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Article

With Friends Like These: On the Role of Presupposition in Pseudo-Defenses of Free Speech on Campus

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Abstract: Some celebrated defenses of free speech, academic freedom, and open inquiry rest on anti-free speech presuppositions. This paper offers an analysis of these pseudo-defenses of campus free speech and explains how they each threaten to undermine their own goals in the long run. The paper closes with a recommendation for a relatively easy fix.

Keywords: freedom of speech; academic freedom; presupposition; Mill; Grice

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1. Introduction

In this paper, I will critique some strategies commonly employed to defend free speech in academic contexts. And I will do this by discussing some familiar and sometimes celebrated cases. I shall contend that these aren't really defenses of free speech or open inquiry because they all carry tacit endorsement of an anti-free speech presupposition. And therefore such "defenses" of free speech on campus threaten to undermine it in the long run. I close with a suggestion on how to fix the problem. But first, I offer a word about what the pro-free speech position is, at least as I see it.

2. The Epistemic Foundations of Free Speech and Open Inquiry

John Stuart Mill's famous defense of freedom of expression in Chapter 2 of *On Liberty* is primarily epistemic (Mill, 1859/2007). We should allow contrarian opinions to be expressed so we can engage with them. And we should engage with them because this is

a good way to generate and maintain knowledge, understanding, and related intellectual goods.

Mill's main argument takes the form of a dilemma. Either the contrarian is right or he is wrong. If he is right – and therefore the rest of us are wrong – then, by suppressing his opinion, we miss out on the opportunity to correct ourselves. This horn of the dilemma tends to get the most attention in public discussions of freedom of speech and related ideals like viewpoint diversity. We should allow and encourage dissenting opinions because, hey, maybe we have it wrong (or, as Mill also noted, partially wrong). But for my money, the other horn of the dilemma is where the real action is.

That one goes like this. Even if the contrarian position is wrong – obviously and certainly wrong – censorship prevents us from gaining "the clearer perception and livelier impression of truth produced by its collision with error" (Mill, 1859/2007, p. 77). In other words, engagement with contrarian ideas, even when they are certainly mistaken and misguided, serves to improve our understanding of what we already knew was true.

This point ought to be obvious to anyone with a background in philosophy. In philosophy, we find interesting and valuable arguments for all kinds of crazy claims, including, for instance, the claim that nothing ever moves. Even though Zeno of Elea's ancient arguments against motion are certainly unsound, much gain can be had from engaging with those arguments and figuring out where exactly they fail.

No belief of ours – no item of commonsense, science, or philosophy – is more certain than our belief that some stuff moves. The fact that Zeno came up with some interesting arguments against that belief means there is no proposition for which we are in a good position to say in advance that there could never be a valuable argument in its defense. This includes arguments for propositions that are obviously false, stupid, and morally abhorrent.

What Mill saw as a dilemma for the censor, I prefer to run as a deduction. Once you agree that we should not suppress the contrarian's speech just because his position is obviously and certainly wrong, the rest comes easy. If we should not suppress arguments for obviously false views, then of course we shouldn't do that to ones that might be right. The point applies in academic contexts just as well as it does everywhere else. In fact, since the primary aim of our academic endeavors is to advance knowledge and understanding, the point applies there even better.[1]

It is also important to note that it is no part of this position that whether contrarian speech should be permitted and engaged with is a function of the race, sex, or other aspects of the speaker's identity. This includes the speaker's place in the social hierarchy. Whether someone ought to be permitted to defend a position on some controversial topic and whether the rest of us ought to engage with that position is not a function of whether the speaker is punching up, down, or in between.

This is not intended to be a full defense of open inquiry and freedom of speech on campus. It is only a statement of the position as I understand and endorse it.[2] This position does not assume commitment to free speech absolutism and allows, for instance,

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[1] It is worth emphasizing that this application of Mill's ideas on freedom of expression is fundamentally rooted in epistemic concerns rather than moral ones. Thus, I set aside debates over how to interpret and apply his famous harm principle.

