

SOCIETY ADVANCING PERSONAL INTELLIGENCE & ENLIGHTENMENT NOW TOGETHER

## S.A.P.I.E.N.T. BEING

Society Advancing Personal Intelligence & Enlightenment Now Together

# **FREE SPEECH ALUMNI AMBASSADOR (FSAA) PROGRAM HANDBOOK**

**By Corey Lee Wilson** 

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How to Contact the SAPIENT Being

If you have any questions or require additional info starting a SAPIENT Being organization on your campus and/or becoming a member, please contact the SAPIENT Being HQ at (951) 638-5562 or at <u>sapientbeing@att.net</u>. Please visit the SAPIENT Being website for frequently asked questions (FAQs) at the CONTACT page at <u>www.sapientbeing.org.</u>

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## 1 – Why Campuses Need a Free Speech Alumni Ambassador (FSAA) Program

Enough is enough! Our colleges and universities should redeem the promise of the new academic year by reaffirming their commitments to freedom of expression. But for most it doesn't happen and the telos of truth has been replaced by social justice.

Long after alumni leave campus, they remain some of higher education's most powerful constituents. So why do we continue to faithfully donate to our favorite colleges year after year when they suppress freedom of speech, restrict academic expression, and prohibit viewpoint diversity? Or worse, perpetuate cancel culture, woke ideologies, and divisive DEI policies? Is that what you're funding?

Just how oppressive is the university environment when it comes to free expression with our woke educational institutions? More than 80% of students said they self-censor at least some of the time on campus, according to a recent survey by RealClearEducation, College Pulse, and FIRE, which covered more than 37,000 students enrolled at 159 colleges.

Censorship in the academic community is commonplace. Students and faculty are increasingly being investigated and punished for controversial, dissenting or simply discomforting speech. It's time for colleges and universities to take a deep breath, remember who they are and reaffirm their fundamental commitment to both free speech and freedom of expression.

#### How Do We Define Freedom of Expression?

Freedom of expression is the ability to decide for one's self what one wants to say, what one wants to believe and be able to communicate that with others. That's a very broad definition.

There are lots of ways in which we see limitations on freedom of expression that sometimes might be appropriate. But it's important to think about it broadly, to think about it as taking a lot of different forms, and to think about it specifically within the context of human beings' own ability to define for themselves what truth is.

People started saying "freedom of expression" several decades ago in part because when people would say "freedom of speech," that was mostly about actual talking and about expression of opinions. People

started moving towards the term "freedom of expression" because it became very clear that acknowledging the expressive element of what you wear, what signs you carry, what arm bands you wear was a way of making the point that a lot of what we think the founders would've thought of as freedom of speech is much broader than just spoken words.

The **Free Speech Alumni Ambassador (FSAA) Program** helps create faculty and administrative positions, throughout America's predominantly liberally staffed college campuses, that can serve as much needed conservative club advisors—because conservative students are facing many obstacles when they attempt to start and charter a right-leaning student organization on campus due to faculty members fearful of losing their jobs or tenure for becoming these organization's advisors.

As campuses grow more hostile to free expression, it seems more apparent that it may be up to alumni to tip the scales in favor of individual rights. Long after alumni leave campus, they remain some of higher education's most powerful constituents. Now, with help from the Foundation for Individual Rights in Education (FIRE) and the newly launched Alumni Free Speech Alliance (AFSA), they are beginning to rise up on behalf of free speech.

The Foundation for Individual Rights in Education (FIRE) is a nonpartisan, nonprofit organization dedicated to defending and sustaining the individual rights of students and faculty members at America's colleges and universities. These rights include freedom of speech, freedom of association, due process, legal equality, religious liberty, and sanctity of conscience — the essential qualities of liberty.

The AFSA, composed of five independent alumni groups from top institutions, seeks to "encourage the creation of alumni free speech groups for other colleges and universities," provide the "tools to help new alumni groups organize," and support "free speech and academic freedom." These groups will pool resources and mentor emerging alumni groups at other schools as they seek to establish themselves.

A key component to ensuring this happens is by developing and funding a FSAA Program at all educational institutions.



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#### Alumni Are the Key

Alumni Take Up the Fight for Free Speech—and You Can Help! Connor Murnane FIRE October 21, 2021 https://www.thefire.org/alumni-take-up-the-fight-for-free-speech-and-you-can-help/

The Foundation for Individual Rights in Education (FIRE) has been working with AFSA and many of the member groups over the past few months and is proud to partner with them to give alumni a real, independent voice for free speech on their campuses.

