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Courting controversy: the use of trigger warnings in teaching human rights law

Lynsey Mitchell

Law School, University of Strathclyde, Glasgow, UK

ABSTRACT
This article explores how legal academics approach sensitive topics in human rights law, specifically how content is chosen, curated and discussed with students. It draws on data collected as part of a small pilot study which looked at how human rights academics approach "controversial" topics and how their views on controversy and sensitivity may be reflected in their curriculum. It focuses on the wider debate around trigger warnings in higher education and explores how academics use them. It concludes that, despite their negative reputation, "trigger warnings" can play a necessary and welcome role in navigating sensitive material.

Introduction

As legal academics we aim to inspire and empower our students. The proliferation of student evaluations and feedback means that there is a greater need to teach content that meets student expectations and concerns. Feminist and other critical projects have long questioned the traditional mode of teaching law and have set out to rethink how we teach law to students[1] and whether the decontextualised, scientific neutral approach to legal education is helpful.[2] Projects like the Feminist Judgments Project, the Queer Judgments Project and the move to decolonise the law school continue this critical trend away from solely presenting law as neutral and rational, and instead offer

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CONTACT Lynsey Mitchell ✉ lynsey.mitchell@strath.ac.uk ✉ Law School, University of Strathclyde, 141 St James' Road, Glasgow G4 OLT, UK

[1]Carrie Menkel-Meadow, "Excluded Voices: New Voices in the Legal Profession Making New Voices in the Law" (1987) 42 University of Miami Law Review 29; Ngaire Naffine, *Law and the Sexes: Explorations in Feminist Jurisprudence* (Allen & Unwin 1990); Catharine MacKinnon, *Toward a Feminist Theory of the State* (Harvard University Press 1989); Catharine A MacKinnon, "Mainstreaming Feminism in Legal Education" (2003) 53 J Legal Education 199, 203; Margaret Thornton, "An Inconsistent Affair: Feminism and the Legal Academy" in Martha Albertson Fineman (ed), *Transcending the Boundaries of Law: Generations of Feminism and Legal Theory* (Routledge (GlassHouse) 2011).

[2]Rosemary Hunter, "Introduction: Feminist Judgments as Teaching Resources" (2012) 46 The Law Teacher 214.

greater critiques of law and engagement with wider social justice themes.[3] Legal academics teaching human rights have a particular opportunity to promote critical and contextualised approaches, as often our students come to human rights expecting to learn about social justice issues and how to make the world a better place.[4] Yet, while the human rights curriculum offers a vast array of opportunities through which to explore human rights law in such a way that students wish to engage with it, there is a perception that many academics shy away from some issues because they are considered "controversial" and they wish to avoid controversy in the classroom. Certainly, there is some evidence that academics in the USA have chosen to avoid certain topics in class to avoid courting controversy.[5] However, it is less clear whether this is the case in UK law schools.

This article explores how human rights academics navigate teaching sensitive or "controversial" topics. It utilises data from a small pilot study that was motivated to explore the reasons for the paucity of reproductive rights content, and wider women's rights issues in general, and whether the fact that such issues might be deemed sensitive means legal academics choose not to include them in their modules.[6] It explores whether certain issues were deemed "controversial" or "sensitive" and whether this fed into academics' reluctance to teach these, and whether that accounted for a lack of focus on women's rights and reproductive rights in human rights modules.[7]

The article discusses how the wider public discourse on trigger warnings has infiltrated academia and how this has influenced how some academics choose module content. It focuses on one of the key themes that emerged from the study: the use of content warnings in the legal classroom, and the tensions around how academics

Table 1. Gender of Participants.

	Number of participants	Gender Female	Gender Male	Other/did not disclose
Phase 1	29	13	8	8
Phase 2	12	10	2	0

[3]There are various feminist judgments projects, which have principally involved rewriting key legal judgments from a feminist perspective. See for example <www.sfjp.law.ed.ac.uk/>; <https://law.unlv.edu/us-feminist-judgments> and <https://fjpindia.wixsite.com/fjpi#:~:text=The%20Feminist%20Judgment%20Project%20India,a%20significant%20bearing%20on%20women>. See also <www.queerjudgments.org/> and <https://folukeafrica.com/the-law-teacher-special-issue-on-decolonising-the-law-school/> accessed 7 December 2023.

[4]For a discussion of the danger of human rights idealism see David Kennedy, *The Rights of Spring* (Princeton University Press 2009).

[5]Jeannie Suk, "The Trouble with Teaching Rape Law" (*The New Yorker*, 15 December 2014) <www.newyorker.com/news/news-desk/trouble-teaching-rape-law>.

[6]Given the paucity of research into perceptions and attitudes toward abortion and its place in human rights education, there is a gap in understanding how legal professionals come to situate reproductive rights and this is likely to have real consequences when those students go on to become solicitors or even judges.

[7]The study complements existing research on attitudes and perceptions on the visibility of women's rights in other disciplines. Such research understands that student and academic perceptions and reception to teaching material are crucial since university teaching can influence professional perceptions when students move into the workplace and have decision-making power. See Gunn Helen Hagen and others, "Attitudes of Medical Students Towards Abortion" (2011) 131 Tidsskrift for den Norske laegeforening: tidsskrift for praktisk medicin, ny raekke 1768; Robert Gleeson and others, "Medical Students' Attitudes Towards Abortion: A UK Study" (2008) 34 Journal of Medical Ethics 783; Pollyanna Cohen and others, "What Should Medical Students Be Taught about Abortion? An Evaluation of Student Attitudes Towards Their Abortion Teaching and Their Future Involvement in Abortion Care" (2021) 21 BMC Medical Education, Article 4.

should navigate them when discussing issues deemed sensitive or "controversial". In line with wider studies into the use of content warnings in academia, this study found that academics were often unsure about using content warnings, reluctant to include material that might warrant such a warning, and accordingly reduced or eliminated sensitive content to avoid upsetting students. The article explores the reasoning behind certain choices about module content when teaching human rights and situates this within the wider public debate on this subject. While the conclusions in the study broadly reflected wider literature on *academics*' views on the topic, this paper draws on reflective pedagogy literature around *students*' classroom desires and experiences. It concludes that legal academics should embrace and utilise content warnings as a tool to allow greater engagement with sensitive themes and materials, with the ultimate goal of teaching law in a way that responds to students' interest in engaging with real-world issues.