[2] For my own defense of this sort of position, see (Veber, 2021), (Veber, 2024) and (Veber, 2025).

that speech constituting incitement to imminent lawless action is an acceptable limitation on free expression.[3] In what follows, I will focus on some real-world cases of controversial speech that is clearly lawful (at least under the US Constitution) but, according to some, should nonetheless be prohibited in academic contexts. The aim is to expose a way in which some who are said to be defending the ideals of freedom of speech and open inquiry in those kinds of cases are in fact doing the opposite. Let's turn to our first example.

3. Love me, I'm a Liberal

In academic contexts, attacks on freedom of expression often come from the Left, especially – for obvious reasons – if the source of the attack is internal to the university. At the time I write this, FIRE's Deplatforming Database[4] identifies 839 of the 1743 attempts to deplatform campus speakers since 1998 as "From the Left", giving them a slight lead over the 822 launched "From the Right". Two deplatforming attempts are designated as coming "From both the Left and the Right". Although at different universities, both of those were targeted at Louis Farrakhan. (Who says our political parties never agree on anything?) In any event, it is not surprising that people occasionally respond to a cancellation effort by expressing their endorsement of various Left-aligned causes or their membership in a marginalized group. This defensive strategy is what, in honor of an old Phil Ochs song, I call the *Love me, I'm a Liberal* approach.

For instance, in 2023 a panel on biological sex was deleted from the program of a joint meeting of the American Anthropological Association and the Canadian Anthropology Society on the grounds that the speaker's views "were advanced in such a way as to cause harm to members represented by the Trans and LGBTQI of the anthropological community as well as the community at large."[5] In their letter protesting this decision, the would-be speakers say that theirs was an "international" panel composed of a "diverse group of women, one of whom is a lesbian" and whose interest in the topic is rooted in concerns about "the erasure of women." The letter goes on to describe the progressive feminist *bone fides* of individual panelists. Some were planning to explain how ignoring biological sex contributes to sex-based oppression and violence against women and another aimed to show how "equity" and "inclusion" are used in the surrogacy industry to exploit women living in poverty.

Anyone who, like these disinvited panelists, ends up on the wrong end of, as they put it, "an anti-science response to a politicized lobbying campaign" certainly has a right to complain and set things straight – especially if the campaigners accuse you of harming people you haven't or saying things you didn't. But still, I'll argue, Love me, I'm a Liberal is a bad way to defend open inquiry and freedom of speech on campus. My critique

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[3] Mill himself acknowledges this sort of point when discussing the statement "corn dealers are starvers of the poor" in Chapter 3 of *On Liberty*. On his view, it is one thing to say that to an angry torch and pitchfork wielding mob assembled outside the home of a corn dealer and another to defend it with argument in a newspaper editorial. It is clear which of those is most analogous to an academic talk or seminar discussion.

[4] You can view the database at link to the article.

[5] This and the quotations that follow in this section come from the cancellation letter and the panelist's response to it. Those can be read at link to the article

borrows resources from pragmatic linguistics and the philosophy of language. So, a bit of theoretical background is in order.

4. Presupposition

Presupposition is a variety of *conversational implicature*. This is the sort of thing that, while not explicitly said in a conversation is, given the context, conveyed or implied.

Consider, for instance, the following example from Mandy Simons:

> Ann: Did George get into a top university?
>
> Bud: His father is a very wealthy man. (Simons, 2004, p. 331)

In answering this way, Bud is not asserting that if you're rich, you can get your kid into a fancy school. He is presupposing that by asserting something else. How does this work?

On Grice's (1991) way of looking at it, conversations are cooperative enterprises governed by various implicit maxims with one of the most important being the maxim of relevance which says: *be relevant*. The maxim of relevance casts light on the mechanism by which presuppositions get introduced into a conversation. Bud's answer obeys this maxim only if it is a given that people with rich parents are likely to get into a top school. So, what Bud says is conversationally appropriate only if that proposition is taken for granted in the background.

