIC



Who Was the Controversial Expression About?

Scholars tended to face sanction attempts for talking about the following groups: Black people (267 of 1,080, or 25%), undergraduates (218, or 20%), other scholars (196, or 18%), right-wing people (190, or 18%), women (186, or 17%), politicians (178, or 16%), administrators (163, or 15%), and White people (157, or 15%).

FREQUENCY OF SANCTION ATTEMPTS BY SUBJECT

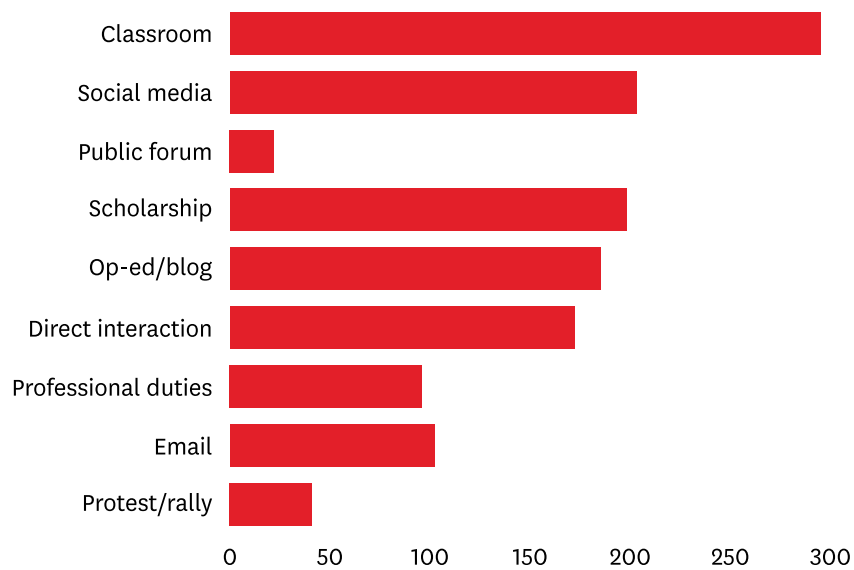


Speech subjects and scholar sanction attempts

Where Does Controversial Expression Occur?

The most common contexts in which sanction attempts occurred were the classroom (295 of 1,080, or 27%), on social media (203, or 19%), in a public forum (200, or 19%), and in scholarship (198, or 18%).⁴⁶ It is concerning, albeit consistent with our findings indicating that many sanction attempts are initiated from within academia, that scholars were frequently targeted for sanction for expression made in their professional realm — 554 sanction attempts targeted expression in the classroom, in scholarship, and/or during other professional duties. It is also notable that sanction attempts due to expression on social media trails only expression in the classroom, considering social media became a prominent place for speech and expression around 2010.

FREQUENCY OF SANCTION ATTEMPTS BY CONTEXT



Speech contexts and scholar sanction attempts

⁴⁶ “Classroom” speech involves in-person and/or virtual sessions, assignments, exams, syllabi, and/or course descriptions. “Social media” speech takes place on platforms such as Facebook and Twitter, and involves posts and/or comments made from the scholar’s personal account. “Public forum” speech involves remarks made to the public via interviews with reporters, podcasts, and speeches. “Scholarship” speech involves peer-reviewed articles, book chapters, books, conference talks, and/or panel discussions.

Scholars at Elite Schools Targeted and Sanctioned More Often

Finally, schools ranked highly by U.S. News & World Report are disproportionately represented among the 10 universities where the highest number of sanction attempts occurred. Ninety of the top 100 universities in the U.S. have had at least one attempt since 2000, and the top 10 universities⁴⁷ have had 113 attempts, with nearly 3 in 4 initiated from the left (47 of 64, or 73%). The worst campuses include Harvard (23 sanction attempts), Stanford (22), UCLA (19), and Georgetown (16).

With the exception of UCLA, which has earned FIRE’s highest, “green light” rating in FIRE’s Spotlight database, the schools with the highest number of scholar sanction attempts have a “yellow light” or “red light” rating.⁴⁸ These schools tend to maintain vaguely or severely speech-restrictive policies, tend not to have adopted the Chicago Statement as a reassurance of the institution’s preeminent commitment to free speech and, according to FIRE’s College Free Speech Rankings, have speech climates that range from average to abysmal.⁴⁹

Schools with the highest number of sanction attempts:

School	Sanction attempts	Sanctions	Defenses	Spotlight rating	Speech climate	CFSR	Chicago Statement?
Harvard	23	12	1	Yellow	Below Average	170 th	No
Stanford	22	4	2	Yellow	Average	106 th	No
UCLA	19	9	2	Green	Average	84 th	No
Georgetown	16	7	0	Red	Poor	200 th	Yes
Columbia	14	9	1	Yellow	Abysmal	203 rd	Yes
University of Pennsylvania	14	7	0	Yellow	Very Poor	202 nd	No
University of California, Berkeley	13	4	3	Yellow	Average	69 th	No
University of Central Florida	13	10	3	Yellow	Below Average	177 th	Yes
New York University	12	6	2	Yellow	Average	62 nd	No
Princeton	11	4	1	Red	Below Average	169 th	Yes
University of Wisconsin, Madison	11	4	4	Yellow	Average	98 th	No

⁴⁷ This includes: Princeton University, Harvard University, Stanford University, Yale University, University of Chicago, Johns Hopkins University, University of Pennsylvania, Duke University, and Northwestern University.

⁴⁸ See all the Spotlight rankings here: <https://www.thefire.org/research-learn/spotlight-speech-codes-2023>.

⁴⁹ The “Defenses” column involves the administration not only refusing to sanction the targeted scholar, but also issuing a statement in support of the scholar’s academic freedom and/or free speech rights; the FIRE’s Spotlight Database column presents the rating of each school’s policies that regulate student expression. See more here: <https://www.thefire.org/research-learn/fires-spotlight-database>; the “CFSR” column refers to a school’s ranking in FIRE’s College Free Speech Rankings, the largest survey ever conducted on undergraduate students’ attitudes toward free expression. See more here: <https://rankings.thefire.org/>; the “Spotlight rating,” “Speech climate,” “CFSR,” and “Chicago Statement?” columns are updated frequently, and the labels assigned to schools reflect what was current on March 8, 2023.

Ultimately, however, the mere number of sanction attempts does not necessarily capture the climate for free speech on a given campus. How a college or university responds to a sanction attempt is also key to understanding its speech climate. For instance, while Stanford has had 22 sanction attempts since 2000 — almost one per year — four of these scholars have actually been sanctioned, meaning sanction attempts at Stanford have an 18% success rate. Harvard on the other hand has had 23 sanction attempts since 2000 and sanctioned 12 scholars — a 52% success rate. Schools like the University of Florida (9 in 10 successful sanction attempts, or 90%), the University of Central Florida (10 in 13, or 77%), and Yale (7 in 10, or 70%) are even worse than Harvard when it comes to leveling sanctions on scholars. Overall, the schools with the highest number of *successful* sanctions are: Harvard (12), University of Central Florida (10), Columbia (9), UCLA (9), and University of Florida (9).

Schools with the highest rate of sanctions:

School	Sanctions	Sanction attempts	Defenses	Success rate
University of Florida	9	10	0	90%
University of Central Florida	10	13	3	77%
Yale	7	10	1	70%
Columbia	9	14	1	64%
University of Michigan	7	11	1	64%
Northwestern	7	11	3	64%
Harvard	12	23	1	52%
University of Pennsylvania	7	14	0	50%
UCLA	9	19	2	47%
Georgetown	7	16	0	44%

We find it particularly concerning that 9 in 10 sanction attempts at the University of Florida occurred since 2020, with eight of those nine resulting in some form of sanction. Additionally, seven of these sanction attempts since 2020 were initiated from the right, and six of them were initiated by a politician. None of these scholars were defended by the University of Florida.

Why Do Scholars Express Controversial Views?