Methodology

The study involved two phases of data collection: the first was an online survey; the second involved in-depth qualitative interviews. A two-stage model was adopted to allow for the collection of quantitative data and then the design of follow-up questions. Phase 1 of the study used an online survey to gather both qualitative and quantitative data on the content, structure and reading list of various human rights modules across a variety of universities. Participants for the pilot were recruited via advertising on Twitter and academic human rights networks such as the Northern UK Human Rights Network and the Economic and Social Rights Academic Network UK and Ireland. The call for participants was also shared via the Socio-Legal Studies Association and Society of Legal Scholars' newsletters. The study's selection criteria specified participants who were teaching or had taught human rights law modules. The online nature of the survey meant that there were no geographical restrictions imposed on where those who completed the survey were located. However, the use of predominantly UK-based English-language academic networks and social media meant that most of the respondents worked in UK institutions or had links to those institutions or networks. Many chose not to disclose the institution where they currently worked. From those who identified their institution, the institutions were located in England, Scotland, Northern Ireland, Ireland, the USA, Germany and Israel. There were 29 responses in total. The survey attracted responses from both men and women, although again, due to the options for preserving anonymity, eight participants did not disclose their gender (see Table 1). The survey asked a variety of quantitative questions with several follow-up qualitative questions.

Phase 2 involved semi-structured qualitative interviews with 12 self-selecting survey participants to discuss their views and experiences of gender mainstreaming women's rights content in human rights modules. Two participants were interviewed in person and the remaining 10 online. Five interviewees were based at institutions in Scotland, six in England and one in Germany. All interviews were audio recorded and lasted from 55 minutes to 90 minutes. Participants were asked to talk about their experiences in teaching human rights law and how they understood it and its place in the curriculum. They were then asked specific questions about actual or perceived difficulties in teaching certain topics. Follow-up questions depended on the nature of the discussion and were generally tailored to individual participants' previous answers.

Participants had varied expertise and specialities. Some taught human rights content within wider international law modules or core public law modules. Some taught entire modules focused on human rights, which included international or European human rights law, domestic human rights law, or modules that encompassed all these jurisdictional perspectives. Other participants taught on interdisciplinary modules that approached human rights from a historical, critical, sociological or methodological perspective.

Data analysis

Following the interviews, the discussions were transcribed to allow for the identification and subsequent use of thematic analysis. Given the small sample size, analysis was undertaken manually without the use of software such as NVivo. The transcripts were analysed using inductive coding to generate a variety of themes and sub-themes. One of the clear themes that emerged from the interviews was discomfort or confusion around the use of "content warnings" or "trigger warnings" for class materials and how to conduct discussions that involved sensitive or "controversial" issues. Three clear sub-themes emerged from the data: (1) Reluctance to teach any issue that might merit a warning due to unease over how best to use warnings; (2) A worry that warnings contributed to a culture that infantilises students; (3) Concern over academic freedom. These themes concur with broader literature in this field of enquiry.

What are content warnings and why are they controversial?

Content warnings in university settings have gained higher prominence and become a topic of wider discussion in public discourse – perhaps due to their concurrent use on social media, which has led them to become ubiquitous within content targeted at young people. Since certain content is flagged to viewers and readers on the basis that it may "trigger" a negative reaction, such warnings are often colloquially known as trigger warnings. There doesn't appear to be any consensus as to whether there is a difference between a "content warning" and a "trigger warning": in practice the terms seem to be used interchangeably. However, in popular discourse, the term "trigger warning" appears to carry more negative connotations than "content warning" or advisory guidance or note. Indeed "trigger", or "to be triggered", often evokes pejorative connotations when used in the media.[8] There has been some mainstream backlash against the use of such warnings, not just in higher education, but in media and entertainment in general. Popular discussion of content warnings appears more pervasive in the USA, but warnings used in UK higher education have attracted an avalanche of negative comment from various newspapers and online commentators, who have borrowed from American media to deride them as pandering to the "snowflake generation".[9]

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[8]<www.dailymail.co.uk/news/article-11076161/Manchester-Metropolitan-University-puts-TRIGGER-warning-religious-medieval-text.html>; <www.dailymail.co.uk/news/article-10382323/Read-Jane-Eyre-dare-University-students-given-trigger-warnings-classic-literature.html>.

[9]<www.huffingtonpost.co.uk/james-gullis/snowflake-students-need-r_b_18030640.html>; <www.worcesternews.co.uk/news/18290929.fair-point-spoilt-snowflake-students-pathetic/>; <www.theguardian.com/books/booksblog/2018/mar/07/forget-frankenstein-what-else-are-snowflake-students-getting-wrong-about-classic-literature>; <www.dailymail.co.uk/news/article-4824866/How-did-today-s-students-turn-snowflakes.html>.

Cares and others note that there has been controversy over the increasing use of content warnings in the last decade, with advocates and detractors of the practice engaging in passionate discourse and debate in both academic and public spheres.[10] Advocates maintain that warnings are an essential pedagogical tool for teaching in the modern university, to allow students to manage class content in a way that reduces harms caused by being exposed to distressing material that is unexpected. Those who oppose warnings do so on the basis that "students are being coddled and allowed to avoid material that makes them uncomfortable".[11] Critics of warnings also claim that their use curtails academic freedom and as such ought to be avoided. The debate mirrors the wider discourse in public media that positions students, and young people in general, as weak, entitled and coddled. As Vatz argues, "Students in higher education are seen by many faculty and administrators as soldiers in the political correctness wars who also need to be protected from anything, academic or otherwise, that might cause them to be upset, or in the hyperbole of academia, 'traumatized'".[12]

Accordingly, any discussion about the use of content warnings in the law classroom will be influenced by this wider debate on whether their use "coddles" and "infantilises" students or provides a compassionate advance warning, and whether they work to silence staff and restrict their ability to teach freely or allow staff greater freedom to make use of sensitive material in their classes.

In the study, no distinction was made between the terms "content warning" and "trigger warning". Some interviewees used one term, and some the other. They were often used interchangeably. Several interviewees mentioned that when they had originally started teaching, they had not used any warnings, but were thinking of introducing them as they were becoming a mainstream pedagogical tool, so even those academics who did not use them were aware of them. There was also a common theme of reluctance at having to adopt warnings. Many expressed concerns at not wanting to explicitly flag certain material, but at the same time trying to instinctively make students aware that the class was a safe space and that they were free to leave or opt out of anything that might upset them.

