



# Let's TALK



LEADER MODERATION  
GUIDE

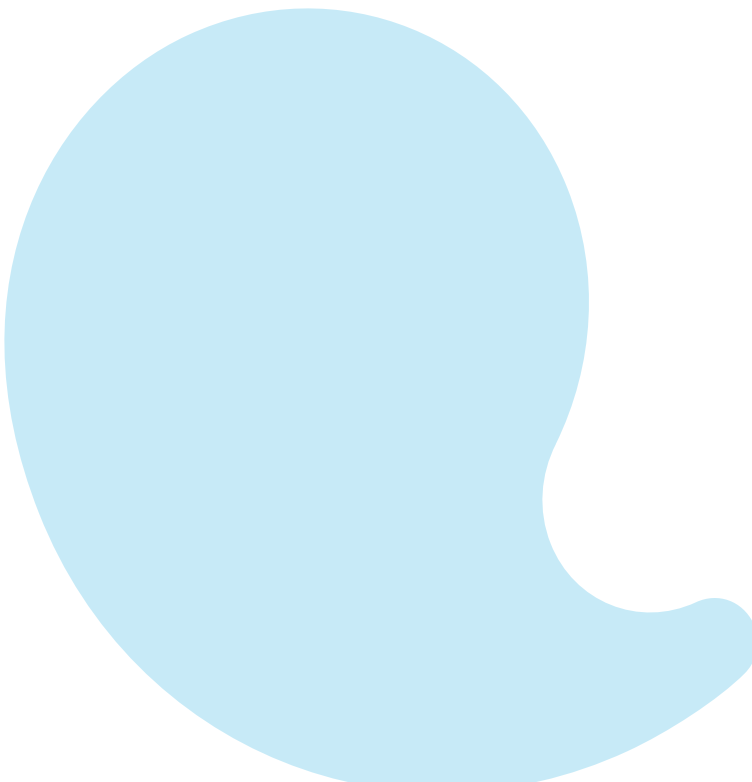


## Leader Moderation Guide

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The goal of every Let's Talk group is to promote civil discourse to a larger audience. With your leadership, your group will engage students in thorough, constructive, and vibrant discussion about tough issues in a healthy atmosphere. You will help students practice and develop their skills as productive **interlocutors** in an **informal** and **exploratory** forum. An **interlocutor** is simply someone you talk to, like a discussant. Discourse groups allow various viewpoints to come together for inquiry through collegial discourse and dialectic, allowing members to learn as much as possible about other people's positions, experiences, and ways of thinking.

A key part of being a Let's Talk leader is recognizing when to intervene during a heated discussion. FIRE has created this guide to prepare leaders for their role as moderator and to give them the tools to diffuse tensions in conversation.



# General Rules to Know Before Engaging in Discussions

Consider printing out these rules for your cohort and reading them aloud before each meeting.

In *The Coddling of the American Mind*, FIRE President Greg Lukianoff and psychologist Jonathan Haidt draw from the expertise of psychologist Adam Grant on how to direct productive discussions:<sup>1</sup>

- 1 “Frame any discussion as a [debate](#), rather than a conflict.
- 2 Argue as if you’re right, but [listen as if you’re wrong](#).
- 3 Make the [most respectful interpretation](#) of the other person’s [perspective](#).
- 4 Acknowledge where you agree with your critics and what you’ve [learned from them](#).<sup>2</sup>

**A FIRE Top Tip:** Remember that you can be a positive role model for other people on how to engage in civil dialogue. By treating the other person with respect, even if they don’t respond in kind, you increase the odds of having a positive encounter with them in the future.<sup>3</sup>



**By treating the other person with respect, even if they don’t respond in kind, you increase the odds of having a positive encounter with them in the future.**



1 Greg Lukianoff and Jonathan Haidt, *The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting up a Generation for Failure* (Penguin Books, 2018), 240.

2 Adam Grant., “Kids, would you please start fighting?” *The New York Times* (New York, NY), Nov. 4, 2017. <https://www.nytimes.com/2017/11/04/opinion/sunday/kids-would-you-please-start-fighting.html>.