American universities routinely rely on their graduates for everything from word-of-mouth endorsements to checks that support the endowment. And yet even with confidence in higher education falling, year after year, alumni have been more than willing to give back.

A Council for Advancement and Support of Education report published in 2020 found that alumni contributed more than \$11 billion to their alma maters in 2019. Alumni generosity not only helps keep colleges afloat, but also influences universities' placement in the U.S. News and World Report's annual college rankings — an important metric for university administrators and incoming students. Alumni have the opportunity to leverage this influence to ensure their schools uphold their obligations to the highest principles of free speech and academic freedom.

The fight to stem the tide of illiberalism on campus must be fought at every level. As the AFSA notes, "opponents of free speech and academic freedom are well-organized." More than that — they're institutionalized. It is time for the alumni proponents of free speech to organize as well and begin demanding these few, simple solutions that will build a culture of free expression on campus:

- 1. Demand your institution live up to its First Amendment obligations or commitments to free expression. Insist your institution's administration review campus policies and reform policies that restrict speech in ways that satisfy various campus missions while also respecting the individual rights of students and faculty.
- 2. Advocate for the adoption of the Chicago Statement on Freedom of Expression. When students see the leaders of their schools publicly pledge to protect free expression, they feel more secure to speak their minds. That also sets an important expectation for prospective students: Come to campus ready to participate in a free exchange of ideas. For more info on the Chicago Statement on Freedom of Expression please read further.
- 3. Insist your alma mater instills values of free expression from day one. It is clear that colleges cannot expect students to arrive on campus with knowledge about the importance of free speech and academic freedom, and this is leading to a profound mismatch between some students' expectations and the reality of a liberal education. FIRE's Freshmen Orientation Program consists of a series of modules that provide colleges with the materials necessary to teach the importance of free speech and academic freedom, which they may freely use and adapt to their own needs.
- 4. Insist your alma mater collect serious data on campus censorship and openness toward free expression. Every institution of higher education should remain vigilant about potential threats to free speech and gather information about its campus climate instead of simply claiming, "Other schools are like that, but not mine!" A transparent survey of a large proportion of the campus community can provide vital information that would allow administrators to make

informed decisions. If done annually, it could be used to judge yearly progress toward a free and open campus climate.

- 5. Stop writing blank checks. Alumni must begin focusing their financial investments in their alma maters toward liberty-oriented initiatives that will benefit the state of free speech on campus. Donations can have a much greater impact on the campus climate if they are earmarked toward scholarships, speaker series, independent academic programs, student groups, or other, non-general fund programs that encourage open dialogue and debate.
- 6. And finally, create a full time Free Speech Alumni Ambassador (FSAA) Program that can advocate, facilitate, and manage a campuses commitment to freedom of speech and expression as well as ensure conservative campus organizations can be chartered on campus knowing they can partner with an advisor who will meet the college's minimum requirements for becoming an approved organization on campus.

Without a dedicated FSAA on campus to champion a university's commitment to freedom of speech and expression, the counter prevailing forces will return the status quo orthodoxy and business as usual to the detriment of the marketplace of ideas, viewpoint diversity, intellectual humility, and the pursuit of free speech and freedom of expression.

#### **Mission and Vision Statements**

Create an alumni driven and alumni association approved FSAA Program throughout America's college campuses to ensure that all educational institutions live up to their obligation of free speech and freedom of expression—for all.

Fulfill a university's commitment to freedom of speech and expression so that all campus organizations, regardless of their ideology, can partner with a campus advisor, and flourish and prosper—safe in their first amendment rights—united in their pursuit of the telos of truth.



## 2 – The Freedom of Speech Problem Begins in High School

In 2015, Dr. Jonathan Haidt (pronounced "height"—not "hate"), a leader at the Heterodox Academy, had a bizarre and illuminating experience at an elite private high school on the West Coast that he generically calls "Centerville High." From this encounter, the Heterodox Academy posted his article, "The Yale Problem Begins in High School" and the beginning of this chapter is quoted directly from it.

Haidt gave a version of a talk on "Coddle U vs. Strengthen U" that he first gave at Yale a few weeks earlier to approximately 450 students, from grades 9-12, in the auditorium. There was plenty of laughter at all the right spots, and a lot of applause at the end, so he thought the talk was well received:

But it wasn't and after the discussion began it was the most unremittingly hostile questioning he'd ever had. Haidt doesn't mind when people ask hard or critical questions, but he was surprised that he had misread the audience so thoroughly. His talk had little to do with gender, but the second question was "So you think rape is OK?"

Like most of the questions that followed, it was backed up by a sea of finger snaps. "I had never heard snapping before," says Haidt. "When it happens in a large auditorium it is disconcerting. It makes you feel that you are facing an angry and unified mob—a feeling I have never had in 25 years of teaching and public speaking."