When something is presupposed by the parties to a conversation, it enjoys what Grice and later theorists – most notably, Robert Stalnaker – call "common-ground status" (Grice, 1991, p. 274; Stalnaker, 2002). A presupposition can achieve this status in at least two different ways. It might be that all parties to the conversation know that the presupposed proposition is true and know that they each know this. In this case, it might be that Ann and Bud are both seasoned and cynical university insiders who know how it all works and know this about each other. But it doesn't have to happen that way.

Imagine Ann is a naïve parent with no understanding of what goes on in the backrooms of the university admissions office. But she knows Bud is a grizzled old admissions officer at a top school. By answering in this way, Bud proceeds as if his presupposition is something Ann ought to accept without question. And, if she does, she can thereby come to know that it is true.

That second sort of case explains why it is plausible to view presupposition as a form of testimony.[6] You can learn that a proposition is true by hearing someone assert it. But you can also learn that a proposition is true by hearing someone assert a different proposition that, given the conversational context, presupposes it. And we can even go a step further. By answering in this way, Bud is not just conveying something to Ann about how it all works at these kinds of places. In choosing to presuppose rather than assert it, he is also conveying that this is something that ought to be accepted without controversy.

In the terminology of contemporary pragmatic linguistics, presuppositions are presented as *not-at-issue* meanings. In this case, Bud conveys the idea that it is not just true but *obvious* – or, at least, obvious to those in the know – that a rich guy can buy his kid a spot at a great school. Indeed, it's so obvious that it should go without saying, as the saying goes. In that sense, when a proposition is presupposed rather than

[6] For further argument in this direction, see Keller (2024).

asserted, the audience is often furnished with an additional stronger form of higher-order evidence beyond what would have been provided had it been asserted outright. That's why presuppositions are often *more* persuasive than explicit assertions – something advertisers and salesmen have known for a long time. "Are you tired of paying too much for car insurance?"

This helps explain how, once a presupposition finds its way into the common ground and goes unchallenged, it will define the parameters of the conversation and set the context for subsequent discussion. The power of presupposition is further highlighted by noting how a presupposition cannot be the target of direct sentential negation of the assertion that introduces it.

Suppose Ann responds to Bud by denying what he said.

> Ann: George's old man isn't wealthy. He lost it all in crypto back in '21!

If Ann responds this way, she is not denying Bud's underlying presupposition. If anything, she is signing off on it and solidifying its common ground status. To challenge Bud's presupposition, Ann must go back and reset the terms of the discussion. That takes more work than just denying what was said and it is not always clear how best to do it.

A nice illustration of this can be found in a conversation at a 2008 town hall-style campaign rally for John McCain. A woman in the audience tells McCain she just does not trust Obama because, she claims, "he's an Arab." McCain responds by emphatically shaking his head, taking the microphone from her hand, and saying, "No! No, ma'am. He's a decent family man citizen."[7] To appreciate the depth of the problem of faulty presupposition, imagine being asked to weigh in on this disagreement. Where do you stand in this dispute? Is Obama a decent family man citizen or an Arab?

5. Why Love Me, I'm a Liberal is Anti-Free Speech

Now let's imagine Bud is lead organizer for an academic conference and Ann is a member of a controversial panel.

> Bud: Your panel on biological sex is hereby deleted from the program.
>
> Ann: That's outrageous! Our panel is composed of a diverse group of international women, including one lesbian.

Let's apply the maxim of relevance to identify the presupposition introduced by Ann's response. What Ann says obeys this maxim and is conversationally appropriate only if it's a given that whether someone should be permitted to speak about biological sex at a scientific conference depends, to some significant degree, on the speaker's sex or sexual orientation. And, by burying it as a presupposition, Ann also conveys the idea that this assumption is not just true but that it ought to be obvious to Bud and anybody else who is a party to the discussion.

Ann is not only failing to take a pro-free speech and open inquiry position, she is setting the terms of the conversation in a way that, if unchallenged, will exclude that point of view from being even a live possibility. Worse yet, if the dispute between Bud and Ann

[7] You can watch the exchange at link to the article. I thank Marc J. Blitz for reminding me of this example.

is made public and Ann is taken by others to be championing the cause of free speech and open inquiry in academia, there's a decent chance the anti-free speech effect will not be limited to this particular exchange but will carry over to other similar conversations and disputes. In that sense, Ann is campaigning for the other side – even if she doesn't realize it.