3 “Helpful phrases to use in practicing civil discussions,” *The Foundation for Individual Rights in Education*, December 18, 2019, <https://www.thefire.org/presentation/wp-content/uploads/2019/12/18151806/Helpful-phrases-to-use-in-practicing-civil-discussions.pdf>.

# Discuss What Free Speech Means With Your Members

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You should know which speech is protected and unprotected in your discussion group and on campus. Protected speech may be different if you attend a private institution. Familiarize yourself with your school speech codes and the differences between [unprotected](#) and protected speech. You can use [our Spotlight Database](#) to see how FIRE rates your college or university's free speech policies.

The United States Supreme Court provides [a cheat sheet](#): for understanding the definition of freedom of speech in the United States. We've adapted it for university students below.

## The First Amendment states, in relevant part, that:

- “Congress shall make no law...abridging freedom of speech.”

## Freedom of speech includes the right:

- Not to speak or be compelled to speak (specifically, the right not to salute the flag or say the Pledge of Allegiance).  
*W. Va. Bd. of Educ. v. Barnette*, 319 U.S. 624 (1943)
- To engage in symbolic expression at school to convey a message. Symbolic expression includes things like wearing a t-shirt with a message on it, wearing an armband to protest a war, etc. “It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”  
*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 506 (1969)
  - While *Tinker* applied specifically to high school students, its ruling that the First Amendment prohibits high schools from curbing symbolic expression applies also to university students. As the Supreme Court's ruling in *Healy v. James* declares, “[S]tate colleges and universities are not enclaves immune from the sweep of the First Amendment.”  
*Healy v. James*, 408 U.S. 169, 180 (1972)
- To use certain offensive words and phrases to convey political messages.  
*Cohen v. California*, 403 U.S. 15 (1971)
- To espouse offensive or provocative ideas. “[T]he mere dissemination of ideas—no matter how offensive to good taste—on a state university campus may not be shut off in the name alone of ‘conventions of decency.’”  
*Papish v. Bd. of Curators of the Univ. of Mo.*, 410 U.S. 667, 670 (1973)
- To contribute money (under certain circumstances) to political campaigns.  
*Buckley v. Valeo*, 424 U.S. 1 (1976)  
*Citizens United v. Fed. Election Comm'n*, 558 U.S. 310 (2010)

- To advertise commercial products and professional services (with some restrictions).  
*Va. Bd. of Pharmacy v. Va. Consumer Council*, 425 U.S. 748 (1976)  
*Bates v. State Bar of Ariz.*, 433 U.S. 350 (1977)
- To engage in symbolic speech such as burning the flag in protest.  
*Texas v. Johnson*, 491 U.S. 397 (1989)  
*United States v. Eichman*, 496 U.S. 310 (1990)

**Freedom of speech does not include the right:**

- To incite immediate violence or lawless action.  
*Brandenburg v. Ohio*, 395 U.S. 444 (1969)  
*Hess v. Indiana*, 414 US 105 (1973)
- To make or distribute obscene materials.  
*Roth v. United States*, 354 U.S. 476 (1957)
- To make noises that are so loud that they prevent others from speaking or exercising their First Amendment rights.  
*Kovacs v. Cooper*, 336 U.S. 77, 87–88 (1949)
- To make threats.  
*Virginia v. Black*, 538 U.S. 343, 359 (2003)
- To burn draft cards as an anti-war protest.  
*United States v. O'Brien*, 391 U.S. 367 (1968)

# Ten Terms To Know

**1. Civil discourse:** In a civil discourse, interlocutors engage in a mutual airing of views without spite. Its sole purpose is a collaborative one, which aims to promote greater understanding between discussants.

**2. Good faith argument:** A “good faith” argument or discussion is one in which both parties agree on the terms on which they engage, are honest and respectful of the other person’s dignity, follow generally-accepted norms of social interaction, and genuinely want to hear what the other person thinks and has to say. In many cases, they are working together towards a resolution that will be mutually satisfying. “Good faith” is similar to “good will,” in that you wish the other party well and do not intend harm.

