

[Transcript] Lex Fridman Podcast / #397 - Greg Lukianoff: Cancel Culture, Deplatforming, Censorship & Free Speech

The following is a conversation with Greg Lukyanov, free speech advocate, first amendment attorney, president and CEO of FIRE, the Foundation for Individual Rights and Expression, and he's the author of *Unleashing Liberty*, co-author with Jonathan Haidt of *Coddling of the American Mind*, and co-author with Ricky Schlatt of a new book coming out in October. He should definitely be ordered now called *The Canceling of the American Mind*, which is a definitive accounting of the history, present, and future of cancel culture, a term used and overused in public discourse, but rarely studied and understood with the depth and rigor that Greg and Ricky do in this book, and in part in this conversation. Freedom of speech is important, especially on college campuses. The very place that should serve as the battleground of ideas, including weird and controversial ones, that should encourage bold risk-taking, not conformity. And now, a quick few second mention of each sponsor. Check them out in the description. It's the best way to support this podcast. We've got Policy Genius for insurance, Babble for learning new languages, BetterHelp for mental health, Insight Tracker for biological data, and ExpressVPN for security and privacy on the place we all love and sometimes hate called the Internet. Choose wisely, my friends. Also, if you want to work with our amazing team, we're always hiring. Go to lexfreeman.com slash hiring. Also, there's other ways to contact me if you go to lexfreeman.com slash contact. And now, onto the full ad reads. As always, no ads in the middle. I try to make these interesting, but if you must skip them, friends, please still check out our sponsors. They're awesome. They deserve all the love in the world. I enjoy their stuff. Maybe you will too. This show is brought to you by Policy Genius, a marketplace for finding and buying insurance. Boy, can I tell you some stories about life and death. I've been hard at work tolling over videos that I recorded in Ukraine. Still looking to publish soon. There's just so much. It's so personal. It's so rich with feeling and one of the conversations, one of the soldiers, has a kind of philosophical existential discussion about life. And he describes the tension of having a kind of infinite value for life because it's so visceral in a time of war, but also not having such a high value for life that, you know, functioning as a soldier becomes debilitating. So I don't know. There's something about that tension that really, really stayed with me about the value of life. When we look around us, how much we value life. When we look in the mirror, how much do we value life? That's something I constantly think about when I meditate on my own mortality. And when I do think about my own death and the death of people I love, the value of life becomes so intensely clear that life is beautiful and every single moment is precious. So it's funny when you think about getting insurance of any kind, and especially when you think about getting life insurance, those kinds of questions come to the surface of what is the worth of life? And also just the actual fact of death comes to the surface. It's a beautifully pragmatic, metaphysical, psychological, human reality of death. Anyway, head to PolicyGenius.com or click the link in the description to get your free life insurance quotes and see how much you could save. That's PolicyGenius.com. This show is also brought to you by Babel, an app and website that gets you speaking in a new language within weeks. Boy, do I have some cool announcements and developments on that front for you. There's going to be a lot of exciting translations happening of this very podcast, translations and overdubs and all that kind of stuff. I think that's the future. Forget this

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podcast. Just the breaking the barrier that language creates using artificial intelligence is going to be incredible. Podcast translated and overdubbed in all kinds of languages. It's so exciting to me because I'm really intimately cognizant of the barriers that loss and translation barrier that's created by languages. And if you want to yourself break down that barrier, you need to learn the languages. You need to learn Spanish and Russian and Italian and German and French. I know a little bit of each one of those. But as they say, not enough to be dangerous. If you want to be dangerous in the best possible way, with each of those languages, you should use Babbel, get 55% off your Babbel subscription at [babbel.com](https://www.babbel.com) slash [lexpod](https://www.babbel.com/lexpod) spelled [babbel.com slash lexpod](https://www.babbel.com/lexpod) rules and restrictions apply. This episode is also brought to you by BetterHelp spelled H-E-L-P help. Every time I mention BetterHelp, I think about my friend, Tim Dillon, because his ad reads give zero Fs about the sponsor or about civility or rules. He's like a wild stallion that no cowboy can ride. Now, I will let the sexual annuant of that statement just ring for a bit and allow you to take it in the beauty of that. But I think as a BetterHelp read that he does for like, I don't know, 10 minutes, I remember hearing it. It's just a genius rant. That has nothing to do with anything. And it's just hilarious. And I aspire to that because I think I have a little Tim Dillon in my heart. Just like I on his podcast told him that he has the bluebird in his heart. I think I have a little Tim Dillon in my heart. And sometimes I let him out. I let him sing a bit. And it scares the neighbors, but it's good for the soul. Anyway, if you're anything like Tim Dillon or me, you probably need all the therapy you can get. I'm a big believer in conversation period. And BetterHelp makes it super accessible and easy. You can check them out at [betterhelp.com slash lex](https://www.betterhelp.com/lex) and save any first month. That's [betterhelp.com slash lex](https://www.betterhelp.com/lex). This show is also brought to you by Inside Tracker. It's a service I use to track biological data, data coming from my body. My body is a wonderland. I keep saying that because it reminds me that I really need to talk to John Bear, one of the greatest living guitarists, blues musicians of our time. And also a hilarious, brilliant and fun person to talk to. I had the great pleasure of having dinner with him. And it was just fun. His whole energy, his vibe, the way he moves his body, the way he moves his mind, the way he moves the conversation, it's just like non sequiturs, interesting questions, profundity, hilarity all mixed them together. I mean, just it's a brilliant dude, brilliant dude. And plus just ridiculously good a guitar in every way. So the technical and the musical and the creative, the popular, the fun, the simple and the complicated, all of it together. Just a genius dude. I would love to talk to him. I would love to talk to him on the podcast, not just the conversation, but conversation intermix with some guitar. I feel like there could be something magical created there. Why did I say that? Because my body is a wonderland. And it produces a lot of biological signals and tracking those biological signals in order to make lifestyle and diet recommendations is the future. Inside Tracker takes steps in that future. It gives you a shortcut to the future. Let's say it that way. You can get special savings for a limited time when you go to [inside tracker.com slash Lex](https://www.insidetracker.com/lex). This show is brought to you by an oldie but goodie. What's not really oldie. It's oldie for me because I've been using it forever, ExpressVPN. I'm starting to have more fun with these ad reads because life is short and fun is one of the best ways to experience the short life richly. I posted about eating a rotisserie chicken at midnight outside of a grocery store, which I've done hundreds of times. It's really a cheat code to life rotisserie chicken. There's been times have been \$5 or

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sometimes six at the super fancy California places. You can get as crazy eight or nine or \$10 sometimes like \$9.99 or \$9.89. But it's we're talking about 1500 calories, sometimes 2000 calories of delicious protein with some fat because of the skin. And it's just it's the entirety. It's just me and the chicken and which just there and we're thinking about what it all means.

Looking

up at the stars wondering where is this incredible life going to take us and also filled with melancholy

and hope and gratitude for how amazing the journey has been so far. Something about late night with the rotisserie chicken is the absolute gateway to that level of gratitude. When I posted it, somebody commented saying eating rotisserie chicken at midnight outside of a grocery store is how men do therapy. It's funny, but it's a little bit true. Anyway, speaking of happiness and gratitude, I'm deeply grateful for the the best, my favorite longtime VPN companion, ExpressVPN. You can check them out if you want to protect your privacy and security on the internet works on any operating system, including Linux, the best operating system, you can go check

it out for yourself at [expressvpn.com slash lexpod](https://expressvpn.com/lexpod) for an extra three months free. This is a lex treatment podcast to support it. Please check out our sponsors in the description. And now, dear friends, here's Greg Lukianov.

Let's start with a big question. What is cancel culture? Now, you've said that you don't like the term as it's been quote, dragged through the mud and abused endlessly by a whole host of controversial figures. Nevertheless, we have the term. What is it? Cancel culture is the uptick of campaigns, especially successful campaigns, starting around 2014 to get people fired, expelled, de-platformed, et cetera, for speech that would normally be protected by the First Amendment. And I say would be protected because we're talking about circumstances in which it isn't necessarily where the First Amendment applies. But what I mean is like as an analog to say, things you couldn't lose your job as a public employee for. And also the climate of fear that's resulted from that phenomenon, the fact that you can lose your job for having the wrong opinion. And it wasn't subtle that there was an uptick in this, particularly on campus around 2014. John Ronson wrote a book called So You've Been Publicly Shamed that came out in 2015, already documenting this phenomena. I wrote a book called Freedom From Speech in 2014. But it really was in 2017 when you started seeing this be directed at professors.

And when it comes to the number of professors that we've seen be targeted and lose their jobs, I've been doing this for 22 years and I've seen nothing like it.

So there's so many things I want to ask you here. But one, actually, just look at the organization of FIRE. Can you explain what the organization is? Because it's interconnected to this whole fight and the rise of cancel culture and the fight for freedom of speech since 2014. And before. So FIRE was founded in 1999 by Harvey Silverglate. He is a famous civil liberties attorney. He's a bit on the show. He's the person who actually found me out in my very happy life out in San Francisco, but knew I was looking for a First Amendment job.

I'd gone to law school specifically to do First Amendment. And he found me, which was pretty cool. His protege, Kathleen Sullivan, was the dean of Stanford Law School. And this remains the best compliment I ever got in my life is that she recommended me to Harvey. And since that's the whole reason why I went to law school, I was excited to be a part of this new organization.

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The other co-founder of FIRE is Alan Charles Kors. He's just an absolute genius. He is the one of the leading experts in the world on the Enlightenment and particularly about Voltaire. And if any of your listeners do like the great courses, he has a lecture on Blaise Pascal. And Blaise, of course, is famous for the Pascal's wager. And I left it just so moved and impressed and with a depth of understanding of how important this person was. That's interesting. You mentioned to me offline connected to this that there is that at least it runs in parallel or there's a connection between the love of science and the love of the freedom of speech. Can you maybe elaborate where that connection is?

Sure. I think that for those of us who have devoted our lives to freedom of speech, one thing that we are into, whether we know it or not, is epistemology, the study and philosophy of knowledge. Freedom of speech has lots of moral and philosophical dimensions. But from a pragmatic standpoint, it is necessary because we're creatures of incredibly limited knowledge. We are incredibly self-deceiving. I always love the fact that Yuval Harari refers to the Enlightenment as the discovery of ignorance, because that's exactly what it was. It was suddenly being like, wow, hold on a second. All this incredibly interesting folk wisdom we got, which by the way, can be surprisingly reliable here and there. When you start testing a lot of it, is nonsense. It doesn't hold up. Even our ideas about the way things fall, as Galileo established, even our intuitions, they're just wrong. A lot of the early history of freedom of speech, it was happening at the same time as the scientific revolution. A lot of the early debates about freedom of speech were tied in. I always point out Kepler was probably the even more radical idea that they weren't even perfect spheres. But at the same time, largely because of the invention of the printing press, you also had all these political developments. I always talk about Jan Hus from the famous Czech hero who was burned at the stake, and I think in 1419. But he was basically Luther before the printing press. Before Luther could get his word out, he didn't stand a chance, and that was exactly what Jan Hus was. But a century later, thanks to the printing press, everyone could know what Luther thought, and boy, did they. But it led to, of course, this completely crazy, hyper-disrupted period in European history. Well, you mentioned to jump around a little bit the First Amendment first of all, what is the First Amendment, and what is the connection to you between the First Amendment, the freedom of speech, and cancel culture?

Sure. So I'm a First Amendment lawyer, as I mentioned, and that's what I, it's my passion, that's what I studied. And I think American First Amendment law is incredibly interesting. In one sentence, the First Amendment is trying to get rid of basically all the reasons why humankind had been killing each other for its entire existence, that we weren't going to fight anymore over opinion, we weren't going to fight anymore of religion, that you have the right to approach your government for redress and grievances, that you have the freedom to associate, that all of these things, in one sentence, were like, nope, the government will no longer interfere with your right to have these fundamental human rights. And so one thing that makes FIRE a little different from other organizations is, however, we're not just a First Amendment organization. We are a free speech organization. And so, but at the same time, a lot of what I think free speech is can be well explained with reference to a lot of First Amendment law, partially because in American history, some of our smartest people have been thinking about what the parameters of freedom of speech are in relationship to the First Amendment. And a lot

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of those principles, they transfer very well, just as pragmatic ideas. So like the biggest sin in terms of censorship is called viewpoint discrimination, that essentially you allow freedom of speech except for that opinion. Now, it's, and it's found to be kind of more defensible, and I think this makes sense, that if you set up a forum and like we're only going to talk about economics to exclude people who want to talk about a different topic, but it's considered rightfully a bigger deal if you've set up a forum for economics, but we're not going to let people talk about that kind of economics or have that opinion on economics, most particularly. So a lot of the principles from First Amendment law actually make a lot of philosophical sense as good principles for when, like what is protected and unprotected speech, what should get you in trouble, how you actually analyze it, which is why we actually try in our definition of cancel culture to work in some of the First Amendment norms just in the definition so we don't have to bog down on them as well. You're saying so many interesting things, but if you can link on the viewpoint discrimination, is there any gray area of discussion there, like what is and isn't economics for the example you gave? Yeah. Is there, I mean, is it a science or is it an art to draw lines of what is and isn't allowed? Yeah, you know, if you're saying that something is or is not economics, well, you can say everything's economics, and therefore I want to talk about poetry. There'd be some line drawing exercise in there, but let's say at once you decide to open up it to poetry even. It's a big difference between saying, okay, now we're open to poetry, but you can't say, you know, Dante was bad. Like that's a forbidden opinion now officially in this otherwise open forum. That would immediately at an intuitive level strike people as a bigger problem than just saying that poetry isn't economics. Yeah, I mean, that intuitive level that you speak to, I hope that all of us have that kind of basic intuition when the line is crossed. It's the same thing for like pornography, you know, when you see it. I think there's the same level of intuition that should be applied across the board here. And it's when that intuition becomes deformed by whatever forces of society, that's when it starts to feel like censorship. Yeah, I mean, people find it a different thing. You know, if someone loses their job simply for their political opinion, even if that employer has every right in the world to fire you, I think Americans should still be like, well, it's true, they have every right in the world, and I'm not making a legal case that maybe you shouldn't fire someone for their political opinion, but think that through. Like what society do we want to, what kind of society do we want to live in? And it's been funny watching, you know, and I point this out, yes, I will defend businesses, First Amendment rights of association to be able to have the legal right to decide, you know, who works for them. But from a moral or philosophical matter, if you think through the implications of if every business in America becomes an expressive association, in addition to being a profit maximizing organization, that would be a disaster for democracy, because you would end up in a situation where people would actually be saying to themselves, I don't think I can actually say what I really think, and still believe I can keep my job. And that's where I was worried, I felt like we were headed, because a lot of the initial response to people getting canceled was very simply, you know, oh, but they have the right to get rid of this person. And that's the end and beginning and end of the discussion.