Now suppose that, instead of the above, Ann answers Bud's cancellation notice like this.

Ann: That's outrageous! The speakers are defending feminist positions.

Ann's answer obeys the maxim of relevance only if we take another anti-free speech assumption for granted, namely, that whether you should be permitted to speak about this issue depends, to a significant degree, on whether the position you take qualifies as feminist. As defined above, the foundation of the pro-free speech position is that even views that are obviously false and morally abhorrent can be worth engaging with and therefore should not be censored. So even if feminism is true and all who oppose it thereby do something immoral, to object to Bud's censorious action in this way is, once again, not to offer a principled defense of free speech or open inquiry.

To further appreciate why that is a problem, suppose Bud answers Ann by denying what she says.

Bud: That's not feminism!

This illustrates how presuppositions cannot be the targets of direct negation and we see the effect that has on subsequent conversation. In responding like this, Bud is not challenging Ann's presupposition but endorsing it as common ground. And what could have been an interesting discussion and debate about the limits of academic freedom now becomes a dispute over The True Meaning of Feminism.

This explains why the kinds of ideas found in essays with titles like "Trans women are victims of misogyny too – and all feminists must recognize this" (Dembroff, 2019) often play a prominent role in this sort of conversation. People who advance various kinds of "gender critical" positions often get into trouble for doing so and many of those gender critical people also call themselves feminists. Others get upset by that – not so much over the fact that their opponents in debates about gender are getting into trouble for expressing their opinions but over how those opinions get labeled feminist. Now, some of those people – the people who say the gender critical people aren't real feminists – will call them TERFs, which is ironic because the F in TERF stands for feminist. But never mind that. The point is that instead of having a difficult (and therefore interesting) debate on academic freedom and open inquiry, we end up fighting a conceptual proxy war over the definition of an ism. And this all happens because of the way a certain presupposition – an anti-free speech presupposition – has snuck in through the backdoor and defined the parameters of the conversation.[8] And now no party to the conversation is really defending freedom of speech or open inquiry. This provides a nice segue to our next example.

[8] Readers of Stephen Lukes' *Power: A Radical View* (Lukes, 1974) may note a connection to what he calls the "agenda-setting" dimension of power.

6. Phobophobia

Oftentimes, cancellation campaigns are spearheaded by an accusation that the target is trans-, homo-, Islamo-, et cetero- *phobic*. A common response is for the accused, or someone speaking on behalf of the accused, to deny the charge.

For instance, in 2022 in an art history class, Erika López Prater, an instructor at Hamline University, showed a medieval painting that depicted Muhammed. The instructor, the painting, and the act of displaying it were called Islamophobic and she lost her job. Mark Berkson, Chair of Hamline's Department of Religion, came to his (now former) colleague's defense, pointing out that the painting originates from an Islamic tradition according to which such depictions are not blasphemous and therefore the painting is not meant to offend or insult Muslims. In fact, the painting was commissioned by a Sunni Muslim King to honor Muhammed. And the assignment was optional. From this, Berkson concludes that this is not an Islamophobic incident and therefore López Prater deserves no punishment (Berkson, 2022).

When people are getting fired for reasons that demonstrate severe ignorance (and weakness) on the part of those who call the shots, speaking out is brave and commendable. But I still want to offer a criticism. To respond to a charge of *x*-phobia by denying it is to exhibit what I will call *phobophobia*. The problem is that phobophobic responses to cancellation efforts can, for the same sorts of reasons discussed in the last section, also have the effect of undermining open inquiry and academic freedom.

To see how that works, imagine Bud and Ann are discussing the Hamline controversy.

> Bud: Should López Prater have been fired for showing that painting in class?
>
> Ann: No because neither the painting nor the act of showing it is Islamophobic.