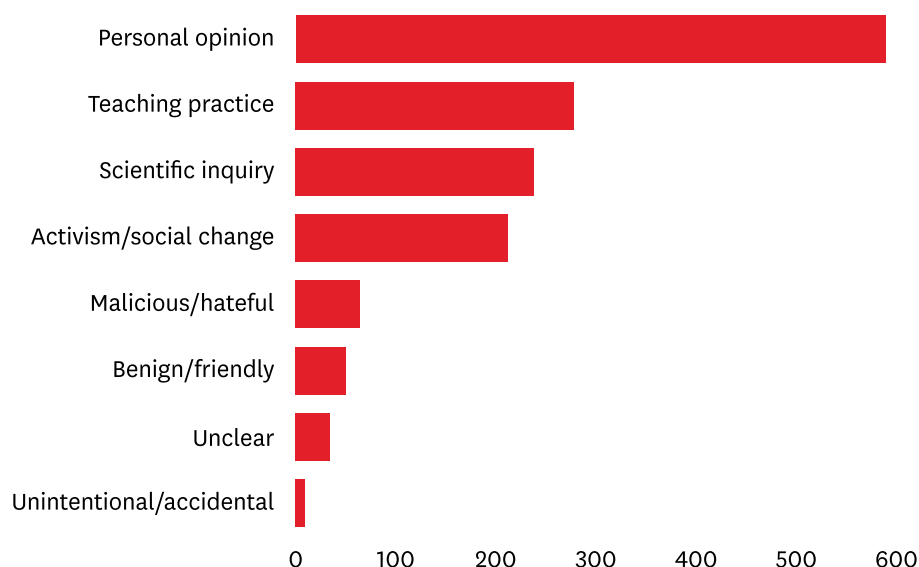
When people demand sanctions, they often focus on the negative impact of the speech and ignore the intent. Yet as New York Times columnist Bret Stephens explained in a piece rejected by his own paper but then published in the New York Post, “Every serious moral philosophy, every decent legal system and every ethical organization cares deeply about intention... A hallmark of injustice is indifference to intention. Most of what is cruel, intolerant, stupid and misjudged in life stems from that indifference.”⁵⁰

Although we are critical of any attempt to sanction scholars for speech that is — or would in public settings be — protected by the First Amendment, we are particularly alarmed when the speech is intended to educate. Academic freedom means nothing if scholars are not free to present sensitive material and test their ideas.

Yet more than 4 in 10 sanction attempts occurred because of a scholar’s teaching practices and/or scientific inquiry (467 of 1,080, or 43%). In more than 1 in 4 attempts, scholars presented sensitive, controversial, and/or difficult content (e.g., text containing a racial slur, content showing violence against women) for purposes of encouraging discussion and learning (278 of 1,080, or 26%). In over a fifth of sanction attempts, scholars discussed scholarship, conducting research, and/or offering a testable hypothesis (238 of 1,080, or 22%). These sanction attempts have the effect of undermining the primary function of academic freedom: encouraging the advancement of knowledge in American institutions of higher education.

By contrast, speech intended to offend, show contempt for others, and/or approve of violence was relatively rare. Less than 1 in 10 attempts targeted malicious speech — speech meant to offend, show contempt, and/or approve of violence — (64 of 1,080, or 6%) and three-quarters of these attempts came from the right (47 of 64, or 73%).

FREQUENCY OF SANCTION ATTEMPTS BY INTENTION

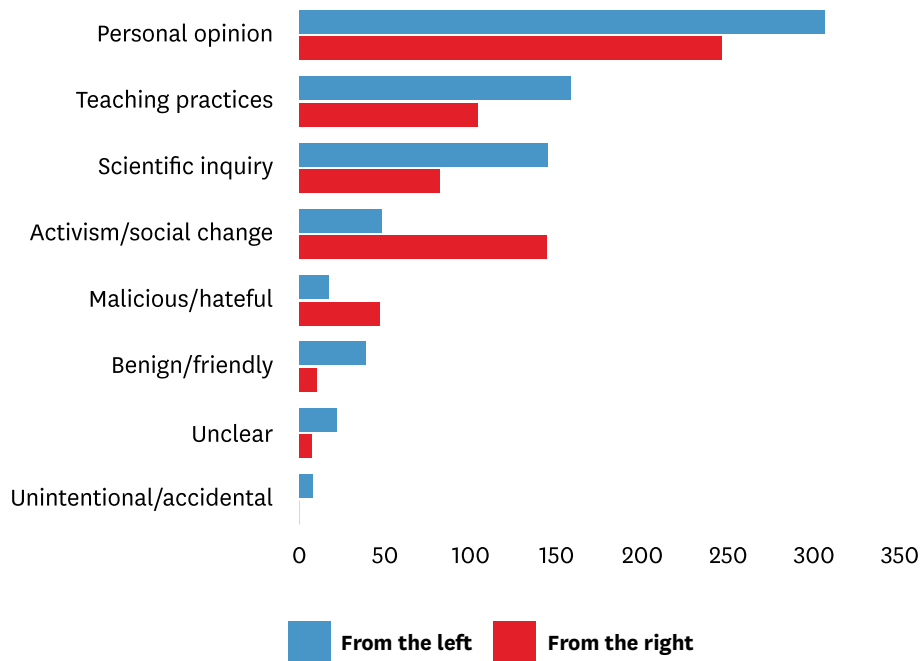


Comparing the intentions of speech for which scholars face sanction attempts

⁵⁰ Stephens, Bret. “Read the column the New York Times didn’t want you to see.” *New York Post*. February 11, 2021. Available online: <https://nypost.com/2021/02/11/read-the-column-the-new-york-times-didnt-want-you-read/> (accessed on February 23, 2023).

Scholars more often faced sanction attempts initiated from the left than from the right when their intentions involved expressing their personal opinion (306 from the right; 246 from the left), their teaching practices (158:104), legitimate scientific inquiry (145:82), and when the expression was intended to be benign or friendly (39:10). In contrast, scholars more often faced attempts initiated from their right, compared to those initiated from their left, when their expression was concerned with activism or social change (144 from the right; 48 from the left) or was considered malicious (47:17)

FREQUENCY OF SANCTION BY INTENTION AND POLITICAL SOURCE

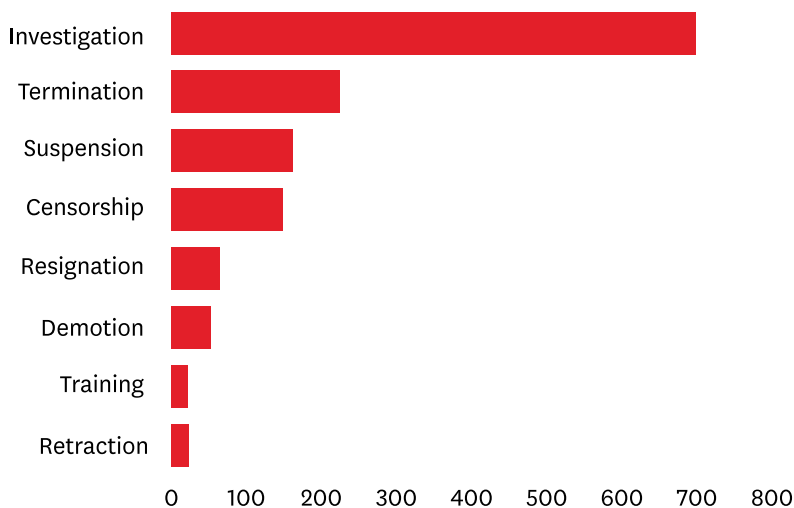


What Outcomes Are the Most Likely?

In this report, we highlight sanction *attempts* because being targeted for speech can exert a chilling effect, even if one escapes sanction. Knowledge that other scholars have faced sanction attempts and/or been sanctioned can also chill a scholar's speech. However, those who are subjected to *both* a sanction attempt and consequent sanction often face a more devastating situation. Thus, in the following section we discuss the professional sanctions scholars face as a result of sanction attempts, particularly termination.

Nearly two-thirds of sanction attempts resulted in some form of sanction ranging from an investigation to a termination (698 of 1,080, or 65%). Every time a scholar was sanctioned, we coded "investigation" as an outcome, because presumably the other forms of sanction were imposed after the institution concluded its investigation, however cursory. The next most common sanctions were terminations, suspensions, and censorship. More than 1 in 5 sanction attempts resulted in termination (225 of 1,080, or 21%).⁵¹ In roughly 1 in 7 sanction attempts (162 of 1,080 or 15%), the scholar was suspended⁵² or censored (149 of 1,080, or 14%).⁵³

OUTCOMES OF SUCCESSFUL SANCTION ATTEMPTS FROM 2000–2022



⁵¹ "Termination" is coded as the outcome when the scholar's contract was terminated or not renewed, the scholar's contract extension or tenure was revoked, the scholar was forced to resign, or the scholar was not hired.

⁵² "Suspension" is coded as the outcome when the scholar was placed on leave and/or relieved of teaching duties.

⁵³ "Censorship" is coded as the outcome when the scholar is forbidden from conducting research; has a course canceled or otherwise altered; has a research article or op-ed retracted; has scheduled publication delayed; is disinvented; has a talk canceled or shut down; or was instructed not to engage in the expression again.

Which Scholars Are Most Likely to Face Termination?