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And I thought that was a dodge. I thought that wasn't actually a very serious way of that if you care about both the First Amendment and freedom of speech of thinking it through. So to you, just to clarify, the First Amendment is kind of a legal embodiment of the ideal of freedom of speech and then freedom of speech. As applied to government.

And it's very specific applied to government. And freedom of speech is the application of the principle to like everything, including like kind of the high level philosophical ideal of what it of the value of people being able to speak their mind.

Yeah, it's an older, bolder, more expansive idea. And you can have a situation. And I talk about countries that have good free speech law, but not necessarily great free speech culture.

And I talk about how when we sometimes make this distinction between free speech law and free speech culture, we're thinking in a very cloudy kind of way. And what I mean by that is that law is generally particularly in a common law country. It's the reflection of norms.

So those, you know, judges are people too. And a lot of cases, common law is supposed to actually take our intuitive ideas of fairness and place them, you know, into the law. So if you actually have a culture that doesn't appreciate free speech from a philosophical standpoint, it's not going to be able to protect free speech for the long haul, even in the law.

Because eventually, that's one of the reasons why I worry so much about some of these terrible cases coming out of law schools. Because I fear that even though, sure, American First Amendment law is very strongly protective of First Amendment, for now, it's not going to stay that way. If you have generations of law students graduating who actually think there's nothing, there's no higher golden shouting down you're an opponent. Yeah, so that's why so much of your focus, or a large fraction of your focus is on the higher education or education period is because education is the foundation of culture. Yeah, you have this history, you know.

64, you have the free speech movement on Berkeley. And in 65, you have repressive tolerance by Herbert Marcuse, which was a declaration of, by the way, we on the left, we shouldn't, we should have free speech, but we should have free speech for us. I mean, I went back and reread repressive tolerance and how clear it is. I had forgotten that it really is kind of like, and these so-called conservatives and right-wingers, we need to repress them because they're regressive thinkers. It really doesn't come out to anything more sophisticated than the very old idea that our people are good. They get free speech. They should keep it other side bad. We should not have, we have to retrain society. And of course, it ends up being another, and he was also a fan of Mao, so it's not surprising that he, of course, the system would have to rely on some kind of totalitarian system. But that was a laughable position, you know, say 30, 40 years ago. The idea that essentially, you know, free speech for me, not for the, as the great, you know, free speech champion that Hentov used to say, was something that you were supposed to be embarrassed by. But I saw this when I was in law school in 97. I saw this when I was interning at the ACLU in 99, that there was a slow-motion train wreck coming, that essentially there was these bad ideas from campus that had been taking on more and more steam of basically no free speech from my opponent were actually becoming more and more accepted as, and partially because academia was becoming less and less viewpoint diverse. I think that as my co-author Jonathan Hyde points out, that when you have low viewpoint diversity, people start thinking in a very kind of tribal way. And if you don't have the respected dissenters, you don't have the people that you can point to that like, hey,

this is a smart person. This is like, this is a smart, reasonable, decent person that I disagree with. So I guess not everyone thinks alike on this issue. You start getting much more kind of like only, you know, only bad people, only heretics, only blasphemers, only right-wingers, you know, can actually think in this way. Every time you say something, I always have a million thoughts and a million questions that pop up. But since you mentioned there's a kind of drift as you write about in the book, and you mentioned now there's a drift towards the left in academia, we should also maybe draw a distinction here between the left and the right and the cancel culture as you present in your book. Sure. It's not necessarily associated with any one political viewpoint that there's mechanisms on both sides that result in cancellation and censorship and violation of freedom of speech. So one thing I want to be really clear about is the book takes on both right and left cancel culture. They're different in a lot of ways and definitely, you know, cancel culture from the left is more important in academia where the left dominates. But we talk a lot about cancel culture coming from legislatures. We talk a lot about cancel culture on campus as well, because even though most of the attempts that come from on campus to get people canceled are still from the left, there are a lot of attacks that come from the right, that come from, you know, attempts by different organizations and sometimes when there are stories in Fox News, you know, like they'll go after professors. And about one-third of the attempts to get professors punished that are successful actually do come from the right. And we talk about attempts to get books banned in the book we talk about. And I talk about suing the Florida legislature. Ron DeSantis had something called the Stop Woke Act, which we told everyone this is laughably unconstitutional. They tried to ban, you know, particular topics in higher ed. And we're like, no, this is a joke. Like, this will be laughed out of court. And they didn't listen to us and they brought it, they passed it and we sued and we won. Now they're trying again with something that's equally as unconstitutional and we'll sue again and we will win. Can you elaborate on the Stop Woke Act? So this is presumably trying to limit certain topics from being taught in school? Yeah, basically woke topics. You know, it came out of the sort of attempt to get at critical race theory. So it's topics related to race, gender, etc. I don't remember exactly how they tried to cabinet to CRT. But when you actually, the law is really well established that you can't tell higher education what they're allowed to teach without violating the First Amendment. And when this got in front of a judge, he was exactly as skeptical of it as we thought he'd be. I think he called this dystopian. And it wasn't a close call. So if you're against that kind of teaching, the right way to fight it is by making the case that it's not a good idea as part of the curriculum as opposed to banning it from the curriculum. Yeah, it just, the state doesn't have the power to simply say to ban, you know, what teachers and what professors in higher education teach. Now it gets a little more complicated when you talk about K through 12, because the state has a role in deciding what public K through 12 teaches because they're your kids, it's taxpayer funded. And generally, the legislature is involved. There is democratic oversight of that process. So for K through 12, is there also a lean towards the left in terms of the administration that manages the curriculum? Yeah, there definitely is in K through 12. I mean, my kids go to public school. I have a five and a seven year old. And they have lovely teachers. But we have run into a lot of problems with education schools at fire. And a lot of the graduates of education school end up being the administrators who clamp down on free speech in higher education.

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And so I've been trying to think of positive ways to take on some of the some of the problems that I see in K through 12. I thought that the attempt to just dictate, you won't teach the following 10 books, you know, or 20 books or 200 books was the wrong way to do it. Now, when it comes to deciding what books are in the curriculum, again, that's something the legislature actually, you know, can't have some say in. And that's pretty uncontroversial in terms of the law. But when it comes to how you fight it, I had something that since I'm kind of stuck with a formula, I called empowering of the American mind. I gave principles that were inconsistent with the sort of group think and heavy emphasis on identity politics that, you know, some of the critics are rightfully complaining about in K through 12. And we that is actually in canceling of the American mind, but I have a more detailed explanation of it that I'm going to be putting up on my blog, The Eternally Radical Idea. Is it possible to legally, this is a silly question, perhaps, create an extra protection for certain kinds of literature, 1984 or something, to remain in the curriculum? I mean, it's already it's all protected, I guess. Yeah, I guess, to protect against administrators from fiddling too much with the curriculum, like stabilizing the curriculum. I don't know what the machinery of the K through 12 public school.

In K through 12, you know, state legislatures, you know, They're part of that.

They're part of that. And they can say like, you should teach the following books. Right.

Now, of course, people are always a little bit worried that if you, if they were to recommend, you know, teach, teach the Declaration of Independence, you know, that it will end up being, well, they're going to teach the Declaration of Independence was just to protect slavery, which it wasn't.

Yeah. So teaching a particular topic matters, which textbooks you choose, the, which perspective you take, all that kind of stuff.

Yeah.

There's like, religion starts to creep into the whole question of like, how, you know, is the Bible allowed to teach, to incorporate that into education?

Oh, yeah. I mean, I'm an atheist with an intense interest in religion.

I actually read the entire Bible this year, just because I do stuff like that.

And I never actually had read it from beginning to end.

Then I read the Koran, because, you know, and I'm going to try to do the Book of Mormon, but, you know.

Well, sorry, you're so fascinating. Do you recommend doing that?

I think you should just to know, because it's such a touchstone in the way people talk about things. It can get pretty tedious, but I even made myself read through all of the very specific instructions on how tall the different parts of the temple need to be and how long the garbs need to be and what shape they need to be and what, like, and those go on a lot.

Surprisingly, sorry, surprisingly big chunk of Exodus.

I thought that was more like in Leviticus and Deuteronomy.

But then you get to books like Job, you know, wow, I mean, Job is such a read and no way Job originally had that ending.

Like Job is basically, it starts out as this perverse bet between God and Satan about whether

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or not they can actually make a good man renounce God and initially they can't.
It's all going very predictably.
And then they finally really tortured Job and he turns into the best.
Why is God cruel?
How could God possibly exist?
How could a kind God do these things?
And he beat, he turns into like the best lawyer in the entire world and he defeats everyone, all the people who come to argue with him.
He argues the pants off of them.
And then suddenly at the end, God shows up and he's like, well, you know, I am everywhere.
And it's a very confusing answer.
He gives an answer kind of like, I am there when lionesses give birth and I am there.
And by the way, there's this giant monster Leviathan that's very big and it's very scary.
And I have to manage the universe.
And I'm kind of like, God, are you saying that you're very busy?
Is that essentially your argument to Job?
And you don't mention the whole, you don't mention the whole kind of like, that I have a bet.
That's why I was torturing you.
That doesn't come up.
And then at the end, God decides, like Job's like, oh, no, you're totally right.
I was totally wrong.
Sorry.
And God says, I'm going to punish those people who tried to argue with you and didn't win.
So he gets rid of the, I don't know exactly what he does to them.
I don't remember.
And then he gives Job all his money back and it makes him super prosperous.
And I'm like, no way that was the original ending of that book.
Like, because this was like, this was clearly a beloved novel that they were like, but it can't have that ending.
Okay, so.
Yeah.
So it's a long way of saying, I actually think it's worthwhile.
Some of it was, you're always kind of surprised when you end up in the part, like there are parts of it that will sneak up on you.
Kind of like, Isaiah as a trip, Ecclesiastes, Depeche Mode.
And you did, you said you also, the Khans.
Yeah, which was fascinating.
So what is there, it'd be interesting to ask, is there a tension between the study of religious texts or the following of religion and just believing in God and following the various aspects of religion with freedom of speech?
In the First Amendment, we have something that we call the religion clause that I've never

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liked calling it just that because it's two brilliant things right next to each other. The state may not establish an official religion, but it cannot interfere with your right to practice your religion.

That's beautiful.

Two things at the same time.

And I think they're both exactly right.

And I think sometimes the right gets very excited of the free exercise clause, and the left gets very excited about establishment.

And I like the fact that we have both of them together.

Now, how does this relate to freedom of speech?

And I was right to the curriculum, like we were talking about.

I actually think it would be great if public schools could teach the Bible, like in the sense of like read it as a historical document.

But back when I was at the ACLU, every time I saw people trying this, it always turned into them actually advocating for, you know, a Catholic or a Protestant or some or Orthodox, even kind of like read on religion.

So if you actually make it into something advocating for a particular view on religion, then it crosses into the establishment clause side.

So Americans haven't figured out a way to actually teach it.

So it's probably better that you learn outside of a public school class.

Do you think it's possible to teach religion from like world religions kind of force without disrespecting the religions?

I think the answer is it depends on from whose perspective.

Well, like the practitioners say you're like an Orthodox follower of a particular religion.

Is it possible to not piss you off in teaching like all the major religions of the world?

For some people, the bottom line is you have to teach it as true.

And with that under those conditions, then the answer is no, you can't teach it without offending someone at least.

Can't you say these people believe it's true?

Can you reform?

So you have to walk on eggshells, essentially.

You can try really hard and you will still make some people angry, but serious people will be like, oh, no, you actually tried to be fair to the beliefs here.

And I try to be respectful as much as I can about a lot of this.

I still find myself much more drawn to both Buddhism and Stoicism.

Where do I go?

One interesting thing to get back to college campuses is fire keeps the college free speech rankings at rankings.thefire.org.

I'm very proud of them.

I highly recommend because forget that even just the ranking, you get to learn a lot about the universities from this entirely different perspective than people are used to when they go to pick whatever university they want to go to.

It just gives another perspective on the whole thing.

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And it gives quotes from people that are students there and so on like about their experiences and it gives different, maybe you could speak to the various measures here before we talk about who's in the top five and who's in the bottom five.

What are the different parameters that contribute to the evaluation?

So people have been asking me since day one to do a ranking of schools according to freedom of speech.

And even though we had the best database in existence of campus speech codes, policies that universities have that violate first amendment or first amendment norms, we also have the best database of what we call the disinvitation database.

But it's actually the, it's better named the de-platforming database, which is what we're going to call it.

And these are all cases where somebody was invited as a speaker to campus and they were disinvited.

Disinvited or de-platforming also includes shouting down.

So they showed up and they couldn't really speak.

Yeah, exactly.

And so having that, what we really needed in order to have some serious social science to really make a serious argument about what the ranking was, was to be able to, one, get a better sense of how many professors were actually getting punished during this time. And then the biggest missing element was to be able to ask students directly what the environment was like on that campus for freedom of speech.

Are you comfortable disagreeing with each other?

Are you comfortable disagreeing with your professors?

Do you think violence is acceptable in response to a speaker?

Do you think shouting, do you think shouting down is okay?

Do you think blocking people's access to a speaker is okay?