Ann's response introduces a certain presupposition into the common ground that, unless challenged, will define the conversation from there on. The assumption is that whether a faculty member should be permitted to display certain material in class depends on whether that material is Islamophobic. That creates two problems.

First, as with all accusations of *x*-phobia in these kinds of discussion, *Islamophobia* is a term that is very difficult to define and, according to some, has little more than emotive meaning. Against that way of looking at it, Chris Allen offers a book-length discussion devoted to arriving at a workable definition. In Chapter 11, he lands on the following "new definition".

> What then is AllIslamaphobia? How might it be defined? Islamophobia is an ideology, similar in theory, function and purpose to racism and other similar phenomena, that sustains and perpetuates negatively evaluated meaning about Muslims and Islam in the contemporary setting in similar ways to that which it has historically, although not necessarily as a continuum, subsequently pertaining, influencing and impacting upon social action, interaction, response and so on, shaping and determining understanding, perceptions and attitudes in the social consensus – the shared languages and conceptual maps – that inform and construct thinking about Muslims and Islam as Other. Neither restricted to explicit nor direct relationships of power and domination but instead, and possibly even more importantly, in the less explicit and everyday relationships of power that we contemporarily encounter, identified both in that which is real and that which is clearly not, both of which can be extremely

> difficult to differentiate between. As a consequence of this, exclusionary practices – practices that disadvantage, prejudice or discriminate against Muslims and Islam in social, economic and political spheres ensue, including the subjection to violence – are in evidence. For such to be Islamophobia however, an acknowledged 'Muslim' or 'Islamic' element – either explicit or implicit, overtly expressed or covertly hidden, or merely even nuanced through meanings that are 'theological', 'social', 'cultural', 'racial' and so on, that at times never even necessarily name or identify 'Muslims' or 'Islam' – must be present. (Allen, 2010, p. 190)

The multiple layers of qualification, vagary, and scare quoting (not to mention the sheer length!) here support the point that *Islamophobia* is not a clear concept. Of course, it is notoriously difficult to provide precise analytic definitions for philosophically important concepts. So this does not show that *Islamophobia* is a meaningless term (or that Allen's definition isn't the best out there). But it does show that introducing this concept to place a limit on freedom of speech and inquiry is dangerous and ripe for abuse. Ditto for all the other familiar phobias. That's the first problem for phobophobia.

An unclear concept can have clear instances. In 2015, then candidate Trump called for "a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on" (Taylor, 2015). Anyone who thinks the word is meaningful will call that Islamophobic. And this brings us to the second problem.

The pro-free speech position outlined above does not say we should prohibit Trump or anyone else from presenting, defending, or discussing this view on a university campus or in a classroom. On the contrary, the pro-free speech position says: Let's hear the argument and let's engage with it. So, if you are fending off a campus cancellation campaign by denying that what the target said was Islamophobic, you aren't really defending free speech or open inquiry. You are instead defining the whole conversation around an anti-free speech presupposition and, for reasons already noted, making it harder for other people to defend freedom of speech and open inquiry in the long run.

The same points apply to the display of imagery in academic settings. Take the famous Danish cartoons that were published in 2005 in a story entitled "The Face of Muhammed," including the one with a bomb in his turban.[9] There are plenty of academic contexts where it would be entirely appropriate for a faculty member to require students to view and discuss those images. And yet, they are Islamophobic if anything is.

When I was a college student in the mid-1990s, I took a class where the instructor required us to watch and discuss Leni Riefenstahl's *Triumph of the Will*. Suppose that happens today and, amid student complaints, a cancellation campaign against the faculty member ensues. The sheer absurdity of a phobophobic response here makes my point. "Okay yes, it's a Nazi propaganda film, *but it's not anti-Semitic!*"[10]

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[9] The story is recounted in an obituary for one of the cartoonists that you can read at link to the article

[10] It's also worth noting that, when critics of Israel in academia are accused of being anti-Semitic, the typical response is to deny the charge. See, for instance, Whitehead (2024) and Marua Finklestein's comments in Rose and Floch (2025).