The following discussion explores this tension between wanting to reduce trauma or distress but seeking not to infantilise students. It contextualises the views of human rights academics within the wider pedagogical and cultural debates on warnings. It then sets out how legal academics – particularly those teaching human rights – might best navigate these debates and use warnings to better facilitate teaching with materials and subject matter that are often labelled "controversial". It ultimately concludes that this binary about warnings is a false one and draws on wider scholarship that centres emotion at the heart of legal education to imagine how trigger warnings can be embraced as a tool that emancipates, rather than infantilises, students.

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[10]<www.theguardian.com/commentisfree/2014/mar/05/trigger-warnings-can-be-counterproductive>; <www.itv.com/news/granada/2022-04-26/trigger-warnings-on-harry-potter-doing-a-disservice-to-students>; <www.thetimes.co.uk/article/the-craze-for-trigger-warnings-is-insulting-gpshgbrp3>.
[11]Alison C Cares and others, "'They Were There for People Who Needed Them': Student Attitudes Toward the Use of Trigger Warnings in Victimology Classrooms" (2019) 30 Journal of Criminal Justice Education 22, 22.
[12]Richard E Vatz, "The Academically Destructive Nature of Trigger Warnings" (2016) 50 First Amendment Studies 51, 51.

The history of content warnings in academia

Such warnings are generally understood to mean an explicit note in written materials to warn or advise students that they will encounter content that might be "sensitive" or "triggering". Anecdotally, it seems that academics have been flagging certain content to students as "sensitive" for decades, maybe even longer, while outside the academy there is a long tradition of warning viewers about visual images that they may find disturbing.[13] The introduction of photography and the ability to share images certainly ushered in an instinctual need to warn about the content of images: the British Board of Film Classification was established in 1912 to advise viewers as to the content of film and restrict younger audiences from viewing inappropriate material.[14] The modern US film classification system, dating from 1968, has over the years been adapted to address parental concerns that children and teens were viewing disturbing content with the advent of home video, gaming and explicit music lyrics.[15] So, the idea of flagging content that might evoke or "trigger" an emotional response is not specific to higher education. But warnings seen as appropriate for allowing audiences to curate their own media and entertainment consumption have come to be viewed as problematic in higher education because critics argue that students shouldn't be choosing which academic content to consume, as this then allows them "an easy way to cop out of work".[16]

Some have gone as far as to suggest that the use of such warnings in higher education is an attack on academic freedom. Morrish writes that "in 2017 academic freedom became a moral panic in the UK, and students and academic staff were blamed for undermining it with alleged regard for trigger warnings and safe spaces".[17] In response the UK government hosted a "free speech summit" due to the "rise in so-called 'safe spaces' and 'no-platform' policies that have appeared on campuses".[18] While academic freedom has been cited as a pushback against being forced to adopt content warnings or remove certain materials from the syllabus, it is an ill-suited concept for this purpose. In American discourse around this topic, critics often cite freedom of speech but there is no similar right in the UK.

Academic freedom is protected in UK universities by Article 10 of the European Convention on Human Rights, which protects freedom of *expression*. UK universities are also subject to section 43 of the Education (No.2) Act 1986 ("Freedom of speech in universities, polytechnics and colleges") which mandates that universities protect the right to freedom of expression for academic staff. While the European Court of Human Rights has clarified that freedom of expression means the freedom to express offensive

[13]Eleanor Lockhart, "Why Trigger Warnings Are Beneficial, Perhaps Even Necessary" (2016) 50 First Amendment Studies 59, 67.

[14]Derek Dalton, "Trigger Warnings in Criminology Teaching Contexts: Some Reflections Based on Ten Years of Teaching a Sensitive Topic" in Darren Palmer (ed), *Scholarship of Teaching and Learning in Criminology* (Palgrave Macmillan 2020) 91.

[15]Susan P Robbins, "From the Editor – Sticks and Stones: Trigger Warnings, Microaggressions, and Political Correctness" (2016) 52 Journal of Social Work Education 1,1. See also "Sex, Drugs, and Gore" (Video webcast, 25 October 2015) <www.nytimes.com/video/us/100000003997885/sex-drugs-and-gore.html?emc=edit_th_20151026&nl=todaysheadlines&nlid=47031053>.

[16]Vatz (n 12) 56.

[17]Liz Morrish, "Academic Freedom and the Disciplinary Regime in the Neoliberal University" in Simon Dawes and Marc Lenormand (eds), *Neoliberalism in Context* (Palgrave Macmillan 2020) 242.

[18]UK Government, Department for Education, "Sam Gyimah Hosts Free Speech Summit" (May 2018) <www.gov.uk/government/news/sam-gyimah-hosts-free-speech-summit>.

views, it is a mistake to suggest that academic freedom is intended to support those who would argue against content warnings in universities.[19] Academic freedom, while understood to protect academics' ability to teach and research without interference, is a somewhat vague concept that has been narrowly applied. The European Court of Human Rights commented: "The meaning, rationale and scope of academic freedom are not obvious, as the legal concept is not settled".[20] It also has a much narrower scope than is attributed to it in popular discourse. In *Mustafa Erdogan and Others v Turkey*, the European Court of Human Rights distinguished the protection offered to academics speaking on subjects within the sphere of their research, and other speech, even if located within a university.[21] Therefore, academic freedom as a buttress against the mandatory use of content warnings is not as helpful as has been suggested. Neither does academic freedom map on to the American concept of freedom of speech, making it difficult to transpose American discourse on content warnings to the UK.

Cares and others define trigger warnings as "written or oral notifications of course content meant to provide students advance notice of sensitive material that may produce adverse mental health responses and, therefore, inhibit academic performance".[22] The term "trigger warning" is generally understood to have originated in feminist blogging spaces.[23] However, Cares and others note that the use of content warnings in education can be traced back to the 1980s, even though the warnings would not have been explicitly described as such.[24] Lockhart describes how the term "trigger warning" is rooted in the language of clinical psychology, where a trauma trigger is a well-accepted term describing how exposure to certain events can trigger a reaction in people with PTSD.[25] However, Veraldi and Veraldi argue that some universities' understandings of trigger warnings "borrow the concept of trauma triggers from psychologists' understanding of PTSD", but that these universities "extend the meaning of trauma far beyond the criteria set out in the DSM-V [Diagnostic and Statistical Manual of Mental Disorders of the American Psychological Association]".[26]

While there is much disagreement and tension over the use of trigger or content warnings in higher education, there is much more agreement that exposing students to distressing or unexpected content can generate negative reactions and emotions.[27]

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[19]In the Canadian context, Donlevy and others explore whether failure to modify teaching materials and use mandatory content warnings would fall with academic freedom or wider freedom of expression protections within Canadian law. See J Kent Donlevy, Dianne Gereluk and Jim Brandon, "Trigger Warnings, Freedom of Speech, and Academic Freedom in Higher Education" (2018) 28(1) Education & Law Journal 1.