And once we were able to get all those elements together, we first did a test run,

I think in 2019, about 50, and we've been doing it for four years now,

always trying to make the methodology more and more precise to better reflect the actual environment at particular schools. And this year, the number one school was Michigan Technological University, which was a nice surprise. The number two school was actually Auburn University, which was nice to see. In the top 10, the most well-known prestigious school is actually UVA, which did really well this year. University of Chicago was not happy that they weren't number one, but University of Chicago was 13, and they had been number one or in the top three for years prior to that. Really? So can you explain, it's almost surprising, is it because of like the really strong economics departments and things like this or what, why?

They had a case involving a student, they wouldn't recognize a chapter of Turning Point USA, and they made a very classic argument that we, and classic in the bad way, that we hear campuses across the country, oh, we have a campus Republicans, so we don't need this additional conservative group. And we're like, no, I'm sorry. Like we've seen dozens and dozens, if not hundreds

of attempts to get this one particular conservative student group, derecognized or not recognized.

And so we told them, like listen, we told them at FIRE that we consider this serious,

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and they wouldn't recognize the group. So that's a point down in our ranking, and it was enough to knock them from, they probably would have been number two in the rankings. But now they're 13 out of 248, they're still one of the best schools in the country, I have no problem saying that. The school that did not do so well at a negative 10.69, negative 10.69, and we rounded up to zero, was Harvard. And Harvard has been not very happy with that result. The only school to receive the abysmal ranking. Yeah. And there are a couple people- Oh, Harvard. Oh, Harvard. And there are a couple people who have actually been really, I think, making a mistake by getting very Harvard sounding by being like, I've had statisticians look at this, and they think your methodology is a joke, and pointing out, and this case wasn't that important. And one of the arguments against one of the scholars that we counted against them for punishing was that that wasn't a very famous or influential scholar. So your argument seems to be snobbery, essentially that you're not understanding our methodology for one thing. And then you're saying that actually that scholar wasn't important enough to count. And by the way, Harvard, by the way, Harvard, if we, even if we took all of your arguments as true, even if we decided to get rid of those two professors, you would still be in negative numbers, you would still be dead last, you would still be after Georgetown and Penn, and neither of those schools are good for freedom of speech. We should say the bottom five is the University of Pennsylvania, like you said, Penn, the University of South Carolina, Georgetown University, and Fordham University, all very well earned. They have so many bad cases at all of those schools. What's the best way to find yourself in the bottom five if you're in university? What's the fastest way to that negative, to that zero? A lot of de-platforming. When we looked at the bottom five, 81% of attempts to get speakers de-platformed were successful at the bottom five. There were a couple schools, I think Penn included, where every single attempt, every time a student like objected, a student group objected to that speaker coming, they canceled this speech. And I think Georgetown was 100% success rate. I think Penn had 100% success rate. I think Harvard did stand up for a couple, but mostly people got de-platformed there as well. So how do you push back on de-platforming? Who would do it? Is it other students? Is it faculty? Is it the administration? What's the dynamics of pushing back? Basically, because I imagine some of it is culture, but I imagine every university has a bunch of students who will protest basically every speaker. And it's a question of how you respond to that protest. Well, here's the dirty little secret about the big change in 2014. And fire and me and height have been very clear that the big change that we saw on campus was that for most of my career, students were great on freedom of speech. They were the best constituency for free speech, absolutely unambiguously until about 2013-2014. And it was only in 2014 where we had this very kind of sad for us experience where suddenly students were the ones advocating for de-platforming and new speech codes, kind of in a similar way that they had been doing in, say, the mid-80s, for example. But here's the dirty little secret. It's not just the students. It's students and administrators, sometimes only a handful of them, though, working together to make, to create some of these problems. And this was exactly what happened at Stanford when Kyle

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Duncan, a fifth circuit judge, tried to speak at my alma mater and a fifth of the class showed up to shout him down. It was a real showing of what was going on that 10 minutes into the shout-down of a fifth circuit judge. And I keep on emphasizing that because I'm a constitutional lawyer. Fifth circuit judges are big deals. They're one level below the Supreme Court. About a fifth of the school shows up to shout him down. After 10 minutes of shouting him down, an administrator, a DEI administrator gets up with a prepared speech that she's written. That's a seven minute long speech where she talks about free speech. Maybe the juice isn't worth the squeeze. And we're at this law school where people could learn to challenge these norms. So it's clear that there was coordination among some of these administrators. And from talking to students there, they were in meetings, extensive meetings for a long time. They show up, do a shout-down. Then they take additional seven minutes to lecture the speaker on the juice of free speech not being worth the squeeze. And then for the rest of it, it's just constant heckling after she leaves. This is clearly, and something very similar happened a number of times at Yale where it was very clearly administrators were helping along with a lot of these disruptions. So I think every time there is a shout-down at a university, the investigation should be first and foremost, did administrators help create this problem? Did they do anything to stop it? Because I think a lot of what's really going on here is the hyper bureaucratization of universities with a lot more ideological people who think of their primary job as basically like policing speech, more or less. They're encouraging students, sorry, they're encouraging students who have opinions they like to do shout-downs. And that's why they really need to investigate this. And it is at Stanford, the administrator who gave the prepared remarks about the juice not being worth the squeeze, she has not been invited back to Stanford. But she's one of the only examples I can think of when these things happen a lot, where an administrator clearly facilitated something that was a shout-down or a de-platforming, or resulted in a professor getting fired, or resulted in a student getting expelled, where the administrator has got off scot-free or probably in some cases even gotten a promotion. And so a small number of administrators, maybe even a single administrator, could participate in the encouraging and the organization and thereby empower the whole process. And that's something I've seen throughout my entire career. And the only thing is kind of hard to catch this sort of in the act, so to speak. And that's one of the reasons why it's helpful for people to know about this. Because it was this amazing case. This was at University of Washington. And we actually featured this in a documentary made in 2015, that came on 2015, 2016, called Can We Take a Joke? And this was when we started noticing something was changing on campus. We also heard the comedians were saying that they couldn't use their good humor anymore. This was right around the time that Jerry Seinfeld and Chris Rock said that they didn't want to play on campuses because they couldn't be funny. But we featured a case of a comedian who wanted to do a musical called The Passion of the Musical, making fun of The Passion of the Christ, with the stated goal of offending everyone, every group equally. It was very much a South Park mission. And it's an unusual case because we actually got documentation of administrators buying tickets for angry students and holding an event where they trained them to jump up in the middle of it and shout, I'm offended. They bought them tickets. They sent them to this thing with the goal of shouting it down. Now, unsurprisingly, when you send an angry group of students to shut down a

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play, it's not going to end at just, I'm offended. And it got heated. There were death threats being thrown. And then the Pullman Washington police told Chris Lee, the guy who made the play, that they wouldn't actually protect him. Now, it's not every day you're going to have that kind of hard evidence that of actually seeing the administrators be so brazen that they recorded the fact that they bought them tickets and sent them. But I think a lot of that stuff is going on. And I think it's a good excuse to cut down on one of the big problems in higher education today, which is hyperbureaucratization. In your experience, is there a distinction between administrators and faculty in terms of perpetrators of these kinds of things? So if we got rid of all, like Harvey's talked about, getting rid of a large percentage of the administration, does that help fix the problem? Or is the faculty also small percent of the faculty also part of the encouraging and the organization of these kinds of cancel? Yeah. And that's something that has been profoundly disappointing is that when you look at the huge uptick in attempts to get professors fired that we've seen over the last 10 years, and actually over the last 22 years, as far back as our records go, at first, they're overwhelmingly led by administrators to attempts to get professors punished. And that was most, you know, I'd say that was my career up until 2013 was fighting back at administrative excesses. Then you start having the problem in 2014 of students trying to get people canceled. And that really accelerated in 2017. And the number, so one way that one thing that makes it easier to document is are the petitions to get professors fired or punished. And how disproportionately that those actually do come from students. But another big uptick has been fellow professors demanding that their fellow professors get punished. And that to me, really sad. It's kind of shameful. You shouldn't be proud of signing the petition to get your fellow professor. And what's even more shameful is that we get, this has almost become a cliché within fire. When someone is facing one of these cancellation campaigns as a professor, I would get letters from some of my friends saying, I am so sorry this has happened to you. And these were the same people who publicly signed the petition to get them fired. Yeah. Yeah, integrity. Integrity is an important thing in this world. And I think some of it, I'm so surprised people don't stand up more for this. Because there's so much hunger for it. And if you have the guts as a faculty or an administrator to really stand up with eloquence, with rigor, with integrity, I feel like it's impossible for anyone to do anything. Because there's such a hunger, it's so refreshing. Yeah. I think everybody agrees that freedom of speech is a good thing. Oh, I don't, I don't. Well, okay, sorry to say. I don't agree. The majority of people, even at the universities that there's a hunger, but it's almost like this kind of nervousness around it, because there's a small number of loud voices. Yeah. They're doing the shouting. So, I mean, again, that's where great leadership comes in. And so, you know, presidents of universities should probably be making clear declarations of like, this is not, this is a place where we value the freedom of expression. And this was all throughout my career. A president, a university president who puts their foot down early and says, nope, you know, we are not entertaining firing this professor, we are not expelling the student. It ends the issue often very fast. Although sometimes, and this is where you can really tell the administrative involvement, students will do things like take over the president's office, and then that take over will be catered by the university. People will point this out sometimes as being kind of like, oh, it's clearly like, my friend Sam Abrams, when they tried to get, tried to get him fired at Sarah Lawrence College. And that was one of the times that it was used as kind of like, oh,

that was hostile to the university, because they, the students took over the president's office. And I'm like, no, they let them take over the president's office. And I don't know if that was one of the cases in which the takeover was catered. But if there was ever sort of like a sign that's kind of like, yes, this isn't, this is actually really quite friendly.

Well, in some sense, like protesting and having really strong opinions, even like, ridiculous, crazy, wild opinions is a good thing. It's just, it shouldn't lead to actual firing or de-platforming of people. Like it's good to protest. It's just not good for the university to support that and take action based on it. And this is one of those like, tensions in First Amendment that actually I think has a pretty easy release, essentially. You have, you absolutely have the right to devote your life to ending freedom of speech and ridiculing it as a concept. And there are people who really come off as very contemptible about even the philosophy of freedom of speech. And we will defend your right to do that. We will also disagree with you. And if you try to get a professor fired, we will be on the other side of that. Now, I think you had Randy Kennedy, who I really love him. I think he's a great guy. But he criticized us for our de-platforming database as saying, this is saying that students can't protest speakers. I'm like, okay, that's silly. We fire, as an organization, have defended the right to protest all the time. We are constantly defending the rights of protestors. Not believing that the protestors have the right to say this would, basically, that would be punishing the speakers. We're not calling for punishing the protestors. But what we are saying is you can't let the protestors win if they're demanding someone be fired for their freedom of speech. So the line there is between protestors protesting and the university taking action based on the protest. Yeah, exactly. And of course, shout downs. That's just mob censorship. And that's something where the university, the way you deal with that tension in First Amendment law is essentially kind of like the one positive duty that the government has. The first, the negative duty, the thing that it's not allowed to do is censor you. But its positive duty is that if I want to say awful things, or for that matter, great things that aren't popular in a public park, you can't let the crowd just shout me down. You can't allow what's called a heckler's veto. Heckler's veto. That's so interesting because I feel like that comes into play on social media somehow. There's this whole discussion about censorship and freedom of speech. But to me, the carrot question is almost more interesting once the freedom of speech is established is how do you incentivize high quality debate and disagreement? I'm thinking a lot about that. And that's one of the things we talk about in Canceling the American Mind is arguing towards truth and that cancel culture is cruel. It's merciless. It's anti-intellectual. But it also will never get you anywhere near truth. And you are going to waste so much time destroying your opponents in something that can actually never get you to truth through the process, of course, of you never actually get directly at truth. You just chip away at falsity. Yeah. But everybody having a megaphone on the internet with anonymity, it seems like it's better than censorship. But it feels like there's incentives on top of that you can construct to incentivize better discourse. To incentivize somebody who puts a huge amount of effort to make even the most ridiculous arguments, but basically ones that don't include any of the things you highlight in terms of all the rhetorical tricks to shed down conversations, just make really good arguments for whatever. It doesn't matter if it's communism, for fascism, whatever the heck you want to say, but do it with scale, with historical context, with

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steelman on the other side, all those kind of elements.

We try to make three major points in the book. One is just simply cancel culture is real. It's a historic era and it's on a historic scale. The second one is you should think of cancel culture as part of a rhetorical, as a larger, lazy rhetorical approach to what we refer to as winning arguments without winning arguments. We mean that in two senses, without having winning arguments or actually having one argument. We talk about all the different what we call rhetorical fortresses that both the left and the right have that allow you to just dismiss the person or dodge the argument without actually ever getting to the substance of the argument.

Third part is just how do we fix it. But the rhetorical fortress stuff is actually something I've been very passionate about because it interferes with our ability to get at truth and it wastes time and frankly it also, since cancel culture is part of that rhetorical tactic, it can also ruin lives. It would actually be really fun to talk about this particular aspect of the book and I highly recommend if you're listening to this, go pre-order the book now.

When does it come out? October 17th. Okay. The canceling of the American mind.

Okay. So in the book, you also have a list of cheap rhetorical tactics that both the left and the right use and then you have a list of tactics that the left uses and the right uses.

There's the rhetorical, the perfect rhetorical fortress

that the left uses and the efficient rhetorical fortress that the right uses.

First one is what aboutism. Maybe you can go through a few of them that capture your heart in this particular moment as we talk about it and if you can describe examples of it or if there's aspects of it that you see there, especially effective. So what aboutism is defending against criticism of your side by bringing up the other side's alleged wrongdoing.

I want to make little cards of all of these tactics and start using them on X all the time because they are so commonly deployed and what aboutism I put first for a reason.

You know, it'd be an interesting idea to actually integrate that into Twitter slash X where people, you know, instead of clicking heart, they can click which of the rhetorical tactics this is and then because you know there's actually community notes. I don't know if you've seen on X that people can contribute notes and it's quite fascinating. It works really, really well but to give it a little more structure, that's a really interesting method actually.