Although tenured and tenure-track professors face more sanction attempts overall than other scholars (630 and 450, respectively), rates of termination were highest among adjuncts (52 of 97, or 54%) and lecturers (63 of 142, or 45%). Therefore, tenure may confer professional protections against termination. Indeed, nearly three-quarters of attempts resulting in termination involved untenured scholars (165 of 225, or 73%).

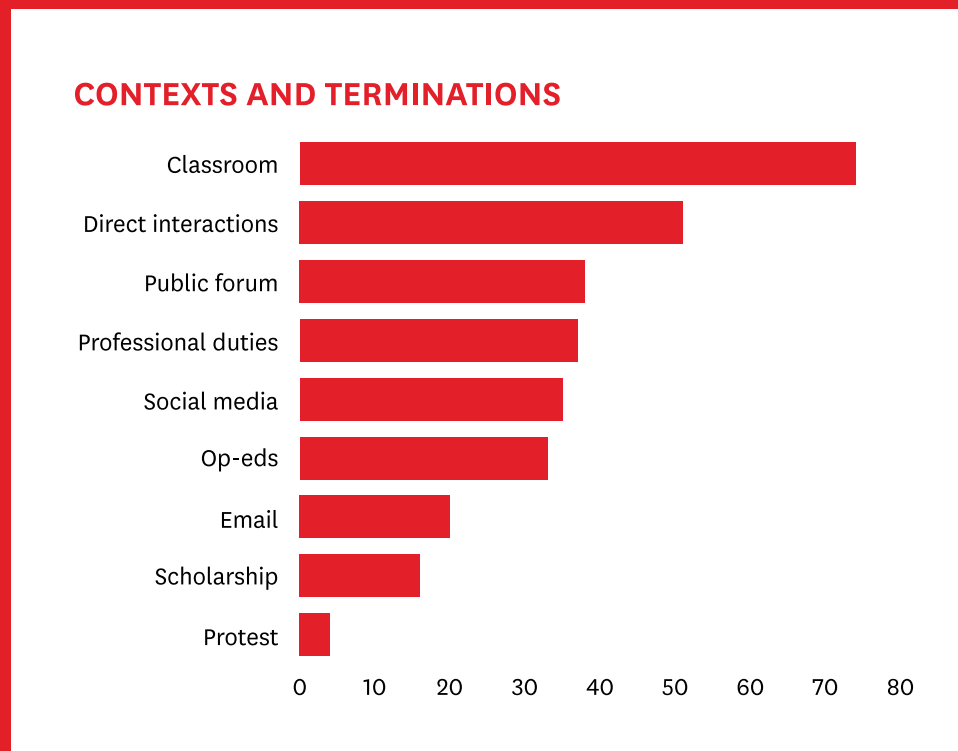
Rates of termination were also highest among scholars who are male and scholars who are White. More than twice as many male scholars were terminated as female scholars (151 male scholars; 74 female scholars). And 8 in 10 terminations involved White scholars (181 of 225, or 80%).

Sanction Attempts and Terminations by Race

Race/ethnicity	Sanction attempts	Terminations	Success rate
Hispanic/Latino	38	10	26%
White	845	181	21%
Black	92	18	20%
Native American	12	2	17%
Middle Eastern	39	6	15%
Asian	41	6	15%

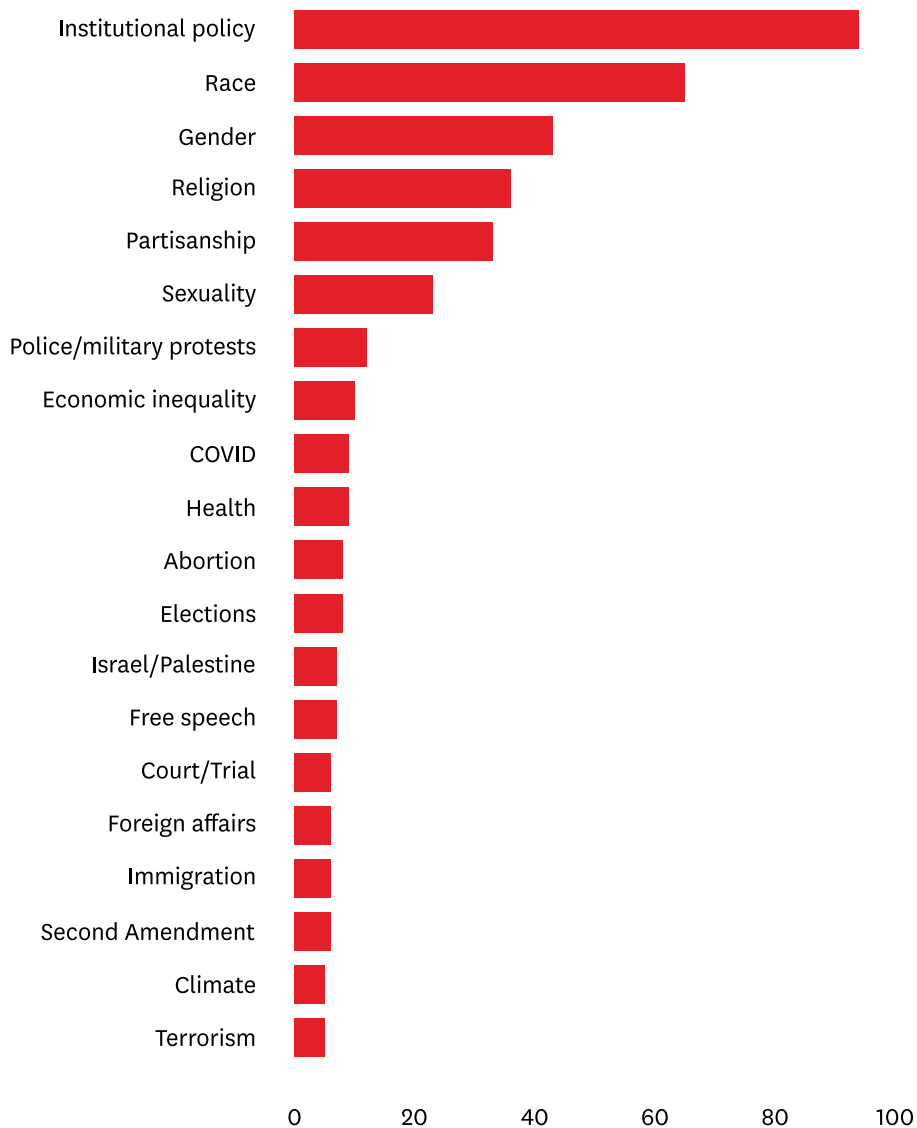
Why Are Scholars Terminated?

When it comes to scholars terminated for their expression, more than half (127 of 225, or 56%) were terminated for speech made in a professional context — meaning in the classroom (74, or 33%), while performing other professional duties (37, or 16%), or in their scholarship (16, or 7%). The next most common context for terminations is expression during direct interactions. Nearly a quarter of all terminations involved scholars targeted for speech that occurred in direct interactions (51 of 225, or 23%).



Unsurprisingly, the most contentious speech topics were also most likely to result in termination. The speech topics most likely to result in termination were institutional policy (94 terminations), race (65 terminations), gender (43 terminations), religion (36 terminations), and partisanship (33 terminations).

FREQUENCY OF TERMINATIONS BY TOPIC



Scholars are terminated most often for speech about institutional policy

Scholars were most often terminated for their controversial teaching or pedagogical decisions such as directly quoting Martin Luther King, Jr., or James Baldwin using a racial slur (63 of 278, or 23%). Scholars whose expression was malicious (15 of 64, or 23%), who expressed their personal opinion (130 of 589, or 22%), and who said something confidential (2 of 9, or 22%) were terminated at similar rates. Scholars were also terminated for engaging in activism (41 of 212, or 19%), making benign remarks (9 of 50, or 18%), and/or engaging in scientific inquiry (29 of 238, or 12%).

Finally, scholars who refused to concede wrongdoing in response to sanction attempts were more than two times more likely to be terminated compared to scholars who apologized for their speech (186 of 615, or 30%, terminated scholars who refused to concede wrongdoing; 21 of 158, or 13%, terminated scholars who apologized). This suggests that apologies may help reduce the backlash and accompanying pressure to terminate the scholar. Alternatively, some terminations might only have been publicized *because* the terminated scholar refused to concede wrongdoing and wanted to bring attention to the perceived injustice.