**3. Bad faith argument:** A “bad faith” discussion is one in which one or both of the parties has a hidden, unrevealed agenda or lacks basic respect for the rights, dignity, or autonomy of the other party. Disrespect for the other party may include dishonesty. A person engaged in “bad faith” does not accept the other person as they are.

**4. Emotional temperature:** When people feel emotionally threatened, they can become resistant and their ego-defense mechanisms can kick in. This can happen in a heated intellectual discussion, if one person feels outmatched, embarrassed, or unable to defend themselves. As a Let’s Talk leader, it’s important to remain attentive to students’ high emotional temperatures and to actively intervene when a controversial discussion heats up.

**5. Relativism:** Grappling with difficult topics will often involve embracing ambiguity and nuance, and

engaging with competing arguments. It’s important to remember perspective and relativity in tough moments.

**6. Commitments in Relativism:** Sometimes during conversations, you may have to make informed choices in the realistic “gray” realm of “better or worse.”

**7. Cognitive distortions:** These are bad mental habits which can be gently challenged and can be disproved factually. Check out [our Let’s Talk resource, “Cognitive Behavioral Insights in Group Discussions”](#) for better conversations.

**8. Principle of Charity:** Following the principle of charity means interpreting others’ comments in the best or kindest way possible.<sup>4</sup> This principle should undergird all discussions in your discourse group. Those who disagree with you will appreciate your willingness to strengthen and appreciate the merits of their argument, and thus interpret your disagreements more charitably, too.

**9. Intellectual Humility:** “Practice the virtue of ‘intellectual humility.’ Intellectual humility is the recognition that our reasoning is so flawed, so prone to bias, that we can rarely be certain that we are right.”<sup>5</sup>

**10. Dialectic:** According to [OxfordLanguages](#), dialectic is “the art of investigating or discussing the truth of opinions.” Every Let’s Talk Civil Discourse group will practice dialectic above all. Dialectic is collaborative, not competitive, and open, not obstinate. Feel free to conduct debates or informal discussions as desired, and always draw the group’s purpose back to the ideal of dialectic.

4 Greg Lukianoff and Jonathan Haidt, *The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting up a Generation for Failure* (Penguin Books, 2018), 243.

5 Greg Lukianoff and Jonathan Haidt, *The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting up a Generation for Failure* (Penguin Books, 2018), 244.

# Terms of Engagement: Ask Yourself These Questions Before Beginning

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## 1. How many times can a student pose a rebuttal before the group leader should change the subject?

- Establish a number and stick to it. For example, allow two rebuttals per side per argument.
- Ask the opposed parties this question: “What might be the compromise or middle ground between these two views?”
- Consider using the format of an [Oxford Style Debate](#).

## 2. How do you manage members who dominate the discourse?

- Consider setting this rule: “Each audience member may speak only once until all interested participants have spoken.”<sup>6</sup>
- Tell your members this: “Please follow the direction of the discussion. Don’t repeat what has already been said. Relate your comments to those of previous speakers.”<sup>7</sup>

## 3. How can a group leader bring everyone into the conversation?

- Initiate shy people with an easy question: “What do you think are the opportunities or challenges of this conversation which we’ve overlooked?”
- Try a “one-minute paper.” Ask your members to write down which side of the topic is most interesting to them or what is still unclear. Ask them to do so on a post-it and in one sentence. Collect them anonymously and discuss some of those post-its afterwards.<sup>8</sup>
- Try “where do you stand?” Give participants two or more options related to the argument, corresponding to sides of the room. Upon hearing each side, participants go to the side of the room that they most agree with. In each small group, participants can discuss why they chose that side, and physically see how common or uncommon their viewpoint is.

6 “Oxford Style Debate,” *United States Courts*, <https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/oxford>.

7 “Setting Ground Rules - Civil Discourse and Difficult Decisions,” *United States Courts*, <https://www.uscourts.gov/educational-resources/educational-activities/setting-ground-rules-civil-discourse-and-difficult>.

8 “Moderating Class Discussions,” *Ghent University*, <https://onderwijstips.ugent.be/en/tips/discussie-modereren-de-klas-en-online/>.

