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OPINION

# Harvard should shut down campus occupations

Chanting and tenting aren't protected by academic freedom, and university presidents may be justified in calling in the police to break up protests.

By **Steven Pinker and Jeffrey Flier** Updated April 29, 2024, 1:22 p.m.



The pro-Palestinian encampment on campus at Harvard University in Cambridge, April 26. DAVID L. RYAN/GLOBE STAFF

Harvard Yard, the heart of our campus and the site of freshman dorms and the university administration, [is indefinitely closed](#) to the public because it is occupied by pro-Palestinian protesters. They have set up 40 tents, draped the iconic John Harvard statue with a keffiyeh, pounded music through a loudspeaker, raised Palestinian flags over University Hall, and chanted over bullhorns, “Harvard University, we put you on notice. The student movement will never tire. We will never rest. We will never be silenced until Harvard fully divests.”

Harvard’s interim president, Alan Garber, has said that the university will enforce its policies against disruptive protests, [including, as a last resort, calling in the police](#). Similar scenes are playing out on dozens of American campuses.



A sign on a gate announced that Harvard Yard was closed as the college shut down access to outsiders while an encampment was set up in Harvard Yard as Harvard students protested the war in Gaza, April 28. JESSICA RINALDI/GLOBE STAFF

As activists for academic freedom, we are acutely sensitive to threats to students' free speech rights. But we believe the current protests are not protected by these rights and that the university is justified in banning them.

Even the staunchest defenders of free speech agree that [restrictions may be placed on the time, place, and manner of speaking](#). The First Amendment does not give me the right to spray-paint slogans on your wall or blare propaganda into your bedroom.

Time, place, and manner restrictions could be abused by authorities if, say, protests

were confined to a remote vacant lot between midnight and 12:15 a.m. But the restrictions are defensible if they are neutral as to the content of the speech, serve a legitimate institutional purpose, and do not foreclose alternative ways for speakers to express their views to their intended audience. The restraints, moreover, may be tighter for private institutions on their own property than for the government in public places.



A person walked past an encampment set up in Harvard Yard on April 28, as Harvard students protest the war in Gaza. JESSICA RINALDI/GLOBE STAFF

By these standards, [the restrictions](#) on the tenters and chanters strike us as perfectly appropriate. The university may outlaw noise pollution that prevents its employees from working and its students from studying, just as it can shut down a rowdy fraternity party. It may also prevent Harvard Yard from being turned into a

campground, whether the squatters are tourists or protesters. Encampments tax a university's resources with the need for 24/7 security, attract [antisemitic](#) and sometimes violent outsiders, and signal that the university is authorizing one ideological faction to expropriate its commons.

The right of a university to protect its commons runs deep. Why do students want to attend a university in the first place, rather than stay home and watch lectures on YouTube? Among other reasons, universities offer welcoming green spaces, which encourage casual social interactions and benefit the neighboring community. They provide opportunities for faculty and students to engage face-to-face in classrooms and dining halls. They host ceremonies that bind the community and recognize hard-won accomplishments.

In the past six months, pro-Palestinian protesters at Harvard have tried to interfere with each of these. At other universities the threats have resulted in the [cancellation of in-person classes](#) and of [graduation ceremonies](#). Universities have a legitimate interest in safeguarding the spaces and events that make campus life different from a correspondence course.

All of this is consistent with the third part of the time-place-manner test. The protesters have no shortage of other ways to express their views. No one is threatening action against students who carry signs, hand out leaflets, write articles, post manifestos, hold events, show films, or request meetings with university leaders to make their case.

The problem is that the protesters would not be content with these outlets. The scope of their actions and content of their chants (e.g., ["If we don't get it, shut it down"](#)) make it clear that their goal is not persuasion but coercion. They aim to make campus

life so unpleasant that the university will capitulate to their demands. And this underscores why universities must not indulge them: It is poisonous to their mission.



The statue of John Harvard, the first major benefactor of Harvard College, was seen draped in the Palestinian flag at an encampment of students protesting against the war in Gaza, at Harvard University in Cambridge, April 25. BEN CURTIS/ASSOCIATED PRESS

A university should be a forum in which people offer arguments backed by reason and guided by the search for common ground. It should not be a place where they issue “demands” chanted in rhyming slogans and backed by threats. Students should accept the possibility that others will disagree with them, including about which of the world’s problems should be prioritized and how they should be solved. No bloc should be permitted to commandeer university spaces or events to harangue the rest of the community.

In particular, an ultimatum that a university must divest its endowment for political reasons is incompatible with a major tenet of academic freedom, [institutional neutrality](#): A university should not foreclose debate on a controversy by taking an official stand.

What is the alternative to civil discourse between people who respect each other's right to disagree? Should we sit back and allow factions to fight over who gets to claim the Harvard Yard as their encampment or drape John Harvard with their symbol — to “bring the war home,” as they said in the '60s? Universities have a legitimate interest in preventing that from happening.

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