[20]*Mustafa Erdogan and Others v Turkey* [2014] ECHR 530, para 40.

[21]*Mustafa Erdogan and Others v Turkey*, Joint Concurring Opinion of Judges Sajó, Vučinič and Kūris, para 8.

[22]Cares and others (n 11) 23.

[23]Laurie Essig, "Trigger Warnings Trigger Me" (*The Chronicle of Higher Education*, 10 March 2014) <http://chronicle.com/blogs/conversation/2014/03/10/trigger-warnings-trigger-me/>; Amanda Marcotte, "The Year of the Trigger Warning" (*Slate*, 30 December 2013) <www.slate.com/blogs/xx_factor/2013/12/30/trigger_warnings_from_the_feminist_blogosphere_to_shonda_rhimes_in_2013.html>; Richard J McNally, "If You Need a Trigger Warning, You Need P.T.S.D Treatment" (*The New York Times*, 13 September 2016) <www.nytimes.com/roomfordebate/2016/09/13/do-trigger-warnings-work/if-you-need-a-trigger-warning-you-need-ptsd-treatment>.

[24]Cares and others (n 11) 23. See also Melanie Phillips, "Identity Politics Madness Is No Longer a Joke" *The Times* (London, 4 April 2017) <https://www.thetimes.co.uk/article/identity-politics-madness-is-no-longer-a-joke-8vpx8s6m8>.

[25]Lockhart (n 13) 61.

[26]Lorna Veraldi and Donna M Veraldi, "Stressors, Triggers, and Trauma" (2015) 33(3) American Journal of Forensic Psychology 5, 5.

[27]Dan W Grupe and Jack B Nitschke, "Uncertainty and Anticipation in Anxiety: An Integrated Neurobiological and Psychological Perspective" (2013) 14 Nature Reviews Neuroscience 488.

There is generally accepted evidence that students perform better in a comfortable environment rather than a stressful one, so there is mostly a consensus on mitigating stress and shock and providing an environment where students can thrive.[28] The disagreement stems over how best to do this and to what extent exposure to sensitive or "controversial" material does indeed lead to negative outcomes for students. Mindful of the wider culture debate on content warnings some American academics have taken the decision to remove any "controversial" material from their syllabus and so avoid the issue entirely. Hickey states that "Faculty may find that the path of least resistance is simply refusing to engage in discussions of weighty issues because of the potential for student protest and controversy".[29] Suk claims that "about a dozen new teachers of criminal law at multiple institutions have told me that they are not including rape law in their courses, arguing that it's not worth the risk of complaints of discomfort by students".[30]

However, as Heath argues in the context of teaching the law of rape, encounters with sensitive or "controversial" material offers "a chance to constructively intervene in public discourse about sex and sexuality; coerced sex and coercive sexuality".[31] She argues that teaching such material in a law school is too good an opportunity to miss. She acknowledges though, that, for many academics, awareness of the potential student harms means that teaching such material becomes "fraught with risk" which can lead to academics taking the safest option,[32] which often manifests itself as self-censorship through removing any potentially problematic content from modules. Another tactic to minimise the risk is simply to teach law as a neutral abstract concept and so depersonalise and depoliticise content such as rape, violence, conflict, discrimination or abortion. However, as Heath makes clear, legal academics – particularly feminist academics – owe it to students to present law in a way that is relatable and validates their real-life experiences of such issues.[33] As such, some of the tools available to academics in navigating a syllabus that includes "controversial" material are content warnings or trigger warnings, compassionate and empathetic responses to student emotion and experience, and creating safe spaces for the inclusive discussion and participation of all students. None of these tools are without controversy. The use of warnings in particular has become symbolic of the so-called "woke university" in right-wing media, and so the decision whether to use a content warning may be influenced by factors other than concern for student wellbeing.

Academics' concerns about content warnings

Accordingly, when we discuss the use of trigger warnings, or content warnings, there is not necessarily an agreed understanding or consensus on their etymology, purpose or

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[28]Byron states that when students are assured of safety, both physical and emotional, they can more fully participate in the classroom, facilitating a more productive and rigorous academic environment. Katie Byron, "From Infantilizing to World Making: Safe Spaces and Trigger Warnings on Campus" (2017) 66 Family Relations 116, 123.

[29]Jeremiah Hickey, "Exempting the University: Trigger Warnings and Intellectual Space" (2016) 50 First Amendment Studies 70, 78.

[30]Suk (n 5).

[31]Mary Heath, "Encounters with the Volcano: Strategies for Emotional Management in Teaching the Law of Rape" (2005) 39 The Law Teacher 129, 133.

[32]ibid 129.

[33]ibid.

scope. Individual academics are also aware of the wider public discourse on the subject and that they are viewed by many as a limitation or restriction on academic freedom, and by others as a symbol of the watering down of academic standards.[34] In the USA, content warnings have also been the subject of attack in the national media, with the *Atlantic* declaring that the "recent spread of demands for trigger warnings on reading assignments with provocative content is an example of fortune-telling".[35] This worry is replicated by many who oppose trigger warnings on the basis that the warnings themselves are priming students to be discomfited. As Thorpe notes, "a professor does no service to her students by telling them that certain topics are frightening other than to frighten her students".[36] Noting that the term "trigger warning" entered mainstream discourse in 2011, the *Atlantic* piece declared that "seemingly overnight, students at universities across the country have begun demanding that their professors issue warnings before covering material that might evoke a negative emotional response".[37]

Similar stories in the popular press in the UK have chided universities for the use of content warnings. Journalists deride content warnings as "protecting students from being exposed to opinions that will disrupt their equilibrium"[38] and contextualise them as a "modern campus concern".[39] These articles consistently position content warnings as a threat to free speech on campus and implore universities to reject them. In the USA and Canada two organisations that represent higher education staff – the American Association of University Professors and the Canadian Association of University Teachers – released statements criticising the use of trigger warnings in university classrooms. The American Association stated: "The demand for trigger warnings creates a repressive, 'chilly climate' for critical thinking in the classroom".[40] Similarly, the Dean of the University of Chicago wrote to all incoming students advising them that trigger warnings were banned because they threatened academic freedom.[41] While many academics and wider university staff applauded the University of Chicago's stance, critics highlight how the letter to students focused on beliefs about trigger warnings and casts them as superfluous to the average student.[42] The letter was further criticised as being condescending and also misunderstanding the purpose of warnings and deriding students who might need them.[43] Rae argues that those who deride trigger warnings do so from a position that is both ableist and privileged.[44]

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[34]Joanna Williams, *Academic Freedom in an Age of Conformity: Confronting the Fear of Knowledge* (Palgrave Macmillan 2016) 1.