Yeah, I actually, when I was thinking about ways that X could be used to argue towards truth,

I wouldn't want to have it so that everybody would be bound to that but I think that

I imagine almost being like a stream within X that was truth focused that agrees to some additional rules on how they would argue. Man, I would love that where like there's, in terms of streams that intersect and can be separated, the shit-talking one where people just enjoy talking shit. Go for it, man. And then there's like truth and then

then there's humor, then there's like good vibes. I'm not like somebody who absolutely needs good vibes all the time but sometimes it's nice to just log in and not have to see

like the drama, the fighting, the bickering, the cancellations, the moms all of this. It's good to just see, that's why I go to Reddit are awe or like one of the cute animals ones where there's cute puppies and kittens and it's like, I just want to see Ryan Reynolds singing with Will Ferrell.

Sometimes that's all you need. I need that in my heart. Yeah, not all the time, just a little bit and right back to the battle for truth. Okay, so what aboutism? What aboutism? Yeah, that's

everywhere when you look at it. When you look at Twitter, when you look at social media in general

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and the first, what we call the obstacle course is basically time-tested old-fashioned, you know, argumentative dodges that everybody uses and what aboutism is just bringing up something, you know, like someone makes an argument like Biden is corrupt and then someone says, well, Trump was worse, you know, like and that's not an illegitimate, you know, argument to make back but it does, it seems to happen every time someone makes an assertion, someone just points out some other thing that was going on and it can get increasingly attenuated from what you're actually trying to argue and that you see this all the time on social media and it's kind of, you know, I was a big fan of John Stuart's Daily Show but an awful lot of what the humor was and what the tactic was for arguing was this thing over here. It's like, oh, I'm making this argument about this important problem. Oh, actually, you know, there's this other problem over here that I'm more concerned about and let's pick on the right here. So January 6th, you know, watching everybody arguing about CHOP, you know, like the occupied part of Seattle or the occupied part of Portland and basically trying to like, oh, you're bringing up the riot on January 6th and by the way, I live on Capitol Hill so believe me, I was very aware of like how scary and bad it was. You know, my dad grew up in Yugoslavia and that was a night where we all ate dinner in the basement because I'm like, oh, when the shit goes down, eat in the basement. It was genuinely scary and people would try to deflect from January 6th being serious by actually making the argument that, oh, well, there are crazy horrible things happening in all over the country, you know, riots that came from some of the social justice protests. And of course, the answer is you can be concerned about both of these things and find them both problems but, you know, if I'm arguing about CHOP, you know, someone bringing up January 6th isn't super relevant to it or if I'm arguing about January 6th, someone bringing up the riots in 2020 isn't that helpful. We took a long dark journey from what aboutism and related to that is straw manning and steel manning so misrepresenting the perspective of the opposing perspective. And this is something also, I guess it's very prevalent and it's difficult to do the reverse of that which is steel manning, requires empathy, requires eloquence, requires understanding, actually doing the research and understanding the alternative perspective. My wonderful employee, Angel Landoardo, has something that he calls star manning. And I find myself doing this a lot. It's nice to have two immigrant parents because I remember being in San Francisco in the weird kind of like ACLU slash burning man kind of cohort. And having a friend there who was an artist who would talk about hating Kansas and that was his metaphor for middle America is what he meant by it. But he was kind of proud of the fact that he hated Kansas. And I'm like, you got to understand, I still see all of you a little bit as foreigners and think about like change the name of Kansas to Croatia, you know, change the name of Kansas to some, that's what it sounds like to me. And the star manning idea, which I, which I like is the idea being like, so you're saying that you really hate your dominant religious minority. Like, and that's when you start actually detaching yourself a little bit from it, how typical America is exceptional in a number of ways. But some of our dynamics are incredibly typical. It's one of the reasons why like, when people start reading Thomas Sowell, for example, they start getting hooked,

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because one of the things he does is he does comparative analysis of countries' problems and points out that some of these things that we think are just unique to the United States exist in you know, 75% of the rest of the countries in the world. Francis Fukuyama's the book that I'm reading right now, *Origins of the Political Order* actually does this wonderful job of pointing out how we're not special in a variety of ways. This is actually something that's very much on my mind. And Fukuyama, of course, it's a great book. It's not, it's stilted a little bit in its writing, because his term for one of the things he's concerned about what destroys societies is repatri-monialization, which is the reversion to societies in which you favor your family and friends. And I actually think a lot of what I'm seeing in sort of in the United States, it makes me worried that we might be going through a little bit of a process of repatri-monialization. And I think that's one of the reasons why people are so angry. I think having, I think the prospect that we, you know, we very, we very nearly seem to have an election that was going to be, you know, Jeb Bush versus Hillary Clinton. It's like, are we a dynastic country now? Is that what's kind of happening? But also it's one of the reasons why people are getting so angry about legacy admissions, about like how much, you know, certain families seem to be able to keep their people in the upper classes of the United States perpetually. And believe me, like I was, we were poor when I was a kid, and I went to, and I got to go to, I got to go to one of the fancies. I got to go to Stanford. And I got to see how people, they treat you differently in a way that's almost insulting, like basically like suddenly to a certain kind of person, I was a legitimate person. And I look at how much America relies on Harvard, on Yale to produce its, I'm going to use a very Marxist sounding term, ruling class. And that's one of the reasons why you have to be particularly worried about what goes on at these elite colleges. And these elite colleges, with the exception University of Chicago and UVA, do really badly regarding freedom of speech. And that has all sorts of problems. It doesn't bode well for the future of the protection of freedom of speech for the rest of the society. So can you also empathize there with the folks who voted for Donald Trump? Because as precisely that as a resistance to this kind of momentum of the ruling class, this, this royalty that passes on the, the rule from generation to generation. I try really hard to empathize with, to a degree, everybody and try to really see where they're coming from. And the anger on the right, I get it. I mean, like, I feel like the, the book, so *Coddling the American Mind* was a book that I, that could be sort of a crowd pleaser to a degree, partially because we really meant what we said in the subtitle that these are good intentions and bad ideas that are hurting people. And if you understand it and read the book, you can say it's like, okay, this isn't anybody being malicious, you know, this is people trying to protect their kids. They're just doing it in a way that actually can actually lead to greater anxiety, depression, and strangely, eventually pose a threat to freedom of speech. But in this one, we can't be quiet. Me and my, oh, I haven't even mentioned my brilliant co-author, Ricky Schlatt, a 23 year old genius. She's, she's, she's amazing. I started working with her when she was 20, who's my co-author on this book. So when I'm saying we, I'm talking about me and Ricky. He's a libertarian. Libertarian journalist. And a journalist. Yeah, brilliant mind. Yeah. And, but we can't actually write this in a way that's too kind because counselors aren't kind. There's a cruelty and a mercilessness about it. I mean, I started getting really depressed this past year when I was writing it. And I didn't even want to tell my staff why

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I was getting so anxious and depressed. It's partially because I'm talking about people who will, you know, in some of the cases we're talking about, go to your house, target your kids. So, so that's a long way of saying the, I kind of can get what sort of drives the right nuts to a degree in this. I feel like they're constantly feeling like they're being gaslit. Elite education is really insulting to the working class. Like, it's part of the ideology that is dominant right now. It kind of treats almost 70% of the American public like they're, we thought we developed this a little bit in the perfect rhetorical fortress, like they're to some, some way illegitimate and not worthy of respect or compassion. Yeah. The general elitism that radiates, self-fueling elitism that radiates from the people that go to these institutions. And what's funny is the, the elitism has been repackaged as a kind of, it masquerades this kind of infinite compassion that essentially it's based in a sort of a very, to be frank, overly simple ideology over simply a simple explanation of the world and breaking people into groups and judging people on how oppressed they are on their, on the intersection of their various identities. And it came to that, I think initially with, with an, it had appeal from a compassionate core, but it gets used in a way that is, can be very cruel, very dismissive, compassion less, and allows you to not take seriously most of your fellow human beings. It's really weird how that happened. Maybe you can explore why a thing that has, it kind of sounds good at first, can be, can create, can become such a cruel weapon of canceling and hurting people and ignoring people. I mean, this is what you described with the perfect rhetorical fortress, which is a set of questions. Maybe you can elaborate on what the perfect rhetorical fortress is. Yeah. So the perfect rhetorical fortress is the way that's been developed on the left to not ever get to someone's actual argument. I want to make a chart, like a flow chart of this about like, here's the argument and here is this perfect fortress that will deflect you every time from getting to the argument. And I started to notice this certainly when I, when I was in law school, that there were lots of different ways you could dismiss people and perfect rhetorical fortress, step one, and I can attest to this because I was guilty of this as well, that you can dismiss people if you can argue that they're conservative. They don't have to be conservative to be clear. You just have to say that they are. So I never read Thomas Sowell because he was a right winger. I didn't read Camille Pogliola because I was, I somewhat had convinced me she was a right winger. There were lots of authors that and when I was in law school, it among a lot of very bright people, it really was already an intellectual habit that if you could designate something conservative, then you didn't really have to think about it very much anymore or take it particularly seriously. That's a childish way of arguing. But nonetheless, I engaged in it. It was a common tactic. I even mentioned in the book, there was a time when a gay activist friend who was, I think, decided to leave to my left, but nonetheless had that pragmatic experience of actually being an activist said something like, well, just because someone's conservative doesn't mean they're wrong. And I remember feeling kind of scandalized at some level of just being like, well, that's kind of, that's not the whole thing when we're saying is that they're just kind of bad people with bad ideas. You can just throw, oh, that guy's a right winger. You can just throw that. Don't have to think about you anymore. Yeah. And then it can, if you're popular enough, it can be those, it can be kind of sticky. Yeah. Like, and it's weird because it's effective. That's why it keeps on getting used to it.

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Essentially, it should have hit someone's, because I, you know, I have a great liberal pedigree, you know, everything from working at the ACLU to doing refugee law in Eastern Europe. I was part of an environmental mentoring program for inner city high school kids in DC. You know, I've been, I can defend myself as being on the left, but I hate doing that because there's also part of me that's like, okay, so what? Like, are you really saying that if you can magically make me argue or convince yourself that I'm on the right, that you don't have to listen to me anymore? And again, that's arguing like children. And the reason why this has become so popular is because even among, or maybe, maybe especially among elites, that it works so effectively as a perfect weapon that you can use uncritically. If I can just prove you're on the right, I don't have to, I don't have to think about you. It's no wonder that suddenly you start seeing people calling the ACLU right wing and calling the New York Times right wing, because it's been such an effective way to delegitimize people as thinkers. You know, Stephen Pinker, who's on our board of advisors, he refers to academia as being the left pole, that essentially it's a position that from that point of view, everything looks to its right, looks as if it's on the right. But once it becomes a tactic that we accept, and it's one of the reasons why I'm more on the left, but I think I'm left of center liberal. Ricky is more conservative, libertarian. And initially I was kind of like, should I really be writing something with someone who's more on the right? And I'm like, absolutely I should be. I have to actually live up to what I believe on this stuff, because it's ridiculous that we have this primitive idea that you can just miss someone as soon as you claim rightly or wrongly that they're on the right.

Well, I feel correct me if I'm wrong, but I feel like you were recently called right wing fire, maybe you by association because of that debate. Oh, the LA Times. The LA Times. Oh, fun. Let's talk about the LA Times.

So yes, there's an article, there's a debate. I can't wait to watch it, because I don't think it's available yet to watch on video, yet to attend in person. I can't wait to see it. But fire was in part supporting and then LA Times wrote a scathing article about that everybody in the debate was basically right, leaning right. Okay. So much to unpack there. Barry Weist has this great project, The Free Press. I've been very impressed. It's covering stories that a lot of the media, right or left, isn't willing to cover. And we hosted a debate with her, and we wanted to make it as fun and controversial as possible. So fire and The Free Press hosted a debate. Did the sexual revolution fail? So the debate was really exciting, really fun. The side that said that sexual revolution wasn't a failure that Grimes and Sarah Hader were on. One, it was a nice, meaty, thoughtful night. And there was a review of it that was just sort of scathing about the whole thing. And it included a line saying that fire, which claims to believe in free speech, but only defends viewpoints it agrees with. I can't believe that even made it into the magazine, because it's not just calling us, because of course, you know, the implication of course is that we're right-wing, which we're not. Actually, the staff's leans decidedly more to the left and to the right. But we also defend people all over the spectrum all the time. Like that's something that even the most minimal Google search would have solved. So like we've been given LA Times some heat on this, because it's like, yeah, if you said, in my opinion, they're right-wing, we would have argued back, you know, saying, well, here's the following 50,000 examples of us not being. But when you actually make the factual claim that we only defend opinions we agree with, first of all, there's no way for us to agree with opinions, because we actually have

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a politically diverse staff who won't even agree on which opinions are good and what opinions we have. But yeah, I had one time when someone did something like this, and they were just being a little bit flippant about kind of a free speech being fine. I did a 70 tweet long thread, you know, just being like, hey, do you really think this is fine? I decided not to do that on this particular one. But the nice thing about it is it demonstrated two parts of the book, *Canceling the American Mind*, if not more. One of them is dismissing someone because they're conservative. And because that was the implication, don't have to listen to fire because they're conservative. But the other one is something, a term that I invented specifically for the way people argue on Twitter, which is hypocrisy projection. Hi, I'm a person who only cares about one side of the political fence. And I think everyone else is a hypocrite. And by the way, I haven't done any actual research on this, but I assume everyone else is a hypocrite. And you see this happen all the time. And this happens to fire a lot where someone will be like, where is fire on this case? And we're like, we are literally quoted in the link you just sent, but didn't actually read. Or it's like, where's fire on this is like, here's a here's our lawsuit about it from six months ago. So it's a favorite thing. And also, John Stewart, Daily Show, like the, the, the, the, um, uh, what aboutism and the kind of like idea that these people must be hypocrites is something that greatest comedy, but as far as actually a rhetorical tactic that will get you to truth, just assuming that your opponent or just accusing your opponent of always being a hypocrite is not a good tactic for truth. But by the way, it tends to always come from people who aren't actually consistent on free speech themselves. So that hence the projection, but basically not doing the research about whether the person is or isn't a hypocrite and assuming others or a large fraction of others reading it, uh, will also not do the research. And therefore this kind of statement becomes a kind of truthiness without a grounding in actual reality. It breaks down that barrier between what is and isn't true because if, if the mob says something is true, it's, it takes too much effort to correct it. And there are three ways I want, like, you know, I want to respond to this, which is just giving example after example of times where we defended people on both sides of every major issue, basically every major issue, whether it's Israel, Palestine, whether it's terrorism, whether it's gay marriage, we have been abortion, we have defended both sides of that argument. The other part, and I call these the orphans of the culture war, I really want to urge the media to start caring about free speech cases that actually don't have a political valence, that are actually just about good old fashioned exercise of power against the little guy or little girl or little group on campus or off campus for that matter. Because these cases happen, a lot of our litigation are just little people, just regular people being told that they can't protest, that they can't hold signs. And then the last part of the argument that I want people to really get is like, yeah, and by the way, right wingers get in trouble too. And there are attacks from the left. And you should take those seriously too. You should care when Republicans get in trouble. You should care when California has a DEI program that requires this California community colleges has a DEI program policy that actually requires even chemistry professors to work in different DEI ideas from intersectionality to anti-racism into their classroom, into their syllabus, et cetera. This is a gross violation of academic freedom. It is as bad as it is to tell professors what they can't say like we fought and defeated in Florida. It's even worse to tell

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them what they must say. That's downright totalitarian. And we're suing against this. And what I'm saying is that when you're dismissing someone for just being on the other side of the political fence, you are also kind of making a claim that none of these cases matter as well. And I want people to care about censorship when it even is against people they hate.