Most Controversial Sanction Attempts

Some scholars have faced particularly strong opposition, as measured by the number of petitions and petition signatures demanding sanctions against them. Scholars who received the strongest opposition (more than 10,000 signatures on petitions opposing them) are listed in the table below. You will see that prior to 2016, no sanction attempts involving petitions with 10k or more signatures occurred.⁵⁴

Petitions With 10,000 or More People Demanding Sanctions

Scholar	Year	Attempts	Petitions	Signatures	Source	From the left or right?
Betsy Schoeller University of Wisconsin, Milwaukee	2020	1	2	193,557	Undergraduates	From the left
Amy Wax University of Pennsylvania	2017, 2018, 2019, 2022, 2022	5	7	186,436	Activists, alumni, law students, politicians, scholars, stakeholders, undergraduates	From the left
Christine Lattin Louisiana State University	2017	1	1	162,597	Activists	From the left
Randa Jarrar Fresno State University	2018	1	3	94,084	General public	From the right
Matt Lasner Hunter College	2016	1	1	63,637	General public	From the right
Mike Adams University of North Carolina, Wilmington	2016, 2020	2	4	58,735	Administrators, alumni, general public, undergraduates	From the left
Elizabeth Lederer Columbia University	2019	1	4	40,686	Graduate students, undergraduates	From the left
Charles Negy University of Central Florida	2020	1	2	35,403	Undergraduates	From the left
Gordon Klein University of California, Los Angeles	2020	1	1	21,277	Undergraduates	From the left

⁵⁴ The table contains details on sanction attempts that involved one or more petitions. Some scholars faced additional sanction attempts that did not involve petitions, and those incidents are not reflected in the data presented in the table.

Scholar	Year	Attempts	Petitions	Signatures	Source	From the left or right?
Tat-siong Benny Liew College of the Holy Cross	2018	1	1	20,556	Alumni, public figure, anonymous	From the right
Douglas Brooks Miami University	2020	1	1	20,494	Activists	From the left
Bruce Gilley Portland State University	2017, 2020	2	3	18,237	Administrators, scholars	From the left
Grover Furr Montclair State University	2018	1	1	16,418	Activists	From the right
Matthew Hubbard Laney College	2020	1	1	12,917	Undergraduates	From the left
Joshua Clover University of California, Davis	2019	1	2	10,090	Undergraduates	From the right

Among these highly controversial scholars, a few stand out due to the number of times they were targeted for sanction. These scholars include Bruce Gilley, Amy Wax, and Mike Adams.

Bruce Gilley

Bruce Gilley is a professor of political science at Portland State University. He has faced a sanction attempt every year since 2017, when he published a peer-reviewed paper, “The Case for Colonialism,”⁵⁵ in the journal *Third World Quarterly*. In the essay, Gilley asserts that “The notion that colonialism is always and everywhere a bad thing needs to be rethought in light of the grave human toll of a century of anti-colonial regimes and policies.” In response, scholars circulated two change.org petitions⁵⁶ (garnering a total of 18,099 signatures) demanding the retraction of his paper, which they considered “an active attack on BIPOC scholars, thinkers, and people, as well as on the project of decolonization.” The journal editor complied and withdrew Gilley’s paper after receiving “serious and credible threats of personal violence” linked to the publication of the essay.⁵⁷

55 Gilley, B. (2017). “The Case for Colonialism.” *Third World Quarterly*. 38(10), 1. Available online: https://www.researchgate.net/profile/Bruce-Gilley/publication/319605242_The_case_for_colonialism/links/5a94410ca6fdccceff0710fa/The-case-for-colonialism.pdf (accessed on March 14, 2023).

56 Petition: “Call for Apology and Retraction from *Third World Quarterly*.” <https://www.change.org/p/third-world-quarterly-call-for-apology-and-retraction-from-third-world-quarterly>; (accessed on March 14, 2023); Petition: “Retract ‘The case for colonialism.’” <https://www.change.org/p/editors-of-the-third-world-quarterly-retract-the-case-for-colonialism> (accessed on March 14, 2023).

57 Withdrawal notice here: <https://www.tandfonline.com/doi/abs/10.1080/01436597.2017.1369037> (accessed on March 14, 2023).

The second sanction attempt occurred in 2018, when faculty at Texas Tech University petitioned to cancel Gilley’s talk on colonialism because TTU is a “diverse space where free speech is valued but inflammatory ideas are not welcome.”⁵⁸ In response, the TTU president explained⁵⁹ that “even speech we disagree with intensely — that we consider objectionable and potentially harmful — is protected by the Constitution. Thus, notwithstanding our strong disagreement with Dr. Gilley’s ideas regarding colonialism, out of respect for the right to free speech, we will not cancel the lecture.”

In the third incident, in 2019, Portland State University rejected Gilley’s request⁶⁰ that his course on conservative political thought be given permanent status. The administration deemed Gilley’s responses to the diversity perspectives and engagement questions unsatisfactory. As a consequence, Gilley explained, the course was not included in formal tracks of study.⁶¹

The fourth sanction attempt came in 2020, in response to Gilley’s book, “The Last Imperialist: Sir Alan Burns’ Epic Defense of the British Empire.”⁶² Faculty petitioned for Lexington Books to terminate its contract with Gilley because his arguments “lend academic credibility to paternalist and eurocentric revisionism and neo-colonial and settler-colonial propaganda and policy.”⁶³ In response, Lexington Books canceled not only the publication of Gilley’s biography of a late colonial official, but also the new book series, “Problems of Anti-Colonialism,” of which Gilley’s book was to be the first installment.⁶⁴

58 “Protest letter against ‘The Case for Colonialism.’” https://web.pdx.edu/~gilleyb/Texas-Tech_DisinviteDemand.pdf (accessed on March 14, 2023).

59 Full faculty statement here: https://web.pdx.edu/~gilleyb/TexasTech_PresidentialDecreeonColonialism_Redacted.pdf (accessed on March 14, 2023).

60 “Application To Make ‘Conservative Political Thought’ A Permanent Course at Portland State University.” https://www.scribd.com/document/411320082/Application-to-make-Conservative-Political-Thought-a-permanent-course-at-Portland-State-University#from_embed (accessed March 14, 2023).

61 “Diversity as a Course Requirement.” *Inside Higher Ed*. Available here: <https://www.inside-highered.com/news/2019/06/18/professor-says-his-course-proposal-conservative-thought-was-rejected-because> (accessed March 14, 2023).

62 Gilley, B. (2021). *The Last Imperialist: Sir Alan Burns’s Epic Defense of the British Empire*. Simon and Schuster.

63 Petition: “Against Bruce Gilley’s Colonial Apologetics.” <https://www.change.org/p/academics-against-bruce-gilley-s-colonial-apologetics> (accessed March 14, 2023).

64 “The Cancel Mob Comes Back for More.” *Wall Street Journal*. <https://www.wsj.com/articles/the-cancel-mob-comes-back-for-more-11602091733>.

In the fifth sanction incident, in 2021, administrators filed a copyright strike against Gilley for sharing clips from a recording⁶⁵ of a meeting in which the Portland State University Faculty Senate voted unanimously to approve a resolution stating that public criticism of critical race theory curricula prompts bullying and intimidation. Less than a week later, the Portland State University Association branch of the American Association of University Professors issued a statement⁶⁶ condemning Gilley's "procolonialism" platform and explaining that "Though Bruce Gilley's procolonialism may be protected by the First Amendment, we believe it does not deserve protection of academic freedom."

Finally, in 2022, Portland State University's division of equity and inclusion blocked Gilley from the division's Twitter account after he entered "all men are created equal" into the prompt: "It sounded like you said _____. Is that really what you mean?"⁶⁷ In response, Gilley filed a federal lawsuit against the administrator.⁶⁸

Amy Wax

Amy Wax is a professor of law at the University of Pennsylvania. Since 2017, she has been subjected to seven separate sanction attempts involving six petitions and open letters garnering 170,592 total signatures.

In 2017, Wax wrote an op-ed,⁶⁹ "Paying the price for breakdown of the country's bourgeois culture," in which she condemned "the single-parent, anti-social habits, prevalent among some working-class whites," "the anti 'acting white' rap culture of inner-city blacks," and the "anti-assimilation ideas gaining ground among some Hispanic immigrants" as "not suited for a First World, 21st-century environment." In an episode⁷⁰ of "The Glenn Show" with Glenn Loury, Wax said, "I don't think I've ever seen a Black student graduate in the top quarter of the [Penn Law School] class and rarely, rarely in the top half. I can think of one or two students who've graduated in the top half in my required first-year course."

65 "The New Censorship in American Higher Education: Insights from Portland State University." *National Association of Scholars*. Available here: https://www.oregonscholars.org/wp-content/uploads/PostCapitolCensorship_MainRepor.pdf

66 "PSU-AAUP Condemns Professor Bruce Gilley's "procolonialism" Platform." Available here: <https://www.psuaaup.net/blog/entry/psu-aaup-condemns-professor-bruce-gilleys-procolonialism-platform>.

