



University of Michigan Law school hosts free speech debate

By Scott McClallen

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(The Center Square) – Two speakers with diametrically opposing viewpoints can at least agree on one thing.

Both encouraged University of Michigan law students Tuesday to welcome and engage with speakers holding beliefs students might oppose.

About 30 people attended the event hosted by the Michigan Law Federalist Society, but none heckled or disrupted the speech, a sharp contrast from an event held at UM last week in which students interrupted and drowned out a speaker with their shouting.

The panel was held a week after UM students disrupted a presentation by lawyer Jonathan Mitchell in which the former talking about abortion. The former Texas solicitor general and clerk for Supreme Court Justice Antonin Scalia wrote the legal theory behind Texas [Senate Bill 8](#), known as the “heartbeat bill.”

The panel featured Ilya Shapiro, the former vice president of the free-market Cato Institute, Northwestern Law Professor Andrew Koppelman, and moderator, University of Michigan Professor Adam Pritchard.

Koppelman, a self-described liberal, encouraged students who disagreed to listen to others so they could learn how to argue with people like Shapiro, whose relationship he referred to as “enemies with benefits.”

“I want to talk to my friends on the left,” Koppelman said. “If you agree with me that he’s got awful views, you ought to be really glad he’s here and you should listen very carefully to what he has to say, not because the abstract value of the freedom of speech, but because paying attention to him will help you to fight him.”

Koppelman, who’s about to publish a [book](#) on libertarianism in October, said he couldn’t have written the book without talking to people with whom he disagreed.

“You need to engage with them and if you can’t do that, you won’t even listen to them,” Koppelman said.

Koppelman said college students who shout down speakers they disagree with also are engaging in censorship.

Law School Dean Mark D. West sent out an email the following day after Mitchell's speech March 24, titled "Commitment to Freedom of Expression and Free Speech," which was obtained by The Center Square.

"These acts were fundamentally contrary to our values and pedagogical mission – not to mention our rules – and it frustrated the free speech interests of both the speaker and fellow students who were entitled to listen," West wrote in an email to law students.

"At Michigan Law, we respect the right of speakers to be heard, free from harassment or interruption. The Law School neither asks about a speaker's views nor interferes in student organization programming based on those views. An academic community simply cannot suppress speech in an open forum based on the belief that it is pernicious, false, or even detestable. Disapproval can be expressed by counterprogramming, by asking tough questions, by nondisruptive demonstrations, or by boycott."

Shapiro wrote he's given more than 1,000 speeches and hadn't been protested until March 1, when students shut down a Federalist Society event at San Francisco's UC Hastings College of Law.

Shapiro caught national headlines for a Jan. 26, 2022, tweet opposing President Joe Biden limiting his Supreme Court judicial nomination pool by race and sex. Shapiro apologized for the wording of the tweet.

Students shouting down speakers are not an isolated event. In 2022 thus far, students have shouted down speakers at UC Hastings, Yale University, and last week, during Mitchell's UM appearance.

Shapiro said law students should argue with each other to prepare for post-law life.

"You would think that law students would have a greater appreciation for spirited and open engagement with provocative ideas than undergraduates," Shapiro said during the panel. "After all, you will be facing more challenging situations in your legal careers than poorly phrased tweets or statements that offend you."

In a post-interview, Shapiro said the event went well and generated good discussion, including about the limits of free speech and how it relates to larger debates on college culture.

"Everybody was free to talk," Shapiro said in an interview. "We had room to cover all these important issues. I thought this was a good model of an event."