# Terms of Engagement: Ask Yourself These Questions Before Beginning

## 3. How can a group leader bring everyone into the conversation? (continued)

- Try “Around the World.” Before playing, choose four questions from our Topic Escalation Guide, one from each spice level. Players who intend to ask the questions should bring their phones to use as timers. Divide your group into pairs and arrange the pairs into a circle so that there is an inner circle and an outer circle. Ask your spice level zero question and give each pair 5 minutes to discuss. When the 5 minutes are over, ask the players in the inner circle to rotate to the outer-circle player to their right. Then ask your spice level 1 question and give each pair 5 minutes to discuss. Repeat this process until all questions are asked. When finished, sit down with your group and have everyone talk about their experience. Great questions for the group to think about and discuss are: Did things get heated? Why did they get to that point? What did you do to de-escalate the conversation?
- To engage shy participants in the discussions, use these phrases and tips:
  - “I appreciate your comments, but I also would like to hear the opinions of others.”
  - “I’m going to listen to \_\_\_\_\_, and then I’ll come back to you.”<sup>9</sup>
  - “Give some students explicit opportunities to speak.”<sup>10</sup> Ask quiet students “closed questions” in order to lead them into the discussion and towards “more questions/contributions.”<sup>11</sup>
- Pay attention to non-verbal cues. For instance, if you see someone nodding, say: “I see you agree. Would you like to explain your opinion?” Or the other way around, “Am I right that you disagree with this statement? Why?”<sup>12</sup>

9 “Moderating Class Discussions,” Ghent University, <https://onderwijstips.ugent.be/en/tips/discussie-modereren-de-klas-en-online/>.

10 “Moderating Class Discussions,” Ghent University, <https://onderwijstips.ugent.be/en/tips/discussie-modereren-de-klas-en-online/>.

11 “Moderating Class Discussions,” Ghent University, <https://onderwijstips.ugent.be/en/tips/discussie-modereren-de-klas-en-online/>.

12 “Moderating Class Discussions,” Ghent University, <https://onderwijstips.ugent.be/en/tips/discussie-modereren-de-klas-en-online/>.



# What is a heated discussion like?

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Often, a heated discussion occurs because someone is reacting, not responding, to what's happening. It can be tough or ineffective to reason with a person who is reacting. A person with a high emotional temperature can disrupt a setting and derail the entire discussion.

If this happens in your organization, it is your responsibility as a leader to be equipped with the tools to calm a situation should this occur.

In individual encounters, the way to lower emotional temperatures is to respond directly to the emotion that the person is expressing and ask them to dig a little deeper into why they are feeling so intensely about the topic. You can pause discussion and ask those whose emotional temperatures are running particularly high why that might be and ask them to unpack their feelings a little bit more. This can help to return the focus to the topic and away from the intense emotional experience of those heating up the conversation. Unfortunately, this is difficult to manage in a group setting, so it is much better practice to continually monitor the discussion and to step in to modulate the proceedings at the first sign of rising temperatures.

## Signs that the emotional temperature of a discussion is heating up:

- Students begin to look uncomfortable when others are speaking.
- Discussants begin employing emotional argument strategies, such as ad hominem attacks or insults. For definitions and examples of logical fallacies to avoid in Let's Talk discussions, like ad hominem, see our ["Think Clearly, Speak Clearly" guide](#).
- Arguments become aggressive or defensive.
- Students attempt to speak over each other.
- Discussants begin to raise their voices.
- The room begins to feel combative, as though there are two "teams" engaging in discussion with the goal of "defeating" the other side.
- Evidence of failure to maintain "good faith" discussion and a growth of "bad faith" tactics.

## MANAGING EMOTIONAL TEMPERATURE

When people feel threatened (in this case, psychologically), they become resistant and their ego-defense mechanisms kick in. This can happen in a heated intellectual discussion if one person feels **outmatched, embarrassed, or unable to defend** themselves. When a member becomes upset, they may lash out at others. As a discourse group leader, it's important to remain attentive to students' high emotional temperatures and to actively intervene when a controversial discussion heats up. When a person's emotional temperature spikes, the person is responding to what's happening based on pure emotion. **You are responsible for maintaining the organization's climate.** Overheated emotions can undermine effective discussion in your group.