67 Gilley's original tweet: <https://twitter.com/BruceDGilley/status/1536766291838545920> (accessed March 14, 2023).

68 Gilley's lawsuit: https://www.ifs.org/wp-content/uploads/2022/08/Gilly_Complaint_8.11.22.pdf (accessed March 14, 2023).

69 Wax, A. & Alexander, L. (August 9, 2017). "Paying the Price for the Breakdown of the Country's Bourgeois Culture." *The Philadelphia Inquirer*. Available online: <https://www.inquirer.com/philly/opinion/commentary/paying-the-price-for-breakdown-of-the-countrys-bourgeois-culture-20170809.html> (accessed March 14, 2023).

70 Amy Wax on "The Glenn Show": <https://www.youtube.com/watch?v=cb9Ey-SsNsg&t=5s> (accessed March 14, 2023).

In response, 33 Penn law faculty wrote an open letter⁷¹ condemning Wax's statements, while also acknowledging, "Wax has every right to express her opinions publicly free from fear of legal sanction thanks to the First Amendment, and she may do so without fear for her job due to her position as a tenured faculty member at Penn." Penn law alumni, on the other hand, petitioned⁷² the dean to, "at the very least," permanently remove Wax from teaching first-year law students and from her committee app

Two days after the petition began circulating, the dean announced that Wax would no longer be allowed to teach a mandatory first-year law course because she had allegedly violated policy by mentioning students' grades.⁷³

In 2018, during another episode of "The Glenn Show," Wax characterized Christine Blasey Ford's allegations of sexual assault against Supreme Court nominee Brett Kavanaugh as "stale" and "not fair," explaining, "I think it violates principles of basic fair play for her to be bringing this up. I think she should have held her tongue — if I were her, I would have. I think basic dignity and fairness dictates that, you know, it's too late, Ms. Ford ... even if there would have been consequences to bitching about it at the time."⁷⁴

In response, the activist organization "Care2"⁷⁵ circulated a petition asking, "When a university allows one of their professors to excoriate victims of sexual violence all while minimizing the trauma caused by the assailant, what kind of message is that institution sending to their students?"⁷⁶ Penn did not issue a response or impose any sanctions following the petition.

Despite dodging reprimand from Penn officials, Wax did not go unscathed in 2018.

71 University of Pennsylvania faculty open letter condemning Amy Wax: <https://www.thedp.com/article/2017/08/guest-column-by-33-penn-law-faculty-members-open-letter-to-the-university-of-pennsylvania-community> (accessed March 14, 2023).

72 Petition: https://docs.google.com/forms/d/e/1FAIpQLSd_SCzQo4t3uiima8U-1uLEHmztAriIkReUSEh2TNv8Pqcyg/viewform (accessed March 14, 2023).

73 Lamon, M. (March 13, 2018). "After 'disparaging' comments on black students, Amy Wax barred from teaching first-year course. *The Daily Pennsylvanian*. Available online: <https://www.thedp.com/article/2018/03/penn-law-dean-ted-ruger-professor-amy-wax-removed-racial-conservative-graduate-upenn-philadelphia> (accessed on March 14, 2023).

74 Amy Wax on "The Glenn Show:" <https://www.youtube.com/watch?v=mizdpjWZfec> (accessed March 14, 2023).

75 See: <https://www.care2.com/aboutus/>

76 Petition: <https://www.thepetitionsite.com/640/328/113/this-professor-thinks-sexual-violence-victims-should-keep-their-trauma-to-themselves/> (accessed on March 14, 2023).

Upon discovering Wax's op-ed, "Paying the price for breakdown of the country's bourgeois culture,"⁷⁷ two student leaders of the American Whig-Cliosophic Society at Princeton University disinvented Wax from discussing campus free speech concerns alongside Keith Whittington.

In 2019, Wax gave a talk at the National Conservatism Conference in which she argued that the country is better off with people from the "First World," or the West, and more Whites and fewer non-Whites.⁷⁸ In response, 85,894 signed a change.org petition, started by a Penn student of color, demanding Wax's termination. Penn's Latinx Law Students Association also issued a statement, signed by 572 identified student organizations and law students across the country, with demands such as "relieving Professor Wax of all teaching duties, as they serve to further her platform and lend her legitimacy."

The dean issued a statement explaining that, "At best, the reported remarks [by Wax] espouse a bigoted theory of white cultural and ethnic supremacy; at worst, they are racist."⁷⁹ He did not mention Wax's free speech rights or academic freedom to express such views. Then Penn Law's student government held a town hall meeting⁸⁰ with the dean to talk about the Amy Wax "situation" and the law school's diversity initiatives. Nobody, including the dean, informed Wax of the meeting.⁸¹ She was not given the opportunity to correct potentially unsubstantiated allegations. Wax went on sabbatical the following year.⁸²

After a couple years of relative calm, Wax faced two more sanction attempts in 2022. Following another appearance on "The Glenn Show," Wax wrote on Loury's Substack that, "as long as most Asians support Democrats and help to advance their positions, I think the United States is better off with fewer Asians and less Asian immigration."⁸³ The dean issued a statement condemning Wax's statements, while also recognizing the importance of protecting her rights, as a tenured pro-

77 Wax & Alexander (August 9, 2017).

78 The Federalist. (July 26, 2019). "Here's What Amy Wax Really Said About Immigration. *The Federalist*. Available online: <https://thefederalist.com/2019/07/26/heres-amy-wax-really-said-immigration/> (accessed on March 14, 2023).

79 Statement from the dean of the University of Pennsylvania's law school (July 23, 2019): <https://www.law.upenn.edu/live/news/9254-statement-from-penn-law-dean-ted-ruger-on-recently> (accessed on March 14, 2023).

80 Letter from Penn Law Council of Student Representatives regarding meeting with law school dean about Amy Wax: <https://www.thefire.org/research-learn/amy-wax-event-invitation-penn-law-students-september-16-2019> (accessed on March 14, 2023).

81 Morey, A. (September 20, 2019). "Penn Law dean attends student town hall to 'address Amy Wax situation.'" *FIRE*. Available online: <https://www.thefire.org/news/penn-law-dean-attends-student-town-hall-address-amy-wax-situation> (accessed on March 14, 2023).

82 Flaherty, C. (July 24, 2019). "A Professor's 'Repugnant' Views." *Inside Higher Education*. Available online: <https://www.insidehighered.com/news/2019/07/24/penn-law-condemns-amy-wax-recent-comments-race-and-immigration-others-call-her> (accessed on March 14, 2023).

83 Discussion between Amy Wax and Glenn Loury. Available online: <https://glennloury.substack.com/p/amy-wax-contesting-american-identity#details> (accessed on March 14, 2023).

fessor at a public institution: “The same academic freedom principles that permit current scholars to engage in critical and overdue analysis of this nation’s historical and structural discrimination — despite zealous efforts to censor such speech by some — also apply to faculty like Wax who voice xenophobic and White supremacist views.”⁸⁴

On the same day as the dean’s statement, 2,566 students signed an open letter calling for, among other things, “an investigation into Wax’s continued employment at the University,” and the creation of “a committee, including student representation, to assess how to reform tenure to account for instances of this kind of behavioral conduct and to ensure that tenure is consistent with principles of social equity.”⁸⁵ Two weeks later, the dean abandoned his prior defense of academic freedom and announced that he will become the complainant in bringing disciplinary charges against Wax.⁸⁶

A couple months after the disciplinary proceedings began, Wax said during an interview with Tucker Carlson that, “I think there is just a tremendous amount of resentment and shame of non-Western peoples against Western peoples for Western peoples’ outsized achievements and contributions.”⁸⁷ Care2 once again circulated a petition,⁸⁸ this time garnering 24,644 signatures, demanding that Penn fire Wax for her “appalling white supremacist remarks.” The dean withheld public comment on the controversy, citing the ongoing faculty review of Wax.

Mike Adams

Mike Adams, a former professor of criminology at the University of North Carolina, Wilmington, was the subject of four separate sanction attempts initiated by undergraduates, administrators, alumni, and the general public. All four attempts came

84 Statement from the dean of the University of Pennsylvania’s law school (January 3, 2022): <https://www.law.upenn.edu/live/news/14369-a-statement-from-dean-ruger-in-response-to-recent> (accessed on March 14, 2023).

85 Demands letter from University of Pennsylvania law students regarding Amy Wax: <https://docs.google.com/document/d/1muCvT8lBZZnjlvWGboFJhNqnDs3bZ9ULTCyDFuPgtF8/edit> (accessed on March 14, 2023).