[35]Greg Lukianoff and Jonathan Haidt, "The Coddling of the American Mind" (*The Atlantic*, September 2015) <www.theatlantic.com/magazine/archive/2015/09/the-coddling-of-the-american-mind/399356/>.

[36]M Elizabeth Thorpe, "Trigger Warnings, the Organic Classroom, and Civil Discourse" (2016) 50 First Amendment Studies 83, 87.

[37]Lukianoff and Haidt (n 35).

[38]Phillips (n 24).

[39]Philip Collins, "Snowflake Students Must Learn How to Argue" *The Times* (London, 20 October 2017) <https://www.thetimes.co.uk/article/snowflake-students-must-learn-how-to-argue-gnzm83stb>.

[40]American Association of University Professors, "On Trigger Warnings" (2014) <www.aaup.org/report/trigger-warnings>. See also Canadian Association of University Teachers, "Trigger Warnings" (2015) <www.caut.ca/about-us/caut-policy/lists/caut-policy-statements/trigger-warnings>.

[41]<www.chronicle.com/article/u-of-chicagos-free-expression-letter-exposes-fault-lines-on-campus/>.

[42]Leland G Spencer and Theresa A Kulbaga, "Trigger Warnings as Respect for Student Boundaries in University Classrooms" (2018) 15 Journal of Curriculum and Pedagogy 106, 107.

[43]ibid.

[44]Logan Rae, "Re-Focusing the Debate on Trigger Warnings: Privilege, Trauma and Disability in the Classroom" (2016) 50 First Amendment Studies 95.

However, the wider discourse on content warnings is hostile to their use and casts academics who use them in a negative light. As such, it is understandable that many academics are wary of them, especially if attaching one to their course materials means it may then become the subject of a media story. It is also important to distinguish the UK higher education culture from that of the USA. Literature around content warnings and wider worries over teaching sensitive material usually acknowledges the hierarchy between tenured staff and non-tenured. There is also an acknowledgement that wider factors can contribute to decisions around what content to include in a syllabus. Those academics who are from less well-off backgrounds, who are people of colour – especially women of colour, those who are disabled, or identify as LGBTQ+ may feel less able to approach certain topics for fear that they will be complained about.[45] While the UK does not have the same system of tenure, it is sensible to assume that external factors will still affect different academics' decisions about what to teach and whether it is worth risking complaints. There is little literature on how UK academics from marginalised backgrounds perceive job security compared to others. However, there is an abundance of literature demonstrating that student evaluations routinely evaluate those who are male, white, native English speakers more favourably than those who are not.[46] Therefore, student reactions may have different consequences for different members of staff. Additionally, the UK's higher education sector has seen a rise in the casualisation of academic staff. This alongside wage devaluation and pension reduction has seen the UK's University and College Union (UCU) call for a series of strikes to demand better pay and pensions, but also for better treatment of those on casualised contracts.[47] Implicit in this is the acknowledgement that staff on casual contracts do not enjoy the same security as those on permanent contracts.

Avoiding controversy in the classroom

Since this study set out to explore the pitfalls in teaching "controversial" material in human rights modules and, in particular, sensitive issues such as reproductive rights, there was an expectation that participants would discuss the various pedagogical tools and strategies available to them and their experiences of using these tools. However, the wider cultural debate around trigger warnings generated much discussion and, as such, many participants examined their own teaching approaches and material in light of these debates, with some even admitting to removing "controversial" topics such as

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[45]Carolyn Chisadza, Nicky Nicholls and Eleni Yitbarek, "Race and Gender Biases in Student Evaluations of Teachers" (2019) 179 Economics Letters 66.

[46]Stephen L Benton and William E Cashin, "Student Ratings of Instruction in College and University Courses" in Michael B Paulsen (ed), *Higher Education: Handbook of Theory and Research: Volume 29* (Springer 2013); Philip C Abrami, Sylvia d'Apollonia and Steven Rosenfield, "The Dimensionality of Student Ratings of Instruction: What We Know and What We Do Not" in Raymond P Perry and John C Smart (eds), *The Scholarship of Teaching and Learning in Higher Education: An Evidence-Based Perspective* (Springer Netherlands 2007); Stephen Darwin, "The Emergence of Contesting Motives for Student Feedback-Based Evaluation in Australian Higher Education" (2016) 35 Higher Education Research & Development 419.

[47]Nick Megoran and Olivia Mason, "Second Class Academic Citizens: The Dehumanising Effects of Casualisation in Higher Education" (UCU 2020) <www.ucu.org.uk/media/10681/Second-class-academic-citizens-Jan-20/pdf/2nd_class_citizens_HE_cas_report_Jan20.pdf>.

abortion or war crimes from their modules entirely in order to prevent distress, offence or backlash.

> If I use PowerPoint, I think about the images I'm using to make sure they're not going to be two people really fighting about abortion rights, they're going to be a courthouse or something ... So, you're trying to think about that as a way to avoid any sort of need for a trigger warning.[48]

In view of such media hostility, it is perhaps not surprising that in a survey of psychology academics Boysen and others found there was generally a negative view of content warnings. This was similarly reflected in the interviews.

> I don't issue a trigger warning [although] I'm becoming more and more inclined to do that.[49] It's a sort of, intrusion on my freedom to make an announcement. I've never really done it because my view is you, kind of, know what it says on the tin.[50]

However, the same research established that most academics employed content warnings in some form or another; they just did not conceptualise or label them as content or trigger warnings per se.[51] This same juxtaposition and unease over issuing warnings, but equally wanting students to be nurtured, is reflected in the findings of this study. Many academics expressed some inherent discomfort over whether to use content warnings. Several respondents spoke in negative terms about content warnings but, mindful of providing a safe discussion space, they tried different ways of ensuring students were ready to encounter upsetting material. Many reflected on giving "content warnings in advance" and making sure that students had additional resources to refer to.[52]

Survey participants gave various reasons for not wanting to flag specific content. As legal academics, they were more concerned with the ethics and decision making around content warnings than with their role as a symbol of the wider culture wars. Chiming with wider academic scepticism at "what could trigger off somebody in the abstract is almost anything"[53] several participants noted that they were reluctant to issue an explicit content warning because they considered it problematic to label some subjects as potentially triggering or problematic, and not others.