Censorship, censorship. If we can take that tangent briefly with DEI, diversity, equity, and inclusion, what is the good and what is the harm of such programs?

DEI, I know people who are DEI consultants. Actually, I have a dear friend who I love very much who does DEI, absolutely decent people. What they want to do is create bonds of understanding,

friendship, compassion among people who are different. Unfortunately, the research on what a lot of DEI actually does is often the opposite of that. And I think that it's partially a problem with some of the ideology that comes from critical race theory, which is a real thing, by the way, that informs a lot of DEI, that actually makes it something more likely to divide than unite. We talk about this in coddling the American mind as the difference between common humanity identity politics and common enemy identity politics. And I think that I note some of the people that I know who do DEI, they really want it to be common humanity identity politics. But some of the actual ideological assumptions that are baked in can actually cause people to feel more alienated from each other. Now, when I started at FIRE, my first cases involved 9-11. And it was bad. Professors were getting targeted. Professors were losing their jobs for saying insensitive things about 9-11. And both from the right and the left. Actually, in that case, actually, sometimes a lot more from the right. And it was really bad. And about five professors lost their jobs. That's bad. Five professors over a relatively short period of time being fired for a political opinion. That's something that would get written up in any previous decades. We're now evaluating how many professors have been targeted for cancellation between 2014 and middle of this year, July of 2023. We're at about well over a thousand attempts to get professors fired or punished, usually driven by students and administrators,

often driven by professors, unfortunately, as well. About two thirds of those result in the professor being punished in some way. Everything from having their article removed to suspension, et cetera. About one fifth of those result in professors being fired. So right now,

it's almost 200. It's around 190 professors being fired. So I want to give some context here.

The Red Scare is generally considered to have been from 1947 to 1957. It ended, by the way, in 57 when it finally became clear, thanks to the First Amendment, that you couldn't actually fire people for their ideologies. Prior to that, a lot of universities thought they could. This guy is a very doctrinaire communist. He can't be just waited. I'm going to fire them. They thought they actually could do that. And it was only 57 when the law was established. So right now, these are happening in an environment where freedom of speech, academic freedom are clearly protected at public colleges in the United States, and we're still seeing these kind of numbers.

During the Red Scare, the biggest study that was done of what was going on, and I think this came out in like 55, and the evaluation was that there was about 62 professors fired for being communists and about 90-something professors fired for political views overall. That usually is reported

as being about 100. So 60, 90, 100, depending on how you look at it. I think the number is actually

higher, but that's only because of hindsight. Like what I mean by hindsight is we can look back, and we actually find there are more professors who were fired as time reveals. We're at 190 professors fired, and I still have to put up with people saying this isn't even happening. And I'm like, in the nine and a half years of cancel culture, 190 professors fired in the 11 years of the Red Scare, probably somewhere around 100, probably more, the number is going to keep going up. But unlike during the Red Scare, where people could clearly tell something was happening, the craziest thing about cancel culture is I'm still dealing with people who are saying this isn't happening at all, and it hasn't been subtle on campus. And we know that's a wild undercount, by the way, because when we surveyed professors, 17% of them said that they had been threatened with investigation or actually investigated for what they taught said or their research. And one third of them said that they were told by administrators not to take on controversial research. So like extrapolating that out, that's a huge number. And the reason why you're not going to hear about a lot of these cases is because there are so many different conformity-inducing mechanisms in the whole thing. And that's one of the reasons why the idea that you'd add something like requiring a DEI statement to be hired or to get into a school under the current environment is so completely nuts. We have had a genuine crisis of academic freedom over the last, particularly since 2017, on campuses. We have very low viewpoint diversity to begin with. And under these circumstances, administrators just start saying, you know what the problem is? We have too much heterogeneous thought. We're not homogeneous enough. We actually need another political litmus test, which is nuts. And that's what a DEI statement effectively is, because there's no way to actually fill out a DEI statement without someone evaluating you on your politics. It's crystal clear. We even did an experiment on this. Nate Honeycutt, he got something like almost like 3,000 professors to participate, evaluating different kinds of DEI statements. And one was basically like the standard kind of identity politics intersectionality one. One was about viewpoint diversity. One was about religious diversity. And one was about socioeconomic diversity. And as far as where my heart really is, it's that we have too little socioeconomic diversity, particularly in elite higher ed, but also in education period. So the experiment had large participation, really interestingly set up, and it tried to model the way a lot of these DEI policies were actually implemented. And one of the ways these have been implemented, and I think in some of the California schools, is that administrators go through the DEI statements before anyone else looks at them and then eliminates people off the top, depending on how they feel about their DEI statements. And the one on viewpoint diversity, I think like half of the people who reviewed it would eliminate it right out. And I think it was basically the same for religious diversity. It was slightly better, like 40% for socioeconomic diversity, but that kills me. Like the idea that kind of like, yeah, that actually is the kind of diversity that I think we need to great deal more of in higher education. You can agree with, it's not hostile to the other kinds, by the way. But the idea that we need more people from the bottom, three quarters of American society, like in higher education, I think should be something we could all get around. But the only one that really succeeded was the one that sprouted back exactly the kind of ideology that they thought the rears would like, which is like, okay, there's no way this couldn't be a political at-miss test. We've proved that it's a political at-miss test and still school after school is adding these to its application process to make

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schools still more ideologically homogenous. Why does that have a negative effect? Is it because it enforces a kind of group think where people are afraid, start becoming afraid to sort of think and speak freely, liberally about whatever? Well, one, it selects for people who tend to be farther to the left in a situation where you already have people, a situation where universities do lean decisively that way. But it also establishes essentially a set of sacred ideas that if you're being quizzed on what you've done to advance anti-racism, how you've been conscious of intersectionality, it's unlikely that you'd actually get in if you said, by the way, I actually think these are dubious concepts. I think they're thin. I think they're philosophically not very defensible. Basically, if your position was, I actually reject these concepts as being oversimple. You're not going to get in. And I think that the person that I always think of that wasn't a right winger that would be like, go to hell if you made him fill one of these things out, it's Feynman. I feel like if you gave one of these things to Richard Feynman, he'd be like, he would tear it to pieces. And then knock at the job.

Yeah, there's some element of it that creates this hard to pin down fear. So you said the firing, the thing I wanted to say is firing 100 people or 200 people, the point is even firing one person, I've just seen it, it can create this quiet ripple effect of fear. Of course.

That single firing of a faculty has a ripple effect across tens of thousands of people, of educators, of who is hired, what kind of conversations are being had, what kind of textbooks are chosen, what kind of self-censorship and different flavors of that is happening. It's hard to measure that. Yeah, I mean, when you ask professors about are they intimidated under the current environment, the answer is yes. And particularly conservative professors already reporting that they're afraid for their jobs in a lot of different cases.

You have a lot of good statistics in the book. Things like self-censorship, when provided with the definition of self-censorship, at least a quarter of students said they self-censor fairly often or very often during conversations with other students, with professors, and during classroom discussions, 25%, 27%, 28%, respectively. A quarter of students also said that they are more likely to self-censor on campus now at the time they were surveyed, then they were when they first started college. So college is kind of instilling this idea of censorship, self-censorship. And back to the red scare comparison, and this is one of the interesting things about the data as well, is that that same study that I was talking about, the most comprehensive study of the red scare, there was polling about whether or not professors were self-censoring due to the fear of the environment. And 9% of professors said that they were self-censoring their research and what they were saying. 9% is really bad.

That's almost a tenth of professors saying that their speech was chilled.

When we did this question for professors on our latest faculty survey, when you factored together, we asked them, are they self-censoring in their research, are they self-censoring in class, are they self-censoring online, etc., it was 90% of professors. So the idea that we're actually in an environment that is historic in terms of how scared people are actually of expressing controversial views, I think that it's the reason why we're going to actually be studying this in 50 years, the same way we study the red scare. It's not, the idea that this isn't happening will just be correctly viewed as insane. So maybe we can just discuss the leaning, the current leaning of academia towards the left, which you describe in various different perspectives. So one, there's a voter registration ratio chart that you have by department, which I

think is interesting. Can you explain this chart and can you explain what it shows? Yeah, when I started fire in 2001, I didn't take the viewpoint diversity issue as seriously. I thought it was just something that right wingers complained about. But I really started to get what happens when you have a community with low viewpoint diversity. And actually, a lot of the research that I got most interested in was done in conjunction with the great Cass Sunstein, who writes a lot about group polarization. And the research on this is very strong, that essentially, when you have groups with political diversity, and you can see this actually in judges, for example, it tends to produce reliably more moderate outcomes, whereas groups that have low political diversity tend to sort of spiral off in their own direction. And when you have a super majority of people from just one political perspective, that's a problem for the production of ideas. It creates a situation where there are sacred ideas. And when you look at some of the departments, I think the estimate from the Crimson is that Harvard has 3% conservatives. But when you look at different departments, there are elite departments that have literally no conservatives in them. And I think that's on a healthy intellectual environment. The problem is definitely worse. As you get more elite, we definitely see more cases of leftist professors getting canceled at less elite schools. It gets worse as you get down from the elite schools. That's where a lot of the one-third of attempts to get professors punished that are successful do come from the right and largely from off campus sources. And we spend a lot of time talking about that in the book as well. It's something that I do think is underappreciated. But when it comes to the low viewpoint diversity, it works out kind of like you'd expect to a degree. Economics is what, four to one or something like that. It's not as bad. But then when you start getting into some of the humanities, there are departments that they're literally none. Is there a good why to why did the university faculty administration move to the left? Yeah. I don't love, and this is an argument that you'll sometimes run into on the left. Just the argument that, well, people on the left are just smarter. Right. And it's like, okay, it's interesting because at least the research as of 10 years ago was indicating that if you dig a little bit deeper into that, a lot of the people who do consider themselves on the left tend to be a little bit more libertarian. There's something that Pinker wrote a fair amount about. The idea that we're just smarter is not an opinion. At least a bit comfortable with. I do think that departments take on momentum when they become a place where you're like, wow, it'd be really unpleasant for me to work in this department if I'm the token conservative. And I think that takes on a life of its own. There are also departments where a lot of the ideologies kind of explicitly leftist. You look at education schools, a lot of the stuff that is actually left over from what is correctly called critical race theories. And you end up having that in a number of the departments. And it would be very strange to be in many departments, a conservative social worker professor. I'm sure they exist, but there's a lot of pressure to shut up if you are. So the process on the left of cancellation, as you started to talk about with the perfect rhetorical fortress, the first step is dismiss a person. If you can put a label of conservative on them, you can dismiss them in that way. What other efficient or what other effective dismissal mechanisms are there? We have a little bit of fun with demographic numbers. But I run this by height and I remember him being kind of like, don't include the actual percentage. I'm like, no, we need to include the actual percentages because people are really bad at estimating what the demographics of the US

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actually looks like, both the right and the left in different ways. So we put in the numbers and we talk about being dismissed for being white or being dismissed for being straight or being dismissed for being male. And you can already dismiss people for being conservative. So we give examples in the book of these being used to dismiss people and oftentimes on topics not related to the fact that they are male or whether or not they're minority. And then we get to, I think it's like layer six and we're like, surprise, guess what? You're down to 0.4% of the population and none of it mattered because if you have the wrong opinion, even if you're in that 0.4% of the most intersectional person who ever lived and you have the wrong opinion, you're a heretic and you actually probably will be hated even more. And the most interesting part of the research we did for this was just asking every prominent black conservative and moderate we knew personally, have you been told that you're not really black for an opinion you had? Every single one of them was like, oh yeah, no. And it's kind of funny because it's like oftentimes white lefties telling them that's like, oh, do you consider yourself black? John McWhorter talked about having a reporter when he talked about when he showed that he dissented from some of what he described as kind of like woke racism in his book, woke ideas. The reporter actually is like, so do you consider yourself black? He's like, what are you crazy? Of course I do. And Coleman Hughes had one of the best quotes on it. He said, I'm constantly being told that the most important thing to the how legitimate my opinion is, is whether or not I'm black. But then when I have a dissenting opinion, I get told I'm not really black. So perfect. Like there's no way to falsify this argument. That one really, that investigation really struck me. So and you lay this out really nicely in the book that there is this process of saying, are you conservative? Yes, you can dismiss the person. Are you white? Dismiss the person. Are you male? You can dismiss the person. There's these categories that make it easier for you to dismiss a person's ideas based on that. And like you said, you end up in that tiny percentage you could still dismiss. And it's not just dismiss. We talk about this from a practical standpoint, the way the limitations on reality. And one of them is time. And a lot of cancel culture as cultural norms, as this way of winning arguments without winning arguments, is about running out the clock. Because by the time you get down to the bottom of the, actually even to get a couple steps into the perfect rhetorical fortress, and whereas the time gone, you probably just give up trying to actually have the argument. And you never get to the argument in the first place. And all of these things are pretty sticky on social media. Social media practically invented the perfect rhetorical fortress. So that each one of those stages has a virality to it. So it could stick and then it can get people really excited. It allows you to feel outrage and superiority. Because of that, at the scale of the virality, it allows you to never get to the actual discussion at the point. But it's not just the left, it's the right. It's also the efficient rhetorical fortress. So something to be proud of on the right, it's more efficient. So you don't have to listen to liberals. And anyone can be labeled a liberal if they have an wrong opinion. I've seen liberal and leftists all used in the same kind of way. But that's leftist nonsense. You don't have to listen to experts, even conservative experts, if they have the wrong opinion. You don't have to listen to journalists, even conservative journalists, if they have the wrong opinion. And among the MAGA

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Wing, there's a fourth proposition. There's a fourth provision. You don't need to listen to anyone who isn't pro-Trump. And we call it efficient because it eliminates a lot of people you probably should listen to at least sometimes. We point out sometimes how cancel culture can interfere with faith and expertise. So we get kind of being a little suspicious of experts. But at the same time, if you follow that and you follow it mechanically, and I definitely think everybody in the US probably has some older uncle who exercises some of these, it is a really efficient way to sort of wall yourself off from the rest of the world and dismiss at least some people you really should be listening to.