86 Statement from the dean of the University of Pennsylvania’s law school (January 18, 2022): <https://www.law.upenn.edu/live/news/14406-january-18-statement-about-actions-regarding-amy> (accessed on March 14, 2023).

87 Video of interview here: https://twitter.com/NikkiMcR/status/1513561069070999553?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1513561069070999553%7Ctwgr%5E2553a832991fo1378ee7fceb54a5895c7277cf%7Ctwcon%5E51_ref_url=https%3A%2F%2Fwww.axios.com%2Flocal%2Fphiladelphia%2F2022%2FO4%2F13%2Epenn-law-tucker-carlson-amy-wax

88 Petition: <https://www.thepetitionsite.com/428/948/096/tell-upenn-to-fire-professor-amy-wax-for-her-appalling-white-supremacist-remarks/> (accessed March 14, 2023).

from the left and involved one petition in 2016, then three more in 2020 (totaling 58,742 signatures).

The first sanction attempt occurred in 2001, four days after the 9/11 terrorist attacks. In a mass email to UNCW faculty and students, an undergraduate, quoting the “World Socialist Website,” wrote that “The American ruling elite, in its insolence and cynicism, acts as if it can carry out its violent enterprises around the world without creating the political conditions for violent acts of retribution.” She concluded with an invitation to forward the email in the interest of “open, unbiased, democratic discussion.” Adams, in turn, sent the student a critical reply and forwarded her email to others, several of whom responded directly to her.⁸⁹ The student, offended by the criticism, accused Adams of intimidation, defamation, and false representation. On the basis of these specious accusations, she demanded that UNCW grant her access to Adams’ emails. Although the administration initially refused, they ultimately agreed to search Adams’ private emails on her behalf. In response to FIRE’s letter⁹⁰ of concern, the provost denied⁹¹ that Adams’ academic freedom had been violated because even though administrators had searched Adams’ emails, they did not give those emails to the student.

The second attempt at sanctioning Adams occurred in 2016, after Adams published (and subsequently tweeted about) an article titled “A ‘Queer Muslim’ Jihad?”⁹² in which he doubted the ability of a student to be both a Muslim and a member of the LGBTQ+ community. Undergraduate students petitioned for his removal from the university.⁹³ In response, the chancellor released a message reminding the campus that the university does not regulate or respond to opinions from students and faculty, but that if anyone feels harassed or discriminated against, they should report it. Adams, pleased with the institution’s response, told a local news outlet, “Excellent! This Chancellor gets it!”⁹⁴ This sanction attempt resulted in no institutional or self-imposed sanctions.

89 Full email from the student, and full response from Mike Adams, here: <https://www.thefire.org/research-learn/source-controversy> (accessed February 28, 2023).

90 “Fire’s Letter to Chancellor Leutze.” Available online: <https://www.thefire.org/research-learn/fires-letter-chancellor-leutze> (accessed on February 27, 2023).

91 “UNC-W’s Form-Denial.” Available online: <https://www.thefire.org/research-learn/unc-ws-form-denial> (accessed on February 27, 2023).

92 Adams, M. S. (2016, September 15). “A ‘Queer Muslim’ Jihad?” *The Daily Wire*. Available online: <https://www.dailywire.com/news/queer-muslim-jihad-mike-s-adams> (accessed on February 27, 2023).

93 “Remove Mike Adams from UNCW.” (2016). *Change.org*. Available online: <https://www.change.org/p/unc-president-remove-mike-adams-from-uncw> (accessed on February 27, 2023).

94 WECT staff. (2016, November 16). “UNCW responds to dispute between professor, student.” *WECT News 6*. Available online: <https://www.wect.com/story/33728723/uncw-responds-to-dispute-between-professor-student/> (accessed on February 27, 2023).

The third attempt occurred in 2017, when the dean of journalism at the University of Montana demanded that Adams be prohibited from giving a lecture because he previously gave a lecture titled, “How U.S. Campuses Incubate and Enforce Cultural Marxism,”⁹⁵ and wrote an op-ed titled, “Why I’m Banning Illegal Aliens From My Classes.”⁹⁶ Fortunately, the talk was not canceled, and the University of Montana’s president issued a statement explaining, “What a speaker says may define him or her, but it does not define us. It is possible for us to stand firmly in support of free speech while also standing firm in our values.”⁹⁷

The fourth sanction attempt occurred in 2020. Shortly afterward, Adams committed suicide.

Adams was targeted for a series of controversial tweets in which he opposed a Democratic governor’s response to COVID-19,⁹⁸ criticized women’s studies programs, and described BLM rioters as thugs.⁹⁹ In one petition demanding sanctions, the public pledged not to financially support, apply to, or fund the university until Adams was removed.¹⁰⁰ In another two petitions, the public demanded his termination.¹⁰¹ The institution responded by releasing a statement calling Adams’ tweets “vile” and stating “the university’s constitutional obligations and support of free expression do not lessen our disgust when those viewpoints offend or otherwise upset those who read these comments.”¹⁰² Adams responded by retiring after he reached a settlement,¹⁰³ which was announced by the institution in a Facebook post.¹⁰⁴ On July 23, 2020, Adams was found dead alone in his house with a self-inflicted gunshot wound to the head¹⁰⁵ after being threatened and harassed.¹⁰⁶

95 “Mike S Adams: Mar 7 2017-ICON Series.” Available online: <https://www.youtube.com/watch?v=4oX9ya3EWO4&t=1s> (accessed on February 27, 2023).

96 “Why I’m Banning Illegal Aliens From My Classes.” *Townhall*. Available online: <https://townhall.com/columnists/mikeadams/2017/04/07/why-im-banning-illegal-aliens-from-my-class-es-n2310029> (accessed on February 27, 2023).

97 “UM Debates First Amendment Rights, Beefs Up Security Ahead of Adams’ Speech.” *Missoula Current*. Available online: <https://missoulacurrent.com/first-amendment-adams-speech/?print=print> (accessed on February 27, 2023).

98 WTVD-AP (2020, June 30). “UNC Wilmington professor to retire after backlash from social media post calling governor ‘Massa Cooper.’” *ABC 11 News*. Available online: <https://abc11.com/mike-adams-uncw-unc-wilmington-professor-retires/6284472/> (accessed on February 27, 2023).

99 Wernicke, V. & Flanagan, B. (2020, June 5). “Students speak out against UNCW professor Dr. Mike Adams.” *The Seahawk*. Available online: <https://theseahawk.org/26360/news/students-speak-out-against-uncw-professor-dr-mike-adams/> (accessed on February 27, 2023).

100 “Remove Mike Adams From UNCW / Pledge Not to Financially Support, Apply to, or Fund UNCW.” (2020). *Change.org*. Available online: <https://www.change.org/p/uncw-remove-mike-adams-from-uncw-pledge-not-to-financially-support-apply-to-or-fund-uncw> (accessed on February 27, 2023).

101 “Fire Mike Adams from UNCW.” (2020). *Change.org*. Available online: <https://www.change.org/p/unc-wilmington-fire-mike-adams-from-uncw> (accessed on February 27, 2023).

102 “UNCW Statement re. Faculty Member’s Comments”. (2020, June 5). *University of North Carolina Wilmington News*. Available online: <https://uncw.edu/news/2020/06/uncw-statement-re.-faculty-members-comments-june-5,-2020.html> (accessed on February 27, 2023).

103 WECT staff. (2020, June 29). “UNCW announces that controversial professor Mike Adams to retire on Aug. 1” *WECT News 6*. Available online: <https://www.wect.com/2020/06/29/uncw-announces-that-controversial-professor-mike-adams-retire-aug/> (accessed on February 27, 2023).

104 UNCW. (2020, June 19). *Facebook.com*. Available online: <https://www.facebook.com/uncwilmington/posts/10157450989510920> (accessed on February 27, 2023).

105 Shibley, R. (2020, August 1). “In Memoriam: Professor Mike Adams, 1964-2020.” *The Foundation for Individual Rights in Education (FIRE)’s Newsdesk*. Available online: <https://www.thefire.org/in-memoriam-professor-mike-adams-1964-2020/> (accessed on February 27, 2023).

106 Lukianoff, G. (2020, December 15). “Professor Mike Adams’ suicide will always haunt me.” *The Foundation for Individual Rights in Education (FIRE)’s The Eternally Radical Idea*. Available online: <https://www.thefire.org/professor-mike-adams-suicide-will-always-haunt-me/> (accessed on February 27, 2023).