> [W]e never know what goes on in student's lives ... [and] I think it's fair to put something really explicitly in the handbook that says, if there is anything in here that you find really upsetting or difficult and that you would rather not engage with ... then just don't.[54]

> [I]f I were to teach something and I'm trying to be extremely unbiased about it ... I want to teach both sides of this argument. If I'm [saying it's] triggering or giving it a warning or something, I would think that's lending itself to people assuming I belong on a particular side of this argument ... I would see that as being deeply problematic and I wouldn't be wanting to do that unless I was told to do it.[55]

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[48]Interview 5.
[49]Interview 12.
[50]Interview 12.
[51]Guy A Boysen, Anna Mae Wells and Kaylee J Dawson, "Instructors' Use of Trigger Warnings and Behavior Warnings in Abnormal Psychology" (2016) 43 Teaching of Psychology 334.
[52]Interview 9.
[53]Colleen Flaherty, "Trigger Unhappy" Inside Higher Education (14 April 2014) <www.insidehighered.com/news/2014/04/14/oberlin-backs-down-trigger-warnings-professors-who-teach-sensitive-material>.
[54]Interview 3.
[55]Interview 8.

There was also a worry expressed by some participants that using warnings exposed staff to responsibility or even liability if a student had a negative reaction to content that did not have a warning attached to it. This similarly resonated with wider concerns in the literature over the use of warnings in the classroom and how they worked to shift the issue of student trauma to individual academic staff rather than university-level strategies around trained counsellors. In an open letter and article, seven university academics wrote that: "Trigger warnings are not an adequate substitute for these resources or for the information students need to get help".[56] They also argue that trigger warnings may encourage students to file claims against faculty rather than seek support and resources for debilitating reactions to stressors.[57] These reactions were mirrored in the study.

> If I were to signpost certain materials as having this trigger warning thing then somebody may find something offensive in content which I didn't give a trigger warning over, and then I would be liable for that because I should have warned them like I did with other content. So, that's just an additional layer of liability for me as a lecturer rather than the institution who I work for.[58]

While the participants in the study were all human rights academics and well versed in critical methodologies, often drawing on feminist methods and pedagogies such as safe spaces, empathy and valuing student experience, many were unclear about how to use content warnings, or their purpose. This mirrors wider research in this area that concluded even those academics who use content warnings are unclear and do not agree on what their purpose is.[59] Many of those in favour of using content warnings highlight how their use is compassionate and student centric.[60]

This lack of consensus might be the reason why staff are instinctively wary of warnings, even if they do not instinctively endorse the view that students ought to be forced to encounter distressing material. Yet, the unease around the term trigger warning suggests that the dominant media framing has some underlying influence. As such, further engagement with academics' views on how best to engender safe spaces and discussions is needed to establish whether warnings are the best way to do this and, if so, how to dispel their negative association and convince academics that they can use them without appearing to signal that they are "woke".

Do trigger warnings encourage students to avoid distressing content? Is this infantilising?

Those who use content warnings have responded to the wider criticism by asking why they have elicited such fuss. Yet one of the key arguments against warnings is that they become a self-fulfilling prophecy and condition students to respond negatively to certain subjects.[61] Another is that, as some studies have shown, rather than serving

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[56]Seven Humanities Professors, "Trigger Warning Are Flawed" *Inside Higher Education* (28 May 2014) <www.insidehighered.com/views/2014/05/29/essay-faculty-members-about-why-they-will-not-use-trigger-warnings>.

[57]ibid.

[58]Interview 8.

[59]Spencer and Kulbaga (n 42) 107.

[60]Alison Kafer, "Un/safe Disclosures: Scenes of Disability and Trauma" (2016) 10 Journal of Literacy & Cultural Disability Studies 1; Wendy Wyatt, "The Ethics of Trigger Warnings" (2016) 16 Teaching Ethics 17.

[61]Madeline J Bruce, "Does Trauma Centrality Predict Trigger Warning Use? Physiological Responses to Using a Trigger Warning" (Poster presented at the annual meeting of the Midwest Psychological Association, Chicago, 2017).

the purpose of helping students prepare to cope with difficult material, the existence of a content warning only serves to encourage students to avoid the material entirely.[62]

One of the biggest misunderstandings, often proposed by those who are against the use of content warnings, is that they allow students to avoid certain topics or classes.[63] This unease is presented in public discourse as promoting and endorsing student laziness and entitlement, with the media often suggesting that warnings allow students to "escape" from classes and avoid content that they disapprove of. This trope is often employed to demonstrate that students are unwilling to engage with standard curricula, meaning that they will leave university unwilling or unable to debate difficult issues.

Some sections of the media express fear that today's students are less "resilient" than those of yesteryear, citing content warnings as evidence that they might be traumatised by material deemed fine for previous generations. However, as Thorpe argues, changes in student demographics since the 1990s mean a much more diverse cohort of students.[64] This implies that there is now a much higher chance that students themselves will have experience of issues such as rape, sexual violence, abortion, racial discrimination, domestic violence, homophobia, poverty or transphobia that might merit a content warning.[65] Previously students were more likely to be white, male, and from predominantly middle-class backgrounds and so, Thorpe argues, it is not that they were more resilient or better equipped to handle discussions on these issues, it is that they had little personal experience, and so could much more easily engage with discussions in a neutral and decontextualised manner without any risk that such material would trigger a negative response.[66] Accordingly, Rae argues that "there is surely a privilege that accrues to never having experienced trauma. The failure to recognise one's own privilege in the name of protecting 'free speech' distracts many from acknowledging the severity of trauma in the classroom".[67] Therefore, there is perhaps less need to worry that it is the existence of content warnings that differentiates today's students.

In academia this worry about resilience manifests itself more specifically around the fear that warnings might infantilise students.[68] Byron notes "a trend toward 'self-infantilization' wherein students are unable to process the discomfort of ideas that counter their own and consequently are dismissive of challenging ideas as triggering or harmful".[69] This was replicated in the study. Respondents stressed that students were adults and would have to face such material in the "real world" and so ought not to be shielded in the classroom. This was also coupled with the view that students, as adults, should be able to decide for themselves whether class content might be problematic for them, and they should moderate their own attendance or engagement with materials. According to this thinking, it is not clear whether content warnings themselves can be described as infantilising or emancipating. As one participant stated, "They're adults, it's not for me to decide what they can and can't cope with, that's for them to decide, but it's for me to empower them to make that decision and give them

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[62]Benjamin W Bellet, Payton J Jones and Richard J McNally, "Trigger Warning: Empirical Evidence Ahead" (2018) 61 Journal of Behaviour Therapy and Experimental Psychiatry 134.