The way you laid it out, it made me realize that we just take up so much of our brain power with these things. So much time. It's literally time. We could be solving things. And you kind of exhaust yourself through this process of being outraged based on these labels. And you never get to actually, there's almost not enough time for empathy, for looking at a person and thinking, well, maybe they're right because you're so busy categorizing them. And it's fascinating. What's the fun and empathy? And I mean, what's so interesting about this is that so much societal energy seems to be spent on these nasty primal desires where essentially a lot of it is like, please tell me who I'm allowed to hate. Where can I legitimately be cruel? Where can I actually exercise some aggression against somebody? And it seems to sometimes be just finding new justifications for that. And it's an understandable human failing that sometimes can be used to defend justice. But again, it will never get you anywhere near the truth. One interesting case that you cover about expertise is with COVID. So how did cancel culture come into play on the topic of COVID? Yeah, I think that COVID was a big blow to people's faith and expertise. And cancel culture played a big role in that. I think one of the best examples of this is Jennifer Say at Levi's. She is a lovely woman. She was a vice president at Levi's. She talked about actually potentially to be the president of Levi's genes. And she was a big advocate for kids. And when they started shutting down the schools, she started saying, this is going to be a disaster. This is going to hurt the poor and disadvantaged kids the most. We have to figure out a way to open the schools back up. And that was such a heretical point of view. And the typical kind of cancel culture wave took over as he had all sorts of petitions for her to be fired and that she needed to apologize and all this kind of stuff. And she was offered, I think, like in a million dollar severance, which she wouldn't take because she wanted to tell the world what she thought about this and that she wanted to continue saying that she hadn't changed her mind, that this was a disaster for young people. And now that's kind of the conventional wisdom. And the research is pretty, it is quite clear that this was devastating to particularly disadvantaged youths. Like people understand this as being okay, she was probably right. But one of the one of the really sad aspects of cancel culture is people forget why you are canceled and they just know they hate you. There's this lingering kind of like, well, I don't have to take them seriously anymore. But by the way, did you notice they happened to be right on something very important? Now, one funny thing about freedom of speech, freedom of speech wouldn't exist if you didn't also have the right to say things that were wrong. Because if you can't, you know, engage in ideaphoria, if you can't actually speculate, you'll never actually get to something that's right in the first place. But it's especially galling when people who were right were censored and never actually get the credit that they deserve.

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Well, this might be a good place to ask a little bit more about the freedom of speech.

And you said that included in the freedom of speech is to say things that are wrong.

What is your perspective on hate speech?

Hate speech is the best marketing campaign for censorship. And it came from academia of the 20th century. And that when I talked about the anti free speech movement, that was one of their first inventions. There was a lot of talk about critical race theory and being against critical race theory. And fire will sue if you say that people can't advocate for it or teach it or research it. Because you do absolutely have the right to pursue it academically. However, every time someone mentions CRT, they should also say the very first project

of the people who founded CRT, Richard Delgado, Mary Matsuda, etc. was to go was to create this new category of unprotected speech called hate speech and to get it banned. The person who enabled this drift, of course, was Herbert Marcuse in 1965, you know, basically questioning whether or not free speech should be a sacred value on the left. And he was on the losing side for a really long time. The liberals, you know, the way I grew up, that was basically being pro free speech was synonymous with being a liberal. But that started to be etched away on campus. And the way it was was with with the idea of hate speech that essentially, oh, but we can designate particularly bad speech as not protected. And who's going to enforce it? Who's going to decide what hate speech actually is? Well, it's usually overwhelmingly can only happen in an environment of really low viewpoint diversity, because you have to actually agree on what the most hateful and wrong things are. And there's a bedrock principle. It's referred to this in a great case about flag burning in the First Amendment that I think all the world could benefit from. You can't ban speech just because it's offensive. It's too subjective. It basically it's one of the reasons why these kind of codes have been more happily adopted in places like Europe where they have a sense that there's like a modal German or a modal Englishman. And I think this is offensive. And therefore, I can say that this is this is wrong in a more multicultural and in a genuinely more diverse country that's never actually had an honest thought that there is a single kind of American there. There's never been like we had we had the idea of Uncle Sam, but that was always kind of a joke. Boston always knew it wasn't Richmond always knew it wasn't Georgia always knew it wasn't Alaska, like we've always been a hodgepodge. And we get in a society that diverse that you can't ban things simply because they're offensive. And that's that's one of the reasons why hate speech is not an unprotected category of speech. And I go further, my theory on freedom of speech is slightly different than most other constitutional lawyers. And I think that's partially because some of the ways some of these theories, although a lot of them are really good, are inadequate. They're not expansive enough. And I sometimes call my theory the pure informational theory of freedom of speech. Or sometimes when I want to be fancy, the lab and the looking glass theory. And its most important tenant is that there is that if the goal is the project of human knowledge, which is to know the world it is, you cannot know the world as it is without knowing what people really think. And what people really think is an incredibly important fact to know. So every time you're actually saying, you can't say that, you're actually depriving yourself of the knowledge of what people really think you're causing what Timmer Karan, who's on our board of advisors, calls preference falsification. You end up with an inaccurate picture of the world, which by the way, in a lot of cases, because there are activists who want to restrict more

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speech, they actually tend to think that people are more prejudiced than they than they might be. And actually, these kind of restrictions, there was a book called Racial Paranoia that came out about 15 years ago that was making the point that the imposition of some of these codes can sometimes make people think that the only thing holding you back from being a raging racist are these codes. So it must be really, really bad. It can actually make all these things worse. And one, which we talk about in the book, one very real practical way it makes things worse, is when you censor people, it doesn't change their opinion. It just encourages them to not share it with people who will get them in trouble. So it leads them to talk to people who they already agree with, and group polarization takes off. So we have some interesting data in the book about how driving people off of Twitter, for example, in 2017, and then again, I think in 2020, driving people to gab led to greater radicalization among those people. It's a very predictable force. Censorship doesn't actually change people's minds, and it pushes them in directions that actually by very solid research will actually make them more radicalized. So yeah, I think that the attempt to ban hate speech, it doesn't really protect us from it, but it gives the government such a vast weapon to use against us that we will regret giving them.

Is there a way to look at extreme cases, to test this idea out a little bit? So if you look on campus, what's your view about allowing, say, white supremacists on campus to do speeches? I think you should be able to study what people think, and I think it's important that we actually do. So I think that, you know, let's take, for example, QAnon. Yeah, QAnon's wrong. But where did it come from? Why did they think that? What's the motivation? Who taught them it? Who came up with these ideas? This is important to understand history. That's important to understand

modern American politics. And so if you put your scholar hat on, you should be curious about kind of everyone, about where they're coming from. Daryl Davis, who I'm sure you're familiar with, part of his goal was just simply to get to know where people were coming from. And in the process, he actually de-radicalized a number of clients members. When they actually realized that this black man who would befriended them actually was compassionate, was a decent person, they realized all their preconceptions were wrong. So it can have a de-radicalizing factor, by the way. But even when it doesn't, it's still really important to know what the bad people in your society think. Honestly, in some ways, for your own safety, it's probably more important to know what the bad people in your society actually think. I personally, I don't know what you think about that. But I personally think that freedom of speech in cases like that, like KKK and campus, can do more harm in the short term, but much more benefit in the long term. Because you can sometimes argue for like, this is going to hurt in the short term.

But I mean, Harry said this is like, consider the alternative. Because you just kind of made the case for like, this potentially would be a good thing, even in the short term. And it often is, I think, especially in a stable society like ours, with a strong middle class, all these kinds of things, where people have like the comforts to reason through things. But to me, it's like, even if it hurts in the short term, even if it does create more hate in the short term, the freedom of speech has this really beneficial thing, which is it helps you move towards the truth, the entirety society towards a deeper, more accurate understanding of life on earth, of society, of how people function, of ethics, of metaphysics, of everything. And that in the long term is a huge benefit. It gets rid of the Nazis in the long term, even if it adds

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to the number of Nazis in the short term.

Yeah. Well, and meanwhile, and the reality check part of this is people always bring up, what about the Klan on campus? I'm like, they're never invited. I haven't seen a case where they have been invited. Usually, the Klan argument gets thrown out when people are trying to excuse, and that's why we shouted down Ben Shapiro. And that's why you can't have Bill Maher on campus. That's why, and it's like, okay, and it's a little bit of that, what aboutism again, about being like, well, that thing over there is terrible, and therefore, this comedian shouldn't come. So I do have a question, maybe by way of advice. You know, interviewing folks and seeing this, like a podcast as a platform in deciding who to talk to or not, not something I have to come face to face with on occasion. My natural inclination before I started the podcast was to talk to anyone, including people, which I'm still interested in, who are the current members of the KKK. And to me, there's a responsibility to do that with skill, and that responsibility has been weighing heavier and heavier on me, because you realize how much skill it actually takes, because you have to know to understand so much. Because I've come to understand that the devil is always going to be charismatic. The devil's not going to look like the devil.

And so you have to realize that you can't always come to the table with a deep compassion for another human being. You have to have, you know, like 90% compassion and another 90% deep historical knowledge about the context of the battles around this particular issue. And that takes just a huge amount of effort. But I don't know if there's thoughts you have about this, how to handle speech in a way without censoring, bringing it to the surface, but in a way that creates more love in the world.

I remember Steve Bannon got disinvited from the New Yorker Festival, and Jim Carrey freaked out, and all sorts of other people freaked out, and he got disinvited from the, and I got invited to speak on Smirkanish about this. And I was saying, like, listen, you don't have people to your conference because you agree with them. We have to get out of this idea that that's, because they were trying to make it sound like that's an endorsement of Steve Bannon, like that's nonsense. Like if you actually look at the opinions of all the people who are there, you can't possibly endorse all the opinions that all these other people who are going to be there actually have. And in the process of making that argument, and also, of course, the very classic, it's very valuable to know what someone Steve Bannon thinks. You should be curious about that. And I remember someone arguing back saying, well, would you want someone to interview a jihadi? And I'm like, because we're at the moment, like it was at the time when ISIS was really going for it. And I was like, would you not want to go to a talk where someone was trying to figure out what makes some of these people tick? Because that changes your framing that essentially it's like, no, it's curiosity. It is the cure for a lot of this stuff. And we need a great deal more curiosity and a lot less unwarranted certainty. And there's a question of, like, how do you conduct such conversations? And I feel deeply underqualified.

Who do you think are especially good at that? I feel like documentary filmmakers usually do a much better job. And the best job is usually done by biographers. So the more time you give to a particular conversation, like really deep thought and historical context and studying the people, how they think, looking at all different perspectives, looking at the psychology of the person, upbringing their parents, their grandparents, all of this, the more time you spend with that, the better, the better the quality of the conversation is.

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Because you get to understand, you get to really empathize with the person, with the people he or she represents. And you get to see the common humanity, all of this. Interviewers often don't do that work. So like the best stuff I've seen is interviews that are part of a documentary. But even now, documentaries are like, there's a huge incentive to do as quickly as possible. There's not an incentive to really spend time with the person.

There's a great new documentary about Floyd Abrams that I really recommend.

We did a documentary about Ira Glasser called *Mighty Ira*, which was my video team and my protege, Nico Perino and Chris Malvy and Aaron Reese put it together. And it just follows the life and times of Ira Glasser, the former head of the ACLU.

He said, if you could just link it on that, that's a fascinating story.

Oh yeah, Ira's amazing. Ira, he wasn't a lawyer. He started working at the NYCLU, in the New York Civil Liberties Union, back in I think the 60s. He was, I think, Robert Kennedy recommended that he go in that direction. And he became the president of the ACLU right at the time

that they were suffering from defending the Nazis at Skokie. And Nico and Aaron and Chris put together this, and they'd never done a documentary before. And it came out so, so well.

And it tells the story of the Nazis in Skokie. It tells the story of the case around it.

It tells the story of the ACLU at the time and what a great leader Ira Glasser was.