Conclusions

The burgeoning phenomenon of attempting to sanction scholars for their expression — often in the context of their academic responsibilities — is alarming yet understudied. The Scholars Under Fire database offers the most comprehensive documentation to-date on attempts to professionally sanction scholars at public and private American institutions from 2000 to the present. It provides scholars and journalists with a detailed picture of how these sanction attempts — a form of censorship — occur on campus. The database contains a good deal of important information not discussed in this report, such as the original content of the scholar’s expression (when available) and links to various news stories on each incident to allow users of the database to learn more about any incident. We invite all interested parties to explore the database further. We update the database on a weekly basis, so even a week or two after this report is published, visitors will see that new incidents have already been added and the numbers have changed.

As we note, scholar sanction attempts have increased dramatically since 2000 — particularly since 2014. They hit a peak of 213 in 2021 before dipping to 145 last year. The next few years will allow us to see whether the onset of social media, the 2016 election, MeToo, COVID-19, and the murder of George Floyd created a unique period of turmoil or reflected an enduring culture of intolerance toward controversial expression on American college and university campuses.

What is perhaps the most troubling finding is that the most common sources of sanction attempts come from within academia itself — from undergraduates, graduate students, other scholars, and college administrators — and that this trend has been accelerating since 2015. To make matters worse, over 4 in 10 sanction attempts (467 of 1,080, or 43%) were initiated by people who opposed the scholar’s teaching practices (278 of 1,080, or 26%) and/or scientific inquiry (238 of 1,080, or 22%).

These recent trends are alarming and could have profound implications for academic freedom and open inquiry in the academy. If scholars are unable to ask certain questions or present sensitive material to their students because they fear sanctions, particularly from students and colleagues, then the advancement of human knowledge will be hindered. We may unknowingly pursue our societal goals using ineffective means and policies because scholars fear the consequences of investigating whether such means and policies actually achieve their intended aims.

Such a state of affairs should worry anyone with an interest in American higher education because censorship, however well-intended, undermines the advancement of knowledge. One need not agree with a scholar’s research, teaching, or extramural speech to recognize that censorial solutions often backfire. The “Scholars Under Fire” project reveals that when censorship spreads rampantly, it often impacts unexpected targets: Therefore, those who call for censorship should not be surprised if their actions set the stage for their own views to come under fire.

FIRE remains committed to defending the rights and liberties of students and scholars at American colleges and universities. To that end, we offer invaluable resources and expertise:

- We offer a plethora of [free guides](#) to civil liberties on campus that equip students and faculty with knowledge of their rights.
- Our [Policy Reform team](#) works cooperatively with administrators to ensure policies protect academic freedom before a controversy occurs.
- Our [Campus Rights Advocacy team](#) offers free assistance to those who face civil liberties violations on their campus and works to promote a culture of free expression on campus.
- Our [Faculty Legal Defense Fund](#) provides legal aid to faculty at public colleges and universities who face sanction attempts for their constitutionally protected speech.
- Our [Faculty Network](#) provides a place for faculty across the country to join forces to defend academic freedom. If you are a professor, please consider joining.

Our nation's colleges and universities must also take action and defend scholarly expression from sanction. This can be done by removing vague and subjective language from speech policies, making clear public statements in full-throated support of free speech, adopting a campus-wide free speech policy in the model of the [Chicago Statement](#), further [educating](#) students on the importance of academic freedom and freedom of speech, and/or staunchly defending scholars who come under fire for free expression.

We repeat here our “how-to” guide for responding to scholar sanction attempts, recommended in our previous report:¹⁰⁷

- **Step 1:** A campus representative (e.g., administrator, department chair) who is well versed in the First Amendment determines whether the scholar’s expression is constitutionally protected.
- **Step 2:** If the expression is constitutionally protected, an institutional leader (e.g., dean, provost) issues a formal, generalizable statement explaining that the expression is protected by the First Amendment and thus will be protected at X university/college.
- **Step 3:** The next time an individual and/or group calls for the institution to professionally sanction a scholar for constitutionally protected expression, a campus representative refers that individual and/or group to the statement described in the previous step.

The events of the last few years have brought increased turmoil and controversy to American college and university campuses. Indeed, they represent the three highest totals for sanction attempts in the Scholars Under Fire database by fairly large margins. Because of this, the current decade has already eclipsed the previous one when it comes to the number of scholar sanction attempts. Whether this trend represents a new normal remains to be seen. Regardless, FIRE’s Scholars Under Fire database will continue to track these attempts. Ultimately, it is up to this country’s institutions of higher learning to resist the urge to yield to mob-like demands and instead to commit to supporting freedom of speech and academic freedom.

¹⁰⁷ German & Stevens (2022).

Methodology

Below, we define relevant terms, then describe our process for identifying, coding, and analyzing sanction attempts.

FIRE's Definition of a Scholar

A scholar is an individual whose official affiliation with a college or university is linked to teaching, conducting empirical research, engaging in theoretical inquiries, publishing findings in peer-reviewed journals, and/or presenting work in academic settings (e.g., conferences, panel discussions).

For the purposes of this database, a scholar, based on this definition, includes:

- Professors (assistant, associate, full, emeritus).
- Lecturers (adjunct, clinical, instructors).
- Postdoctoral fellows/visiting scholars at universities or university-affiliated research centers (e.g., Princeton University's Institute for Advanced Study, Stanford University's Hoover Institution).
- Deans who are also tenured faculty at their institutions.
- Attending physicians (medical doctors working in university settings).
- Doctoral students/candidates.
- Medical residents.

Our definition does not include the following:

- Deans and other administrators who have never held a faculty position.
- Researchers working for non-university-affiliated organizations.
- Master's students, medical students, and law students who do not typically conduct research and/or teach undergraduate students.

FIRE's Definition of a Sanction Attempt

We define a *sanction attempt* as an effort to investigate or otherwise professionally sanction a scholar for engaging in speech that is — or would, in public settings, be — constitutionally protected. Our definition of a sanction attempt does not include incidents involving personal threats regarding which we were unable to find any demands for professional sanctions. Nor does our definition include cases in which people express opposition to a scholar's speech without attempting to pressure the scholar and/or institution to take action to remedy the situation.

Coded Details

For each sanction attempt, we code the following details:

- **What** the speech involved (*topic*).
- **Who** the speech was about (*subject*).
- **Why** the speech occurred (*intent*).
- **Where** the speech occurred (*context*).
- **Who** initiated the sanction attempt (*source*).
- The **desired** sanction(s) imposed on the scholar (*demands*).
- The number of petitions and petition signatures **against** the scholar (*petitions against*).
- The number of petitions and petition signatures in **support** of the scholar (*petitions support*).
- Whether the sanction attempt was initiated by those on the political **left** or **right** (*politics*).
- The **scholar's** response to the sanction attempt (*scholar's response*).
- The **administration's** response (*administration's response*).
- The **outcome** of the sanction attempt (*outcome*).

Topics of speech:

- Abortion.
- Climate change.
- Coronavirus (COVID-19).
- Court trial.
- Elections/voting.
- Foreign affairs.
- Free speech/expression.
- Gender.
- Immigration.
- Institutional policy.
- Israel/Palestine.
- Law enforcement protests.
- Mental/physical health.
- Partisanship.
- Race.
- Religion.
- Russia/Ukraine.
- Second Amendment.
- Sexuality.
- Socioeconomic status.
- Terrorism.

Subjects of speech:

- Administrators.
- Asian people.
- Black people.
- Chinese people.
- Christian people.
- Doctors.
- Feminists.
- Graduate students.
- Hispanic people.
- Immigrants.
- Jewish people.
- Left-wing people.
- LGBTQ people.
- Men.
- Muslim people.
- Native American people.
- Palestinian people.
- Plaintiffs/defendants.
- Police officers.
- Politicians.
- Public figures.
- Religious figures.
- Right-wing people.
- Russians.
- Scholars.
- Transgender people.
- Ukrainians.
- Undergraduate students.
- White people.
- Women.

Contexts of speech:

- Classroom.
- Direct interaction.
- Email.
- Op-ed/blog.
- Professional duties.
- Protest/rally.
- Public forum.
- Scholarship.
- Social media.

When inferring the scholar's intent, we examined the tone and content of the scholar's speech, and took the perspective of the *scholar* instead of the perspective of those who initiated the sanction attempt.

Intentions of speech:

- Activism/social change: to express support for a social or political cause.
- Benign/friendly: to make a joke or friendly remark.
- Malicious/hateful: to offend, show contempt, and/or approve of violence.
- Personal opinion: to share one's own view on a controversial social issue.
- Scientific inquiry: to discuss scholarship, research findings, and/or testable hypotheses.
- Teaching practices: to present sensitive, controversial, and/or difficult content (e.g., texts containing a racial slur, violence against women) to encourage discussion and learning.
- Unintentional/accidental: to express oneself in a setting believed to be private.
- Unclear: to speak in a manner that could reflect various different intentions.