Members must avoid launching personal attacks during a debate; however, it can still be hard not to take some things personally. Sometimes, you may think the group is conducting a civil discussion and not launching inappropriate personal attacks, but a group member may still feel personally attacked. This is why it's important to monitor the group climate for signs that things are becoming heated.

Not all group members will be ready for the same topics. Each member has their own readiness level and there are some "hot" topics that are sensitive even for the most mature members. Some individuals might have personal backgrounds that make certain topics very uncomfortable for them. A group leader's goal should be to provide appropriate challenges with appropriate levels of support.

In order to help manage emotional temperature, **there are a few key phrases** that may help drive the conversation in a different direction:

- "Have you considered...?"
- "It's been suggested that..."
- "Some people say..."
- "What do you think about the view that...?"
- "Not everyone agrees; for instance, so-and-so thinks..."
- "I read an article with a different view. The author said..."
- "I wonder what you think about the idea that...."

“

***A group leader's goal should be to provide appropriate challenges with appropriate levels of support.***

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**Comments that can be made when the discussion starts becoming heated:**

- “Hmm...that's an interesting idea.”
- “Why do you think that?”
- “That’s been getting a lot of attention lately, huh?”
- “I might have to give that some thought.”
- “I hear you.”
- “You may have a point there.”
- “I didn’t know that.”
- “I never heard that before”
- “I’m not sure I agree with you, but you’ve given me something to think about.”
- “Thank you for telling me that.”
- “Do you have a source that will teach me more about that perspective?”

**Facilitators can intervene when members are deviating from civility by altering the conversation:**

- “I’m sensing a lot of tension in the room. Is there a better way we can address the question at hand?”
- “Though it is important to be able to convey emotion in our arguments, we should remain conscious of the ways in which we address other members of the room.”
- “Let’s remember that it is not our goal to target any members of the discussion. Disagreement does not require alienation.”
- Pausing the discussion and saying, “Everyone will get a chance to speak” or “let’s let everyone offer their view” because students may get frustrated by a dominant speaker.
- If the conversation becomes tense, the facilitator can ask members to take a 5 minute water break. This allows for participants to calm their minds.
- At any point when discussion is losing its civility, facilitators can reiterate the commitment to productive and healthy discourse found in the “Expectations Sheet for Members,” section of the [Let’s Talk: Start Up Guide](#).

# Hot or Not: Is Your Conversation Heating Up?

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## LEVEL MARKERS:

### Heat Level 0

Topic questions designed to encourage participants in a Let's Talk meeting to get to know each other and to learn why their peers decided to attend the meeting. This level of questions allows participants to reach a comfort level with each other before diving into potentially controversial and tense topics of discussion.

- *Examples: share goals for the discourse meeting and reasons for attending, discuss feelings about the state of civil discourse at your school*

### Heat Level 🍊

A topic that causes minimal sensitivity but still provokes debate.

- *Examples: pop culture, the definition of freedom, meeting attendees' thoughts about the importance of civil discourse*

### Heat Level 🍊🍊

A topic that invokes slight sensitivity and emotional investment.

- *Examples: university fund allocations, environmental issues, hate speech, privacy and the government, healthcare*

### Heat Level 🍊🍊🍊

A topic that causes great sensitivity and possible emotional discomfort through disagreement.

- *Examples: immigration, racial injustice, criminal justice*

# Hot or Not: Is Your Conversation Heating Up?

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## Checklist for moving the heat level

If the students in your discourse group appear to consistently maintain a “good faith” attitude, it’s time to advance to the next heat level! If the discussion devolves from a “good faith” argument to a “bad faith” argument, it is time to reduce the heat level and diffuse some of that hostile energy. Remember to pay attention to the participants’ emotional temperatures.

## Signs your group is ready to move up a heat level:

- Discussion is civil, remaining in bounds of “good faith” argument criteria.
- Differing opinions are being shared.

## Signs your group needs to go back a heat level:

- Your group needs to go back a level if you sense emotional temperatures spiking. When emotional temperatures spike, the group could be heading into a “bad faith” argument situation which will only devolve the discussion and make the experience very unpleasant for everyone.