And one of the things that's so great is when you get to see the Nazis at Skokie, they come off the idiots that you would expect them to. There's a moment when the rally is not going very well and the leader gets flustered. And it almost seems like he's going to shout out, kind of like, you're making this Nazi rally into a mockery. So it showed how actually allowing the Nazis to speak at Skokie kind of took the wind out of their sails. If they had the whole movement, like everybody was kind of, it all kind of dissolved after that because they looked like racist fools that they were. They were, you know, even Blues Brothers made jokes, you know, jokes about them. And it didn't turn into the disaster that people thought it was going to be just by letting them speak. And Ira Glasser, okay, so he has this wonderful story about how Jackie Robinson joined the Brooklyn Dodgers and how there was a moment when it was seeing someone, an African American as on their, literally on their team and how that really got them excited about the cause of racial equality. And that became a big part of what his life was. And I just think of that such a great metaphor is expanding your circle and seeing more people as being quite literally on your team is the solution to so many of these problems. And I worry that one of the things that is absolutely just a fact of life in America is like, we do see each other more as enemy camps as opposed to people on the same team. And that was actually something in the early days,

like me and Will Creeley, the legal director of FIRE wrote about the forthcoming free speech challenges of everyone being on Facebook. And one thing that I was hoping was that as more people were exposing more of their lives, we'd realized a lot of these things we knew intellectually, like kids go to the bar and get drunk and do stupid things, that when we started seeing evidence of them doing stupid things, that we might be shocked at first, but then eventually get more sophisticated and be like, well, come on, people are like that. That never actually really seemed to happen. That I don't think that I think that there are plenty of things we know about human nature and we know about dumb things people say. And we've made it into an

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environment

where there's just someone out there waiting to be kind of like, oh, remember that dumb thing you said we were 14? Well, I'm going to make sure that you don't get into your dream school because of that. That's offense archaeology. That's not my term though. It's a great term. It's a great term. We steal from the best. Digging through someone's past comments to find a speech that hasn't aged well. And that one's tactical. That one isn't just someone not being empathetic. They're like, I'm going to punish you for this. And that's one of the reasons why I got depressed writing this book because there's already people who don't love me because of cuddling the American mind, usually based on a misunderstanding of what we actually said in cuddling in the American mind, but nonetheless. But on this one, I'm calling out people for being very cruel in a lot of cases. But one thing that was really scary about studying a lot of these cases is that once you have that target on your back, what they're going to try to cancel you for could be anything. They might go back into your old posts, find something that you said in 1995. Do something where essentially, it looks like it's this entire other thing, but really what's going on is they didn't like your opinion. They didn't like your point of view on something. And they're going to find a way that from now on, anytime your name comes up, it's like, oh, remember this thing I didn't like about them?

And it's, again, it's cruel. It doesn't get you anywhere closer to the truth. But it is a little scary to stick your neck out. Okay. In terms of solutions, I'm going to ask you a few things. So one parenting. Yeah. Five and seven year old. So I'm sure you've figured it all out then. Oh, God, no. From a free speech perspective. Yeah. From a free speech culture perspective, how to be a good parent. Yeah. I think the first quality you should be cultivating in your children if you want to have a free speech culture is curiosity and an awareness of the vastness that will always be unknown. And getting my kids excited about the idea that's like, we're going to spend our whole lives learning about stuff. And it's fast and exciting and endless and will never make a big dent in it. But the journey will be amazing. But only fools think they know everything. And sometimes dangerous fools at that. So giving the sense of intellectual humility early on being also, you know, saying things that actually do sound kind of old fashioned, like, but I say things to my kids, like, listen, if you enjoy study and work, both things that I very much enjoy, I do for fun, your life is going to feel great. And it's going to feel easy. So some of, you know, some of those old fashioned virtues are things I try to preach. Counterintuitive stuff like outdoor time, playing, having time that are not intermediated experiences is really, is really important. And little things like I talk about in the book about when my kids are watching something that's scary. And I'm not talking about like zombie movies, you know, I'm talking about like, you know, a cartoon that has kind of a scary moment. And saying that they want to turn the TV off. And I, and I talk to them and I say, listen, I miss it next to you. And we're going to finish this show. And I want you to tell me what you think of this afterwards. And I sat next to my sons. And by the end of it, every single time, I, you know, when I asked them, was that as scary as you thought it was going to be? And there was like, no, daddy, that was fine. And I'm like, that's one of the great lessons in life. The fear that you don't go through becomes much bigger in your head than actually simply facing it. That's one of the reasons why I'm fighting back against this culture. I love, you know, for all of our kids to be able to grow up in an environment where

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people give you grace. And, you know, except the fact that sometimes people are going to say things that piss you off, take seriously the possibility of being wrong and be curious.

Well, I have hope that the thing you mentioned, which is because so much of young people's stuff is on the internet, that they're going to give each other a break because then everybody is cancel worthy. Generation Z hates cancel culture the most. And that's another reason why it's like people still claiming this is even happening. It's kind of like, no, you actually can ask, you know, kids what they think of cancel culture and they hate it.

Yeah. Well, I kind of think of them as like the immune system that's like, that's the culture waking up to like, no, this is not a good thing.

I am glad though. I mean, I'm one of those kids who, you know, is really glad that I was a little kid in the 80s and a teenager in the 90s because having everything potentially online, it's not an upbringing A and B. Well, you can also do the absolute free speech.

I like leaning into it where I hope for a future where a lot of our insecurities, flaws, everything's out there. And to be raw honest with it, I think that leads to a better world because the flaws are beautiful. I mean, that's the flaws as the basic ingredients of human connection. Robert Wright, he wrote a book on Buddhism and I talked about trying to use social media from a Buddhist perspective and like as if you're, as if it's the collective unconscious meditating and seeing those little like angry bits that are trying to cancel or get you to shut up and just kind of like letting them go the same way you're supposed to watch your thoughts kind of trail off. I would love to see that like visualized. Whatever the drama going on, going on, just seeing the sea of it, of the collective consciousness just processing this and having a little like panic attack and just kind of like breathing it in.

Looking at the little sort of hateful, angry voices kind of pop up and be like, okay, there you are. And I'm still focused on that thing because that is one of the things is, okay, yeah, actually this is probably late in the game to be giving my grand theory on this stuff. But never too late. So what I was studying in law school when I ran out of first amendment classes, I decided to study censorship during the Tudor dynasty because that's where we get our ideas of prior restraint that come from the licensing of the printing press, which was something that Henry VIII was the first to do, where basically the idea was that if you can't print anything in England unless it's with these, your majesty approved printers, it will prevent heretical work and anti Henry VIII stuff from coming out.

A pretty, pretty efficient idea if nothing else. And I always, so he started getting angry at the printing press around 1521 and then passed something that required prints to be along with parliament in 1538. And I always think of that as kind of like where we are now, because we have this, back then we had the original disruptive technology, writing was probably really bad, but the next one, which was the printing press, which was absolutely calamitous. And I mean, and I say calamitous on purpose because in the short term, the witch hunts went up like crazy because the printing press allowed you to get that manual on how to find witches, that the religious wars went crazy. It led to all sorts of distress, misinformation, nastiness. And Henry VIII was trying to put the genie back in the bottle. He was kind of like, I want to use this for good. I feel like it could be used.

But he was in an unavoidable period of epistemic anarchy. There's nothing you can do to make the period after the printing press come out to be a non-disruptive,

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non-crazy period other than absolute totalitarianism and destroy all the presses, which simply was not possible in Europe. So I feel like that's kind of like where we are now. That disruption came from adding, I think, several million people to the European conversation, and then eventually the global conversation. But eventually, it became the best tool for disconfirmation, for getting rid of falsity, for spotting bad ideas. And it's the benefits, the long-term benefits of the printing press are incalculably great. And that's what gives me some optimism for where we are now with social media, because we are in that unavoidably anarchical period. And I do worry that there are attempts in states to pass things to try to put the genie back in the bottle. Like if we ban TikTok or we say that nobody under 18 can be on the internet unless they have parental permission, we're going at something that no amount of sort of top-down is going to be able to fix it. We have to culturally adapt to the fact of it in ways that make us wiser and allow it potentially to be that wonderful engine for disconfirmation that we're nowhere near yet, by the way. But think about it. Additional millions of eyes on problems, thanks to the printing press, helped create the scientific revolution, the enlightenment, the discovery of ignorance. We now have added billions of eyes and voices to solving problems. And we're using them for cat videos and canceling.

But those are just the early days of the printing press.

All starts with the cats and the canceling. Is there something about X, about Twitter, which is perhaps the most energetic source of cats and canceling?

It seems like the collective unconscious of the species. It's one of these things where the tendency to want to see patterns in history sometimes can limit the actual batshit crazy experience of what history actually is. Because yes, we have these nice comforting ideas that it's going to be like last time. We don't know. It hasn't happened yet. And I think how unusual Twitter is. Because people talk about writing and mass communications and as being expanding the size of our collective brain. But now we're kind of looking at our collective brain in real time. And it's filled just like our own brains with all sorts of little crazy things that pop up and appear like virtual particles kind of all over the place of people reacting in real time to things. There's never been anything even vaguely like it. And it can be at its worst awful to see. At its best, sometimes seeing people just getting euphoric over something going on and cracking absolutely brilliant immediate jokes at the same time. It can even be a joyful experience. I feel like I live in a neighborhood now on X where I mostly deal with people that I think are actually thoughtful even if I disagree with them. And it's not such a bad experience. I occasionally run into those other sort of what I call neighborhoods on X where it's just all canceling all nastiness. And it's always kind of an unpleasant visit to those places. I'm not saying the whole thing needs to be like my experience. But I do think that the reason why people keep on coming back to it is it reveals raw aspects of humanity that sometimes we prefer to pretend don't exist.

Yeah, but also it's totally new, like you said. It's just the virality, the speed, the news travels, the opinions travel, that the battle over ideas travels. And battle over information too.

Yeah, of what is true and not, lies travel, the old Mark Twain thing pretty fast on the thing. And it changes your understanding of how to interpret information.

It can also stress you out to no end. I remember to get off it sometimes. The stats are pretty bad on mental health with young people. And I'm definitely in the camp of people who think that

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social media is part of that. I understand the debate, but I'm pretty persuaded that one of the things that hasn't been great for mental health of people is just constantly being exposed. Yeah, absolutely. I think it's possible to create social media that makes a huge amount of money, makes people happy. To me, it's possible to align the incentives in terms of making teenagers, making every stage of life, giving you long term fulfillment and happiness with your physical existence outside of the social media and on social media, helping you grow as a human being, helping challenge you just to the right amount and just the right amount of cat videos, whatever gives this full, rich human experience. I think it's just a machine learning problem.

It's like it's not easy to create a feed. So the easiest feed you could do is like maximize engagement. But that's just like a really dumb algorithm. It's like for the algorithm to learn enough about you to understand what will make you truly happy as a human being to grow long term. That's just a very difficult problem to solve. If you ever watch Fleabag, it's absolutely brilliant British show. And it sets you up. One of the reasons why people love it so much is it sets you up that you're watching like a raunchy British sex in the city except the main character is the most promiscuous one. It's like, okay, and you kind of roll your eyes a little bit. It's kind of funny and it's kind of cute and kind of spicy. And then you realize that the person is actually kind of suffering and having a hard time. And it gets deeper and deeper as the show goes on.

And she will do these incredible speeches about tell me what to do. Like I just I know there's experts out there. I know there's knowledge out there. I know there's an optimal way to live my life. So why can't someone just tell me what to do? And it's just wonderfully like accurate, I think aspect of human desire that what if something could actually tell me the optimal way to go? Because I think there is a desire to give up some amount of your own freedom and discretion in order to be told to do the optimally right thing. But that path scares me to see the way you phrase it. That scares me too. So there's several things like one, you can be constantly distracted in a TikTok way by things that keep you engaged. So removing that and giving you a bunch of options constantly and learning from long term what results in your actual long term happiness. So like, which amounts of challenging ideas are good for you?

That you know, for somebody like me,

just four. But there is a number like that for you, Greg. Like for me, that number is pretty high.

I love debate. I love the feeling of like realizing, holy shit, I've been wrong.

But like, you know, and I would love for the algorithm to know that about me and to help me, but always giving me options if I want to descend into cat videos and so on.

Well, the educational aspect of it. Yes, education. Like the idea of kind of like both going the speed that you need to and running as fast as you can. Yeah. You know, I mean, there's that, you know, the whole flow thing. I just feel YouTube recommendation for better or worse, if used correctly, it feels like it does a pretty good job. Whenever I just refuse to click on stuff that's just dopamine based and click on only educational things, the recommendation provides a really damn good. So I feel like it's a solvable problem, at least in the space of education of challenging yourself, but also expanding your realm of knowledge and all this kind of stuff.

And I'm definitely more in the, we're in an inescapably anarchical period

and require big cultural adjustments. And there's gonna, there's no way that this isn't

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going to be difficult transition. Is there any specific little or big things that you like to see ex do Twitter do? I have lots of thoughts on that with the printing press and extra millions of eyes on any problem can tear down any institution, any, any person or any idea. And that's good in some ways because a lot of medieval institutions needed to be torn down and some people did too. And a lot of ideas needed to be torn down. Same thing is true now, an extra billions of eyes on every problem can tear down any person, idea, or institution. And some, again, some of those things needed to be torn down, but it can't build yet. We are not at the stage that can build yet, but it has shown us how thin our knowledge was. It's one of the reasons why we're also aware of the replication crisis. It's one of the reasons why we're also aware of how kind of shoddy our research is, how much our expert class is arrogant in many cases. But people don't want to live in a world where they don't have people that they respect and they can look at. And I think what's happening, possibly now, but will continue to happen is people are going to establish themselves as being high integrity, that they will always be honest. I think you are establishing yourself as someone who is high integrity, where they can trust that person. A fire wants to be, you know, the institution that people can come to is like, if it's free speech, we will defend it, period. And I think that people need to have authorities that they can actually trust. And I think that if you actually had a stream that maybe people can watch in action, but not flood with, you know, stupid cancel culture stuff or dumb cat means, where it is actually a serious discussion bounded around rules, no perfect rhetorical fortress, no efficient rhetorical fortress, none of the BS ways we debate. I think you could start to actually create something that could actually be a major improvement in the speed with which we come up with new, better ideas and establish and separate truth from falsity. Yeah. If it's done well, it can inspire a large number of people to become higher and higher integrity and it can create integrity as a value to strive for. I mean, like, you know, there's been projects throughout the internet that have done an incredible job with that, but have been also very flawed. Wikipedia is an example of a big leap forward in doing that. It's pretty damn impressive. What's your overall take? I mean, I'm mostly impressed. So there's a few really powerful ideas for the people who edit Wikipedia, one of which is each editor kind of for themselves declares, you know, I'm into politics and I really kind of left leaning guy. So I really shouldn't be editing political articles because I have bias. So they declare their biases and they often do a good job of actually declaring the biases, but they'll still like, they'll find a way to justify themselves like something will piss them off and they want to correct it because they love correcting untruth into truth. But the perspective of what is true and not is affected by their bias. Truth is hard to know. And it is true that there is a left leaning bias on the editors of Wikipedia. So for that, what happens is on articles, which I mostly appreciate, that don't have a political aspect to them, you know, scientific articles or technical articles, they can be really strong. Even in history, just describing the facts of history, they don't have a subjective element strong. Also, just using my own brain, I can kind of filter out if it's, you know, if it's something about January 6 or something like this, I know I'm going to be like, I'm not whatever's going on here, I'm going to kind of read it. But most I'm going to look to other sources, I'm going to look to a bunch of different perspectives on it's going to be very tense. There's probably going to be some kind of bias, maybe some wording will be such, which is one word, this is where Wikipedia does its thing, the way they word stuff will be