Sources of sanction attempts:

- Activists.
- Administrators.
- Alumni.
- Corporations.
- General public.
- Graduate students.
- Government officials.
- Public figures.
- Scholars.
- Stakeholders.
- Undergraduate students.
- Anonymous.

Demands made by the source of a sanction attempt:

- Apology and/or condemnation.
- Censorship.
- Demotion.
- List.
- Policy change.
- Suspension.
- Termination/forced resignation.
- Training.
- Vague investigation.

Scholar's response:

- To deny responsibility.
- To deny wrongdoing.
- To express regret.
- To file a lawsuit.
- To provide additional context.
- To voluntarily leave or resign
- To make no comment.

Administration's response:

- To apologize publicly for and/or condemn the scholar.
- To support the scholar's speech or right to free speech.
- To make no comment.

Outcomes:

- Censorship.
- Demotion.
- Investigation.
- Mandatory training.
- Reinstatement.
- Suspension.
- Termination.
- Voluntary resignation.
- No sanction.

For each of the above descriptor categories, the coding options are not mutually exclusive; more than one option could be selected. For instance, when Sandra Sellers, a former adjunct professor of law at Georgetown University, was unwittingly recorded telling her colleague, "I end up having this angst every semester that a lot of my lower ones [students] are Blacks," the *topic* was categorized as "race"; the *subjects*, as "Black people" and "graduate students"; the *intent*, as both "personal opinion" and "unintentional/accidental"; the *context*, as a "direct interaction"; the *source*, as both "graduate students" and "undergraduate students"; the *demands*, as a "list," "policy change," and "termination"; the *scholar's response*, as to "express regret" and "leave/resign"; the *administration's response*, as to "apologize" for the scholar's speech; and the *outcome*, as the scholar being "terminated." (Note: although Sellers announced her resignation, the dean of the law school also informed her that he was terminating her contract, effective immediately: Therefore, the outcome was coded as "termination" rather than "resignation.")

For more details on how each of these categories were coded, please refer to the "[Scholars Under Fire Code-book](#)" on FIRE's website.

Political Motivations

Often scholars are targeted because their speech is perceived as politically left- or right-wing by those who initiated the sanction attempt. However, this does not mean that the scholar being targeted is, in fact, on the left or right. We documented many sanction attempts involving scholars who are on the same side of the political aisle as those demanding sanctions against them. Often, those who initiate the sanction attempt are more ideologically committed or extreme (e.g., *further* to the left or right, relative to the scholar).

Therefore, we code sanction attempts as coming “from the left” or “from the right” to convey that we are inferring the politics of those demanding sanctions, not the politics of the scholar. If a sanction attempt comes from the left, this does not mean that the targeted scholar is on the right. Likewise, if a sanction attempt comes from the right, this does not mean that the targeted scholar is on the left.

And for each sanction attempt, we code the political motives associated with the demand to sanction a specific instance of expression. Some scholars can be targeted by both the left and right, but for different things they’ve said over time.

We code the political motivation as “unclear/irrelevant” if the source does not fit into the American conception of left and right.

Data Collection

To collect data on sanction attempts, we relied primarily on campus, local, and national news stories.

To identify additional cases, we checked the following nine existing¹⁰⁸ sources which track similar types of incidents:

1. Lee Jussim’s list of “Threat(s) to Academic Freedom ... From Academics.”
2. Jeffrey Sachs’ list, “The US Faculty Termination for Political Speech Dataset (2000-2020).”
3. The “Free Speech Tracker” from The Free Speech Project at Georgetown University.
4. Duke Law School’s “Campus Speech Database.”
5. The National Academy of Scholars’ list, “Tracking ‘Cancel Culture’ in Higher Education.”
6. National Review’s list, “Tracking ‘Cancel Culture’ in Higher Education.”
7. The “Retraction Watch Database.”
8. The College Fix’s “Campus Cancel Culture Database.”
9. The “Canceled People” database.

Identifying Professor Watchlist Entries

Turning Point USA’s Professor Watchlist maintains pages on thousands of professors. The vast majority of these pages document various examples of objectionable speech without taking the additional step of calling on parents and students to contact the administration. To identify professors targeted in this manner, we opened the pages on each featured professor, scrolled to the bottom, and checked if the contact info was there. We then used the Wayback Machine to identify the year that the contact information was added. In almost all cases, the Wayback Machine’s results comported with the “last updated” note at the bottom of the pages.

¹⁰⁸ Acevedo, D. (2020). Tracking “Cancel Culture” in Higher Education. Available online: https://www.nas.org/blogs/article/tracking-cancel-culture-in-higher-education?mc_cid=a2bc86b30c#caseslist (accessed on February 16, 2023); Duke Law Campus Speech Database. Available online: <https://campus-speech.law.duke.edu/> (accessed on February 16, 2023); Evans, Z. & Loftus, J. (2020). The Cancel Counter: Thousands Sign Petition to Remove Walt Whitman Statue From Rutgers. Available online: <https://www.nationalreview.com/news/the-cancel-counter/> (accessed on February 16, 2023); The Canceled People Database. Available online: <https://canceledpeople.org/cancellations/> (accessed on February 16, 2023); The Campus Cancel Culture Database. The College Fix. Available online: <https://www.thecollegefix.com/ccdb/> (accessed on February 16, 2023); The Free Speech Project. Free Speech Tracker. Available online: <https://freespeechproject.georgetown.edu/free-speech-tracker/> (accessed on February 16, 2023); Jussim, L. (2020). The Threat to Academic Freedom . . . from Academics. 2020. Available online: <https://medium.com/@leej12255/the-threat-to-academic-free-dom-from-academics-4685b1705794> (accessed on February 16, 2023); Sachs, J. The US Faculty Termination for Political Speech Dataset (2000-2020). Available online: https://docs.google.com/spreadsheets/d/1eeTHZQOh9faZ2P3C_O3sVBuRAG1LzIznsq6LB5oNUHk/edit#gid=122618086 (accessed on February 16, 2023); The Retraction Watch Database. Available online: <http://retractiondatabase.org/RetractionSearch.aspx> (accessed on February 16, 2023).

TOP TOPICS BY YEAR

Year	Topic	Frequency
2000	Gender	2
2000	Institutional policy	1
2000	Race	1
2000	Partisanship	1
2001	Terrorism	6
2001	Institutional policy	2
2001	Religion	2
2002	Terrorism	2
2002	Israel/Palestine	1
2002	Institutional policy	1
2003	Institutional policy	2
2003	Gender	1
2003	Terrorism	1
2003	Race	1
2003	Climate and environmental issues	1
2004	Free speech	2
2004	Race	2
2004	Religion	2
2005	Terrorism	7
2005	Institutional policy	4

Year	Topic	Frequency
2005	Israel/Palestine	3
2006	Race	5
2006	Partisanship	3
2006	Institutional policy	3
2007	Institutional policy	5
2007	Religion	5
2007	Terrorism	4
2008	Institutional policy	7
2008	Race	6
2008	Religion	4
2009	Institutional policy	8
2009	Economic inequality	5
2009	Israel/Palestine	2
2009	Health	2
2009	Sexuality	2
2009	Terrorism	2
2010	Institutional policy	5
2010	Race	5
2010	Sexuality	4
2011	Institutional policy	11

Year	Topic	Frequency
2011	Gender	5
2011	Race	5
2012	Institutional policy	4
2012	Sexuality	3
2012	Gender	3
2013	Religion	7
2013	Institutional policy	5
2013	Sexuality	4
2013	Gender	4
2014	Institutional policy	9
2014	Partisanship	7
2014	Race	5
2015	Institutional policy	13
2015	Race	11
2015	Gender	10
2016	Institutional policy	17
2016	Race	14
2016	Gender	10
2017	Race	36
2017	Partisanship	25
2017	Gender	18
2018	Gender	33

Year	Topic	Frequency
2018	Race	24
2018	Institutional policy	19
2019	Race	42
2019	Partisanship	22
2019	Institutional policy	19
2020	Race	87
2020	Partisanship	42
2020	Police/military protests	37
2021	Race	108
2021	Partisanship	61
2021	Institutional policy	45
2022	Race	66
2022	Partisanship	34
2022	Institutional policy	31



FIRE

510 Walnut Street, Suite 1250
Philadelphia, PA 19106
T: 215.717.3473 F: 215.717.3440
www.thefire.org



@thefireorg