As Haidt describes the rest of the encounter, after the first dozen questions, he noticed that not a single questioner was male, so he began to search the sea of hands and I did find one boy, who asked a question that indicated that he too was critical of his talk. But other than him, the 200 or so boys in the audience sat silently.

After the Q&A, a line of boys came up to Haidt to thank him and shake his hand—but not a single girl came up to him afterward.

The next session involved 60 students who had signed up for further discussion as was moved to a large classroom. The last thing he wanted to do was to continue the fruitless arguing, so Haidt decided to take control of the session and reframe the discussion:

"What kind of intellectual climate do you want here at Centerville?" he asked the group. "Would you rather have option A: a school where people with views you find offensive keep their mouths shut, or B: a school where everyone feels that they can speak up in class discussions?"

#### Can You Speak Freely or Are You Walking on Eggshells?

"OK, let's see if you have that," Haidt continued. "When there is a class discussion about gender issues, do you feel free to speak up and say what you are thinking? Or do you feel that you are walking on eggshells and you must heavily censor yourself?

Just the girls in the class, raise your hand if you feel you can speak up?" (about 70% said they feel free, vs about 10% who said eggshells). Now just the boys? (about 80% said eggshells, nobody said they feel free).

Now that the students had a personal stake in the conversation, Haidt continued. "Now let's try it for race. When a topic related to race comes up in class, do you feel free to speak up and say what you are thinking, or do you feel that you are walking on eggshells and you must heavily censor yourself? Just the non-white students?" (the group was around 30% non-white, mostly South and East Asians, and some African Americans).

A majority said they felt free to speak, although a large minority said eggshells) Now just the white students? (A large majority said eggshells)

"Now, let's try it for politics," he added. "How many of you would say you are on the right politically, or that you are conservative or Republican?" (6 hands went up, out of 60 students). "Just you folks, when politically charged topics come up, can you speak freely?" (Only one hand went up, but that student clarified that everyone gets mad at him when he speaks up, but he does it anyway. The other five said eggshells.)

Haidt presses on. "How many of you are on the left, liberal, or Democrat?" (Most hands go up) Can you speak freely or is it eggshells? (Almost all said they can speak freely.)



#### Let Me Get This Straight: You Do Not Have Such a School

Dr. Jonathan Haidt explains: "So, let Me get this straight. You were unanimous in saying that you want your school to be a place where people feel free to speak up, even if you strongly dislike their views. But you don't have such a school. In fact, you have a school in which only people in the preferred groups get to speak, and everyone else is afraid. What are you going to do about this? Let's talk."

After that, the conversation was extremely civil and constructive. The boys took part just as much as the girls. They talked about what "Centerville" could do to improve its climate, and Haidt said the most important single step would be to make viewpoint diversity a priority. On the entire faculty, there was not a single teacher that was known to be conservative or Republican. So, if these teenagers are coming into political consciousness inside a "moral matrix" that is uniformly leftist, there'll always be anger directed at those who disrupt that consensus.

Haidt continues. "And then... they go off to college and learn new ways to gain status by expressing collective anger at those who disagree. They curse professors and spit on visiting speakers at Yale. They shut down newspapers at Wesleyan. They torment a dean who was trying to help them at Claremont-McKenna. (These incidences mentioned are covered and explained in Chapter 3).

And in all cases, they demand that adults in power 'do something' to punish those whose views offend them. Their high schools have thoroughly socialized them into what sociologists call victimhood culture, which weakens students by turning them into "moral dependents" who cannot deal with problems on their own. They must get adult authorities to validate their victim status.

So they issue ultimatums to college presidents; and, as we saw at Yale, the college presidents meet their deadlines, give them much of what they demanded, commit their schools to an ever tighter embrace of victimhood culture, and say nothing to criticize the bullying, threats, and intimidation tactics that have created a culture of intense fear for anyone who might even consider questioning the prevailing moral matrix."

#### The Only Hope for High Schools and Colleges

The only hope for Centerville High and America's colleges is to disrupt their repressively uniform moral matrices to make room for dissenting views. High schools and colleges that lack viewpoint diversity should make it their top priority. Race and gender diversity matter too, but if those goals are pursued in the ways that student activists are currently demanding, then political orthodoxy is likely to intensify.

Per Haidt: "Schools that value freedom of thought should therefore actively seek out non-leftist faculty, and they should explicitly include viewpoint diversity and political diversity in all statements about diversity and discrimination. Parents and students who value freedom of thought should take viewpoint diversity into account when applying to colleges. Alumni should take it into account before writing any more checks and boycott their support until conditions improve.