[63]Spencer and Kulbaga (n 42) 108.

[64]Thorpe (n 36) 87.

[65]Ingrid Sturgis, "Warning: This Lesson May Upset You" (2016) 33(3) Diverse: Issues in Higher Education 33, 34.

[66]Thorpe (n 36) 87.

[67]Rae (n 44) 96.

[68]Byron (n 28) 116.

[69]ibid.

ownership of that decision".[70] Discussing a typical student writing task about a woman's right to make choices about her own body, one participant noted:

> There are trigger warnings on it, and every year I get a couple of students saying, you shouldn't have anything in here with a trigger warning. And, I write to them every year and say, you are not in a world that is not going to offend you, you do not have the freedom to be in non-offensive places, that isn't your privilege, or at least that privilege doesn't extend to this learning. You're a grownup and that's my view.[71]

> I do think to some degree students are expected to deal with things that may be uncomfortable for them … I don't think it's my job to temper the way I teach my module for 80 people because it makes one of them uncomfortable.[72]

From this, it is clear that academics do value warnings because they offer autonomy to students over their own learning experience, which is the opposite of infantilisation. As Rae argues:

> Trigger warnings should not be seen as "coddling" students, but rather as considering their right to be and *stay* in the classroom, respecting their right to learn despite the obstacles they face.[73]

Do trigger warnings infringe on academic freedom?

The final sub-theme that emerged from the data was around academic anxiety that content warnings infringed on academic freedom. This too aligns with wider studies on academic views on content warnings and is also a key reason put forward in the wider debates as to why they should not be used. However, it was not always clear why the respondents felt that. Mostly it was on the basis that mandatory content warnings could be understood as a threat to academic freedom if imposed by a university's central administration.

When Oberlin College in Ohio issued guidance to staff that strongly encouraged the use of content warnings, Flaherty observed that "critics saw even a non-mandatory policy as raising issues about academic freedom".[74] Similarly, in an open letter to *Inside Higher Education*, seven humanities professors argued that the move towards content warnings "is already having a chilling effect on our teaching pedagogy"[75] and that "administrations may use student complaints to marginalise particular faculty and particular topics, and/or use a trigger mandate/recommendation to delimit what can be taught in the first place".[76] There was also the ongoing concern that staff, particularly junior staff, will choose to self-censor and remove sensitive content rather than use warnings.

However, advocates of content warnings refute these ideas. They argue that critics misunderstand the purpose of warnings and the harm they are attempting to alleviate. As Carter notes, critics of trigger warnings often equate trauma with offence and assume that "being triggered" is much like being offended.[77] Much of the negative

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[70]Interview 3.
[71]Interview 4.
[72]Interview 8.
[73]Rae (n 44) 96.
[74]Flaherty (n 53).
[75]Seven Humanities Professors (n 56).
[76]ibid.
[77]Angela Carter, "Teaching with Trauma: Trigger Warnings, Feminism and Disability Pedagogy" (2015) 35(2) Disability Studies Quarterly <https://uwethicsofcare.gws.wisc.edu/wp-content/uploads/2019/10/Carter_Teaching-with-Trauma-Disability-Pedagogy-Feminism-and-the-Trigger-Warnings-Debate.pdf>.

discussion around warnings is based on this misplaced assumption that they exist to allow students to avoid being offended or challenged and it is merely the threat of being offended or challenged that would be "triggering" to students. In this way, having to use content warnings to ameliorate offence can be more readily understood as a threat to academic freedom. However, such views minimise the purpose of content warnings and their usefulness and create a false flashpoint between the protection of academic freedom and the right not to be offended.

Yet, even though many respondents did not endorse content warnings and voiced unease at the potential threat to academic freedom, the responses were more nuanced than the wider literature might suggest. Respondents understood that content warnings did not exist merely to avoid causing offence. However, there was often the view that warnings should only be used in exceptional circumstances when engaging with harrowing material that had potential to shock or traumatise students, rather than routinely where the warning is for any individual student whose personal circumstances may mean that something not especially shocking might still be upsetting to them. As one study participant said, "There is some stuff, like crimes against humanities stuff, which I don't do . . . that is so shocking I would definitely do it for that. But, for this I don't think it's bad enough".[78]

This perhaps suggests that academics are more tolerant of content warnings when they are used for material that academics themselves deem problematic, but less tolerant when used where an academic does not consider it so. This is more likely to be seen as a threat to academic freedom.

Embracing warnings as a means to promote compassion and student autonomy

Despite the very real worries about trigger warnings, Godderis and Root argue that using them allows staff greater freedom in their choice of content and allows students greater autonomy which makes them more likely to engage. They propose that content warnings be reimagined not as a tool of censorship, but as a tool for building an informed learning environment. They note how discussions around violence and disturbing events are not a pure academic exercise.[79] They define this informed learning environment as one where "instructors respect student autonomy by providing info about topics and materials that are difficult, violent, and or potentially traumatic".[80] This is a sensible position and good starting point for legal academics in creating a safe space for students and building trust because, as Rigney notes, "the law school can be a site for bolstering law's hegemony and its violence".[81] However, rather than replicating systems of neoliberal violence, Byron argues that "by publicising trauma and vulnerability, neoliberal ideals of individual responsibility are defied and reimagined as a kind of public, collective responsibility".[82]

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[78]Interview 11.
[79]Rebecca Godderis and Jennifer Root, "Trigger Warnings: Compassion Is Not Censorship" (2016) 13 Radical Pedagogy 133.
[80]ibid.
[81]Sophie Rigney, "Creating the Law School as a Meeting Place for Epistemologies: Decolonising the Teaching of Jurisprudence and Human Rights" (2020) 54 The Law Teacher 503, 506. See also Duncan Kennedy, "Legal Education and the Reproduction of Hierarchy" (1982) 32 Journal of Legal Education 591 and Austin Sarat (ed), *Law, Violence, and the Possibility of Justice* (Princeton University Press 2001).
[82]Byron (n 28) 122.