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biased, the choice of words. But the Wikipedia editors themselves are so self-reflective, they literally have articles describing these very effects of how you can use words to inject bias in all the ways that you talk about. That's healthier than most environments. It's incredibly healthy. But I think you could do better. One of the big flaws of Wikipedia, to me, that Community Notes on X does better, is the accessibility of becoming an editor, it's difficult to become an editor, and it's not as visible the process of editing. So I would love, like you said, a stream, everyone to be able to observe this debate between people with integrity of when they discuss things like January 6, or very controversial topics, to just see how the process of the debate goes, as opposed to being hidden in the shadows, which it currently is in Wikipedia, you can access it, it's just hard to access. And I've also seen how they will use certain articles, like on certain people, like articles about people I've learned to trust less and less, because they'll literally will use those to make personal attacks. And this is something you write about, they'll use descriptions of different controversies to paint a picture of a person that doesn't, to me, at least feel like an accurate representation of the person. It's like writing an article about Einstein, mentioning something about theory of relativity, and then saying that he was a womanizer, an abuser, and a controversy. Yeah, he is, Feynman also, not exactly the perfect human in terms of women, but there's other aspects to this human. And to capture that human properly, there's a certain way to do it. I think Wikipedia will often lean, they really try to be self-reflective and try to stop this, but they will lean into the drama if it matches the bias. But again, much better than the world, I believe is much better because Wikipedia exists. But now that we're in these adolescent stages, we're growing and trying to come up with different technologies, the idea of a stream is really, really interesting. You get more and more people into this discourse that where the value is, let's try to get the truth. Yeah, and that basically, you get the little cards for, nope, wrong, nope, wrong. And the different rhetorical techniques that are being used to avoid actually discussing. Yeah, and I think actually you can make it a little bit fun by you get a limited number of them. You know, it's kind of like, you get three what-about-ism guards. So, gamifying the whole thing, absolutely. Let me ask you about, as you mentioned, going to some difficult moments in your life, what has been your experience with depression? What has been your experience getting out of it, overcoming it? Yeah, I mean, the whole thing, the whole journey, with Coddling the American Mind began with me, in the Belmont psychiatric facility in Philadelphia back in 2007. I had called 911 in a moment of clarity because I'd gone to the hardware store to make sure that when I killed myself that it stuck. I wanted to make sure that I, you know, had my head wrapped and everything. So, like, if all the drugs I was planning to take didn't work, that I wouldn't be able to claw my way out. It'd been a really rough year. And I always had issues with depression, but they were getting worse. And frankly, one of the reasons why this cancel culture stuff is so important to me is that the thing that I didn't emphasize as much in Coddling the American Mind, which by the way, that description that I give of trying to kill myself was the first time I'd ever written it down. Nobody in my family was aware of how, of it being like that. My wife had never seen it. And basically, the only way I was able to write that was by doing, you know, how you can kind of trick yourself. And I was like, I'm going to convince myself that this is just between me and my computer, and nobody will see it. It's probably not the most public thing I've

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ever written. But what I didn't emphasize in that was how much the culture war played into how depressed I got. Because I was originally legal director of fire, then I became president of fire in 2005, moved to Philadelphia, where I get depressed. And in just, I don't have family there. There's something about the town they don't seem to like me very much. But the main thing was being in the culture world at the time. There was a girl that I was dating. I remember, you know, she didn't seem to really approve of what I did. And a lot of people didn't really seem to. And meanwhile, like I was defending people on the left all the time. And they'd be like, oh, that's good that you're defending someone left, but they still would never forgive me for defending someone on the right. And I remember saying at one point, I'm like, listen, I'm like, I'm a true believer in this stuff. I'm willing to defend Nazis. I'm certainly willing to defend Republicans. And she actually said, I think Republicans might be worse. And that didn't, that really shouldn't go very well. And then I nearly got in fist fights a couple of times with people on the right, because they found out I defended people who cracked jokes about 9 11, like this happened more than once. And that, you know, by the time I'm in my 20s, I'm not fist fighting again. But yeah, it was always like that. You see how hypocritical people can be. You can see how friends can turn on you if they don't like your politics. So I got an early preview of this of what the culture we're heading into by being the president of fire. And it was exhausting. And that was one of the main things that led me to be, you know, suicidally depressed. At the Belmont Center, if you told me that that would be the beginning of a new and better life for me, I would have laughed if I could have. But I would, you know, I don't like, you can tell I'm okay if I'm still laughing. And I wasn't laughing at that point. So I got a doctor and I started doing cognitive behavioral therapy. I started having all these voices in my head that were catastrophizing and, you know, it gave me over generalization and fortune telling, you know, mind reading, all of these things that they teach you not to do. And what you do in CBT is essentially you have something makes you upset. And then you just write down what the thought was. And, you know, something minor could happen in your response was, you know, like, well, the date didn't seem to go very well. And that's because I'm broken and we'll die alone. And you're like, okay, okay, okay, what are what are the following, you know, that's catastrophizing, that's mind reading, that's fortune telling, that's all this stuff. And you have to do this several times a day forever. I actually need to brush up on it at the moment. And it slowly over time, voices in my head that have been saying horrible, you know, horrible internal talk, it just didn't sound as convincing anymore, which was a really kind of like subtle effect, like it was just kind of like, oh, wait, I don't buy that I'm broken, you know, like that doesn't sound true. That doesn't sound like truth from God, like it used to. And nine months after I was planning to kill myself, I was probably happier than I'd been in a decade. And that was one of the things that, you know, that the CBT is what led me to notice this in my own work that it felt like administrators were kind of selling cognitive distortions, but students weren't buying yet. And then when I started noticing that they seemed to come in actually already believing in a lot of this stuff, that it would be very dangerous. And that led to calling the American mind and all that stuff. But the thing that was rough about right enhancing the American mind, I've mentioned this already a couple of times, I got really depressed this past year, because I was studying, you know, there's a friend in there that I talked about who

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killed himself after being canceled, I talked to him a week before he killed himself, and I hadn't actually, I hadn't actually checked in with him, because he seemed so confident, I thought he would be totally fine, because he had an insensitive tweet in June of 2020, and, you know, got forced out in a way that didn't actually sound as bad as a lot of the other professors, he actually at least got a severance package, but they knew he'd sue and win, because he had before. And so I waited to check in on him, because we were so overwhelmed with the request for helps, and he was saying people were coming to his house still, and then he shot himself the next week. And I definitely, and because everyone knows I'm so public about, you know, my struggle to the stuff, everybody who fights this stuff comes to me when they're having a hard time. And this is a very hard psychologically taxing business to be in. And even admitting this right now, like, I think about like all the vultures out there, they'll have fun with it, just like the same way when my friend Mike Adams killed himself, there were people like celebrating on Twitter that a man was dead, because they didn't like his tweets. And, but somehow that made them compassionate for some abstract other person. So I was getting a little depressed and anxious, and the thing that really helped me more than anything else was confessing to my staff that I, you know, I books take a lot of energy. So I knew they didn't want to hear that not only was this taking a lot of the boss's time, this was making him depressed and anxious. But when I finally told my the leadership of my staff, you know, people that even though I try to maintain a lot of distance from, I love very, very much, it made such a difference, you know, because I could be open about that. And the other thing was, have you heard this conference dialogue? Oh, yes. It's like an invite only thing. It's Orin Hoffman runs it. It intentionally tries to get people over the political spectrum to come together and have off the record conversations about big issues. And it was nice to be in a room where liberal conservative, none of the above were all like, Oh, thank God, someone's taken on cancel culture. And where it felt like it felt like maybe this won't be the disaster for me and my family that I was that I was starting to be afraid it would be that taking the stuff on might actually have a happy ending. Well, one thing I just stands out from that is the the pain of cancellation can be really intense. And that doesn't necessarily mean losing your job, but just even you can call it bullying, you can call whatever name, but just some number of people on the internet. And that number can be small, kind of saying bad things to you. Yeah. That can be a pretty powerful force to the human psyche, which is but was very surprising. And then the flip side also of that. It really makes me sad how cruel people can be. Yeah, it's such a thinking that your your cause is social justice, in many cases, can lead people to think I can be as cruel as I want in pursuit of this. When a lot of times it's, you know, just a way to sort of vent some aggression on on a person that you think of only as an abstraction. So I think it's important for people to realize that they're whatever, like, whatever, whatever negative energy, whatever negativity you want to put out there, like, there's real people that can get hurt. Like, you can really get people to one be the worst version of themselves or to possibly take their own life. And it's not as real. Yeah. Well, that's one of the things that we do in the book, to really kind of address people who still try to claim this, you know, isn't real, is we just quote, you know, we quote the Pope, we quote Obama, we quote James Carville, we quote Taylor Swift on cancel culture, like, and Taylor Swift quote is essentially about like how behind all of this,

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there's the when it gets particularly nasty, there's this very clear, you know, kill yourself, kind of undercurrent to it. And it's, it's cruel. And the problem is that in an environment so wide open, there's always going to be someone who wants to be so transgressive and say the most hurtful, you know, terrible thing. But then you have to remember the misrepresentation, getting back to the old idioms. Sticks and stones will break my bones, but names will never, never hurt me, has been reimagined in campus debates in the most asinine way. People will literally say stuff like, but now we know words can hurt. And it's like, now we know words can hurt. Guys, you didn't have to come up with a special little thing that you teach children to make hurt words hurt less if they never hurt in the first place, it wouldn't even make sense, the saying. It's a saying that you repeat to yourself to give yourself strength when the bullies have noticed you're a little weird, maybe a little personal, the, and it helps, it really does help to be like, listen, okay, assholes are going to say asshole things. And I can't let them have that kind of power over me. Yeah. Yeah, it still is a learning experience because it does, it does, it does hurt. But for the good people out there who actually, you know, just sometimes think that they're vented, you know, they think about it. Remember that there are people on the other side of it. Yeah, for me, it hurts my kind of faith in humanity. I know it shouldn't, but it does sometimes. When I just see people being cruel to each other, it kind of, it floats a cloud over my perspective of the world. And that don't, I wish didn't have to be there. Yeah, that was always my sort of flippant, but the answer to that, if mankind is basically good, or basically evil being like the biggest debate in philosophy and being like, well, the problem with the first is there's nothing basic about humanity. Yeah, what gives you hope about this whole thing? About this dark state that we're in, as you describe, how can we get out? What gives you hope that we will get out? I think that people are sick of it. I think people are sick of not being able to be authentic. And that's really, you know, what censorship is. It's basically telling you don't be yourself. Don't actually say what you think. Don't show your personality. Don't dissent. Don't be weird. Don't be wrong. And that's not sustainable. I think that people have kind of had enough of it. But one thing I definitely want to say to your audience is it can't just be up to us or yours to try to fix this. And I think that, and this may sound like it's an unrelated problem, I think if there were highly respected, let's say, extremely difficult ways to prove that you're extremely smart and hardworking that cost little or nothing, that actually can give the Harvard's and the Yale's of the world a run for their money, I think that might be the most positive thing we could do to deal with a lot of these problems and why. I think the fact that we have become a weird America with a great anti-elitist tradition has become weirdly elitist in the respect that we not only, again, are our leadership coming from these few fancy schools, we actually have like great admiration for them. We kind of look up to them. But I think we'd have a lot healthier of a society if people could prove their excellence in ways that are coming from completely different streams and that are highly respected. I sometimes talk about, there should be a test that anyone who passes it gets a BA in the humanities that is like a super BA. Like somewhere not a GED, that's not what I'm talking about. I'm talking about something that you know, one out of a hundred people can pass. Some other way of actually of not going through these massive, bloated, expensive institutions that people can raise their hands and say, I'm smart and hardworking, I think that could be an incredibly healthy way. I think we need additional streams for creative people to be solving problems,

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whether that's on X or someplace else. I think that there's lots of things that technology could do to really help with this. I think some of the stuff that Sal Khan is working on at Khan Academy could really help. So I think there's a lot of ways, but they exist largely around coming up with new ways of doing things, not just expecting the old things that have say \$40 billion in the bank that they're going to reform themselves. And here's my, you know, I've been picking on Harvard a lot, but I'm going to pick on them a little bit more. And I talk a lot about class again. And, you know, there's a great book called Poison Ivy by Evan Mandry, which I recommend to everybody and it's outrageous. It sounds like me in a rant at Stanford, which was, and I think the stat is, you know, elite higher education has more kids from the top 1% than they have from the bottom 50 or 60%, depending on the school. And when you look at how much they actually like replicate class privilege, it's really distressing. So everybody should read Poison Ivy. And above all else, if you're weird, continue being weird. And you're one of the most interesting, one of the weirdest in the most beautiful way people have ever met. Greg, thank you for the really important work you do. This is everybody watch Kid Cosmic. I appreciate the class, the hilarity that you brought here today, man. This is an amazing conversation. Thank you for the work you do. Thank you. Thank you. And for me, who deeply cares about education, higher education, thank you for holding the MITs and the Harvard's accountable for doing right by the people that walk their halls. So thank you so much for talking today. Thanks for listening to this conversation with Greg Lukianoff. To support this podcast, please check out our sponsors in the description. And now let me leave you with some words from Noam Chowsky. If you believe in freedom of speech, you believe in freedom of speech for views you don't like. Gables was in favor of freedom of speech for views he liked. So was Stalin. If you're in favor of freedom of speech, that means you're in favor of freedom of speech precisely for views you despise. Thank you for listening and hope to see you next time.