“

*Remember to pay attention to the participants’ emotional temperatures.*

”

## EXAMPLE TOPIC QUESTIONS:

### Heat Level 0

1. Why are you at this Discourse Group meeting? What do you hope to gain by participating?  
Discuss your goals.
2. Are you generally happy with the current state of civil discourse at your school? If you are happy, how do you think the value of civil discourse is most effectively maintained on your campus? If not, how do you think the state of civil discourse could improve?
3. Can you think of one issue on which your views have significantly changed over time? What was that?  
Why did your views change?

### Heat Level 🍊

1. In what situations do you feel as though you are exercising “freedom?” What does freedom mean to you?
2. Should the United Nations have more power to enforce its policy?
3. Should the government institute a “carbon tax?”
4. Should beverages be taxed based on sugar content?
5. Is civil discourse vital to democracy?
6. Does voting make a difference? What criteria do you consider when you vote?
7. Is Taylor Swift’s *Red*, a pop or a country album?

## Heat Level 🌶️🌶️

1. How does a leader most effectively achieve political reform? If you were President of the United States, for example, what issue would be first on your agenda? And how would you go about achieving your goals in that area?
2. Describe a moment in this country's history in which you believe it lived up to its best ideals. What are those ideals, in your opinion?
3. Describe a moment in this country's history in which you do not believe it lived up to its best values. How do you think the country could have succeeded at this moment?
4. What does it mean to be a good leader? How do you know when a leader is effective and deserving of respect?
5. Are there cultural customs that we should preserve?
6. Should the U.S. adopt English as its official language?
7. How paternalistic should the U.S. government be? Why? When should the U.S. government intervene in the daily lives of Americans? Why? Is the government solely tasked with preserving the life, liberty, and property of its citizens--or is it tasked with something more? Why?
8. Should states fund "school-choice" programs? If so, why?
9. Are wealthy people morally obligated to participate in philanthropy? Should the government tell the wealthy how to spend their money?
10. Is there a tension between personal freedoms and equality?
11. Should illegal drugs be legalized? If so, which ones should be legalized and which should remain illegal?
12. Has journalism in the 21st century lost sight of tolerant, constructive discussion of controversial issues? And if it has, how might the industry return to the value of civil discourse, if indeed, you agree that it should?
13. Should the United States build ties with countries like China and Russia or break them down?
14. Is healthcare a universal human right?
15. Should the U.S. eliminate mandatory minimum sentences?
16. Should the U.S. offer free public university education?

**Heat Level** 🌶️🌶️🌶️

1. Are racial jokes acceptable in comedy?
2. Do you feel clearly aligned with a particular political party? Or are you more conflicted? Why do you think you align or do not align? Discuss.
3. Should the U.S. government recognize the institution of marriage?
4. Is the nuclear family a thing of the past? Should it be?
5. Is the death penalty ever an appropriate punishment?
6. Should nations build walls or barriers along their borders? Or should the world progress towards a future of open borders?
7. Should hate speech be considered free speech?
8. Is a two-state solution a reasonable resolution to the Israel-Palestine conflict?
9. Does “cancel culture” exist? Is it good or bad?
10. Should the U.S. offer free public university education?
11. Should the U.S. end qualified immunity?
12. Should sex work be legalized?
13. Is owning an automatic weapon morally justifiable?
14. Do the harms of patriotism outweigh the benefits?
15. Is the Paris Agreement relevant anymore? Did the U.S. make the right or wrong decision in leaving the Agreement?
16. Should Critical Race Theory be mandatory teaching in U.S. public high schools?
17. Can police officers using deadly force ever be justified? Why or why not?
18. Should the U.S. abolish the electoral college? If so, what would the ideal replacement be? Should there be a replacement at all?



# References

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## How FIRE can help

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We are counting on you to help cultivate a culture of free speech on your campus! FIRE is here to provide guidance and resources. We have a team of experts at your disposal who can help decode and demystify your school's policies, help you talk to administrators, and offer advice on tricky free speech questions. Additionally, we can send guides, literature, speakers, and FIRE materials. Please do not hesitate to contact us with questions.

We are here to help!