Reframing the approach to content warnings in the classroom

One way to centre student autonomy and allow staff the confidence to teach potentially distressing material is to move the discussion away from the term "trigger". This would de-politicise the use of content or advisory warnings. It would also de-medicalise the purpose of using such warnings by moving away from the psychological notion of "trigger response". Substituting the term "content warning" or "advisory warning" would reframe the purpose of such disclosure from intending to avoid or forestall a negative emotional reaction to instead providing information that allows students to make their own decisions. In this way "warnings are more than just a nod to someone's delicate sensibilities. Trigger warnings, should they be useful as a pedagogical tool, are for helping students who have real trauma in their past".[83] Carter suggests conceptualising warnings as a safety valve – a mechanism to alert students that they have permission to opt out if anything becomes too much.[84] This conceptualisation avoids the idea of preventing or avoiding a negative emotional reaction, which many psychologists have argued is not possible and is a troubling way to think of content warnings and their role. It also potentially avoids the pejorative connotation of a traumatic response with mild discomfort or offence. Many participants in the study, even those who expressed negativity towards content warnings, spoke of promoting a safe space and nurturing learning environment as well as a wish to ensure students were not distressed. One participant commented that they said to their students, "I'm about to talk about something, feel free, you know, don't hesitate to go out".[85] Another reflected on how they had altered the curriculum in response to seeing a student distressed in class.

> I will tell students, . . . I'm not going to be the one to stand here and go into graphic detail about a horrific process where you may all leave the classroom feeling traumatised. But also, I'm very conscious that sometimes, certainly with human rights, it is sad, it's difficult material and we warn them of that at the beginning . . . at the end of each session . . . I will say, I'm sorry that it's been so difficult, and I hope you are all OK, and I will remind them where they can go for help.[86]

> We spoke about abortion with the class and a student was very visibly upset . . . and ever since then I never taught it in that way again.[87]

This also correlates with the wider studies suggesting that promoting the classroom as a safe space for discussion is key to ensuring student engagement and student well-being. In order to facilitate this, flags, warnings, advisory guidance or handover of explicit learning autonomy are being deployed by the participants even if they are reluctant to badge these actions as warnings. What was universal was the idea that a student could leave at any time or avoid the class altogether, and so providing autonomy is a clear strategy that appears to be effective:

> if at any point any of this makes you feel a little bit uncomfortable think about that discomfort, is it something that is just pushing your boundaries a little bit, in which case, stick with it because it's good for you. Or is this something that is really, in a way, causing you harm, in which case step away from it.[88]

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[83]Thorpe (n 36) 84.
[84]Carter (n 77).
[85]Interview 12.
[86]Interview 2.
[87]Interview 6.
[88]Interview 3.

Another participant made it clear to the students in advance that, "next time we are going to be talking in some detail about rape and so on, you know, if there are any of you that might find that upsetting you might want to let me know".[89] Ultimately such an approach is more likely to foster trust and promote real student engagement.

Facilitating an opt-in model for inclusive discussion of sensitive topics

Studies suggest that students generally value trigger warnings for the autonomy they provide, and also the understanding that staff do not expect students to approach their classes free of emotion.[90] This point is particularly salient because in order to facilitate a nurturing classroom environment, legal academics need to be able to navigate student emotion.[91] Discussing how they navigated a class with sensitive material, one participant recalled that, "even people who [have] not necessarily had personal experience of rape but maybe of sexual assault, or really difficult sexual encounters, they were happy to talk about it and share their experiences and their experience of law".[92] Another participant highlighted how they made sure to advise students of how to navigate any negative emotions and provided information on external resources:

> I appreciate that this can be very difficult for you and please be aware that the following support organisations are available. And, you know, quite a few students said, it's really interesting that you're putting that there, and I would say … many of us in this room are going to have been affected by a lot of the subject matter that we're going to talk about.[93]

Another participant reflected on their practice and how having an open and inclusive discussion space meant that students felt able to invite discussions of sensitive issues.

> One of them just said, look, could we actually just have a not too awkward discussion about rape, because we've talked about it in criminal law, but in that really awkward, really technical way. And, he was just, like, so could we actually just have a discussion about, from these racialised and gendered perspectives, what does that mean and how can we think about it. I thought that was just really interesting because, actually, I think a lot of my colleagues would have said, I'm not even sure we should be teaching sexual offences at all, because it's potentially triggering.[94]

Conclusion

This article has presented the findings from a pilot study into how and why academics choose to include certain topics within their modules and what influences these choices, especially around sensitive or difficult topics. It explored one of the key findings, which was academic reticence around content warnings. The views of the participants aligned with the wider academic literature on content warnings in academia. Academics were unsure about how and when to use content warnings and some were uneasy about what using a content warning signified.

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[89]Interview 7.
[90]Elizabeth A Beverly and others, "Students' Perceptions of Trigger Warnings in Medical Education" (2018) 30 Teaching and Learning in Medicine 5; Cares and others (n 11) 23.
[91]Senthorun Raj, "Teaching Feeling: Bringing Emotion into the Law School" (2021) 55 The Law Teacher 128.
[92]Interview 3.
[93]Interview 9.
[94]Interview 3.

However, the responses were much more complex than the wider public discourse on content warnings suggests. Even those academics who were not in favour of content warnings or expressed concerns about academic freedom or mandatory use of warnings understood that content warnings could be a valuable and valid pedagogical tool. Much of the anxiety over teaching "controversial" topics centred on a fear or an unease of how to appropriately use warnings and flag materials. This manifested itself in tendencies to self-censor. In line with wider studies, many respondents expressed that they were tempted to remove any content that might need a content warning either to pre-emptively protect students or to avoid complaints. Yet there was also a fear that using content warnings would promote infantilisation of students and might even be a risk to academic freedom if warnings were made mandatory. It was highlighted that approaching content warnings through the lens of academic freedom is unhelpful and misconstrues the nature and purpose of content warnings, even when they are made mandatory.

However, in line with wider feminist literature on pedagogy,[95] and despite the unease shown by participants, this article concludes that legal academics should embrace sensitive topics, as these often align with student expectations and desires for discussions of topics that touch on real-world experiences. Rather than avoiding such topics, academics may find content warnings can be a useful tool to facilitate such discussions in a way that promotes student autonomy and a safe learning environment. If legal content is to reflect real-world experiences then this necessitates exploring uncomfortable topics. Content warnings offer a way to navigate such topics while validating the experiences and fears of students as autonomous individuals. Accordingly, further study in this field would be helpful, especially to gain understanding of student views and perceptions about being exposed to sensitive content in the classroom.

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ORCID

Lynsey Mitchell http://orcid.org/0000-0003-2684-7456

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[95]Wyatt (n 60); Brenda D Phillips, "Teaching about Family Violence to an At-Risk Population: Insights from Sociological and Feminist Perspectives" (1988) 16 Teaching Sociology 289.