Trigger warning: freedom of speech not welcome

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Australian Prime Minister Malcolm Turnbull was correct yesterday to interpret the dismissal of the racial offence case against three students at the Queensland University of Technology as a rebuke to the human rights system, and one requiring "urgent review". The Australian Human Rights Commission replied with a statement bereft of self-examination, complaining it had been misunderstood. That po-faced reply was not surprising, and it was no accident that an oppressive use of section 18C of the Racial Discrimination Act arose on a university campus. In the culture of offence and victimhood, the culture that gives life to the AHRC at its worst, universities have been seedbeds and propagators. This is why the free speech appeal of student leaders is likely to fall on deaf ears.

In this newspaper yesterday Jack McGuire, who sits on the QUT council, said the university "should come out publicly and say that there is obviously something very wrong with the law of section 18C as it stands — where you can have three students completely cleared of any wrongdoing in a process that has gone on three years and could have destroyed their career paths and opportunities". QUT issued a terse statement on the affair last Friday and as yet has had nothing to say about the significance of section 18C for freedom of speech. In a sense, the university had already spoken by partitioning the campus and marking off an indigenous-only IT room. This risks creating a perception that indigenous people are victims too fragile to be brought into contact with others. Folk unfamiliar with the contemporary university may imagine it to be a place for free intellectual inquiry and the robust exchange of competing ideas. Those public goods have not yet disappeared but they have become heavily qualified by identity politics and victimology. The culture responsible is also present in schools and in the wider society, its tenets regarded as self-evident by the progressive elite.

In May, *New York Times* columnist Nicholas Kristof wrote of the ideological intolerance on campus and offered a *mea culpa* from the Left: "As I see it, we are hypocritical: We welcome people who don't look like us, as long as they think like us." Designated diversity — for gender, ethnicity and sexuality — is celebrated but diversity of ideas and politics is not. There is a divide between victim and oppressor groups. The latter must not discriminate against the former but discrimination in favour of victim groups is allowed.

Victimhood becomes a sought-after moral status, yet it is a status that infantilises group members as if they cannot make their own way in a plural society. On campus, this mentality gives rise to politically correct speech codes, trigger warnings in the lecture hall, "safe spaces", and mob resistance to outside speakers whose views are deemed non-PC. Because universities are rather egalitarian, sedate places (a far cry from Third World sweatshops, for example) the bar for offence must be set ever lower for the prosecution of "microaggressions" and the pursuit of victimhood to continue.

In the US, the source of so much of this absurdity, there is also a faint sign of hope, as columnist Janet Albrechtsen wrote in these pages last week. New students at the University of Chicago receive a welcome letter telling them the university is not in favour of trigger warnings, will not turn away controversial speakers and "does not condone the creation of intellectual 'safe spaces' where individuals can retreat from ideas and perspectives at odds with their own". Albrechtsen had no luck finding an Australian university counterpart to Chicago.

As for section 18C, it seems likely to face scrutiny from a parliamentary committee. One suggestion has been to remove the words “offend, insult, humiliate” from the section. By contrast, Liberal MP Julian Leeser has urged a change to the procedure, which can itself punish and discourage free speech. Under Mr Leeser’s reform, a judge would join the AHRC, bringing the power to quickly kill off baseless claims under section 18C. Appeals to the Federal Court would be limited and complainants dismissed by the AHRC judge would have to provide security of costs before going ahead. Mr Leeser’s idea is worthy of debate. As things stand, a defendant may have to wait years for a baseless claim to be thrown out, and the recovery of costs can be fraught with difficulty.