7. Is-ing and Ought-ing

Now consider a cancel culture classic from way back before we even had the term. In 2005, Lawrence Summers – then President of Harvard – floated the hypothesis that the relatively low numbers of women in science might be due to biologically based cognitive differences. In response to the ensuing outrage, Steven Pinker came to his President's defense and, among other things, said the following.

> [I]t is crucial to distinguish the moral proposition that people should not be discriminated against on account of their sex – which I take to be the core of feminism – and the empirical claim that males and females are biologically indistinguishable. They are not the same thing. Indeed, distinguishing them is essential to protecting the core of feminism. … The truth cannot be sexist. Whatever the facts may turn out to be, they should not be taken to compromise the core of feminism.[11]

Here we go again. What ought to be a defense of open inquiry and academic freedom ends up being somebody's essay on What Feminism Means to Me. And now you know why that happens. But there is also something else going on here. And it's what I'll call *Is-ing and Ought-ing*.

David Hume famously said you cannot derive an ought from an is. In other words, no normative or evaluative claim follows from any set of purely descriptive facts. Pinker's defense of Summers is a riff on that. Nothing about the biology and psychology of men and women entails that we ought to discriminate against people based on sex. There are two problems here.

First, the claim that is-es never entail oughts is a contentious philosophical thesis.[12] Second, and more importantly in the present context, to block a cancellation campaign by appeal to the Humean distinction is to introduce another anti-free speech presupposition.

To see why, go back to Bud and Ann.

> Bud: Should Summers be fired for saying that stuff about women in science?
>
> Ann: No, Summers was offering an empirical hypothesis about how things are, not a moral claim about how we ought to treat people.

The presupposition in play here is that if Summers had said that we ought to discriminate against people on the basis of sex, then there would be grounds for punishing if not firing him. But the pro-free speech position applies just as well to our oughts as it does to our is-es – even if you can't get one from the other.

The Trump line quoted in the previous section, for instance, is a claim about how we ought to treat certain people. Likewise, if someone wants to attack the so-called core of feminism and defend sexual discrimination, the pro-free speech point of view doesn't say let's punish him. It says let's hear the argument. So, if the presupposition goes unchallenged, we have once again failed to defend free speech, open inquiry, and academic freedom.

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[11] This quotation comes from a public debate on the topic that you can watch at link to the article

[12] For a classic argument against the Humean line, see Searle (1969).

8. An Easy Fix

In defense of such pseudo-defenses, a critic might contend that the primary aim in these cases is not to defend any fundamental philosophical principles. Instead, the thought goes, the goal is the political and personal one of protecting the reputation and livelihood of the person under attack. But in the first two cases discussed above, the pseudo-defense failed. The panel on biological sex was never put back on the program and López Prater is still fired.[13] Summers ended up resigning not too long after all the fuss over what he said about women in science – maybe for that reason, maybe not. In any case, it is ultimately an empirical question whether pseudo-defenses are effective in these kinds of cases. My bet would be that these strategies work about as well as apologizing.

That said, some will still contend there are circumstances in which one of the above kinds of response is the quickest and most effective way to get the speaker out of hot water. I think there is a way to pursue that noble aim without creating the kinds of problems noted above. Here again, some theoretical background concerning conversational implicature is helpful.

Unlike logical entailments, conversational implicatures are cancellable – not in the culture wars sense of the term but in a linguistic one. To take an oft-used example, saying "I washed my hands and ate supper" does not logically entail that I did the former before doing the latter. But it might, depending on the context, carry that implicature. If I want to, however, I can easily eliminate or cancel the implicature and still get my point across by adding "but not in that order."

So if someone is falsely accused of, say, advancing some morally abhorrent normative thesis, there is a way to set the record straight without sacrificing any important philosophical principles. "Prof. X did not say anything about how people ought to be treated *and even if he did* _____ ." If you understand what it really means to defend freedom of speech and open inquiry, you know how to fill in the blank. In these kinds of debates, that part barely ever gets said. And if it doesn't, what's the point?

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[13] She did, however, sue the university and eventually received a settlement (Verges, 2024).

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