The endemic problem refers to an unfortunate feedback loop says Haidt: "Once you allow victimhood culture to spread on your campus, you can expect ever more anger from students representing victim groups, coupled with demands for a deeper institutional commitment to victimhood culture, which leads inexorably to more anger, more demands, and more commitment."

This problem didn't start at our colleges—it started in high school. As long as many of our high schools are turning out students who have only known eggshells and anger, whose social cognition is limited to

a single dimension of victims and victimizers, and who demand safe spaces and trigger warnings," concludes Haidt, "it's hard to imagine how any university can open students' minds and prepare them to converse respectfully with people who don't share their values. Especially when there are no adults around who don't share their values."



## 3 – Academic Intellectual Diversity vs. Freedom of Expression

Apparently ideological "groupthink" isn't just confined to the student admissions process; it also appears to pervade the faculty hiring and tenure-granting processes as well. According to longitudinal nationwide data collected by UCLA's Higher Education Research Institute, a dramatic leftward shift in the composition of university faculty occurred between 1989 and 2014.

As far back as October 29, 2003, a special Senate report concluded after a hearing before the Committee on Health, Education, Labor, and Pensions, United States Senate, One Hundred Eighth Congress titled: *Is Intellectual Diversity an Endangered Species on America's College Campuses?* and was it becoming more scarce and beginning to lean heavily leftward.

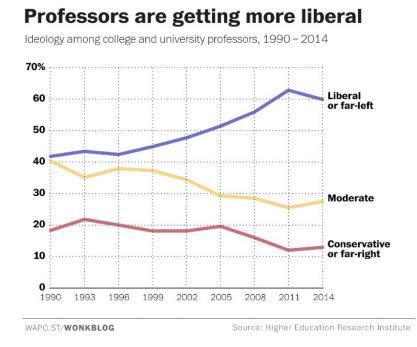
Whereas progressives comprised roughly 40 percent of the professoriate in the late 1980s, they comprise 60 percent today. Moderates (at 28 percent) and conservatives (at twelve percent) not only account for a smaller share of today's faculty, but conservatives have practically reached "endangered species" status (a mere five percent) in the humanities and social sciences.

There is no denying the left-leaning political bias on American college campuses. As data from UCLA's Higher Education Institute show, the professoriate has moved considerably leftward since the late 1980s, especially in the arts and humanities. In New England, liberal professors outnumber their conservative colleagues by a ratio of 28:1. This ratio is liberal madness!

#### Lack of Viewpoint Diversity in the Academy

Growing skepticism about the current direction of American higher education isn't just found among those on the center-right. For example, a center-left New York University professor named Dr. Jonathan Haidt teamed with Greg Lukianoff, a former ACLU attorney who now heads the Foundation for Individual Rights in Education (FIRE), to write a 2015 article for *The Atlantic* magazine entitled, "The Coddling of the American Mind." The essay, which became the second-most-cited article in the long history of *The Atlantic*, directed heavy criticism at "microaggressions," "safe spaces," "trigger warnings," "speech codes," and other attempts to narrowly define the boundaries of acceptable discourse in higher

education. It's a growing problem and both the dramatic leftward shift in the composition of university faculty are interconnected and issues of enormous concern.



The leftward tilt of today's academic life hurts scholars—and would-be scholars—of a more conservative bent. Most all the modern arguments of progressivism, post-modernism, and the New Left fail the basic tenants of practical logic, common sense, and sapience.

Without viewpoint diversity and intellectual humility acting as the checks and balances essential to validate the academic standards, truth and logic behind new causes, issues, and programs can degrade and diminish and in turn academic and ideological orthodoxy become the norm with our academic institutions as well as the student bodies that determine the limits of free speech on campus.

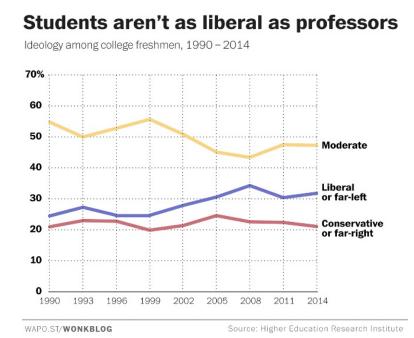
Campuses that are overwhelmingly dominated by one ideological perspective are much more vulnerable to violations of free speech (and the embarrassing public relations problems that go with them) since the absence of viewpoint diversity can lead to the trampling of First Amendment rights. Put another way, free speech is more likely to be defended vigorously when more viewpoint diversity is present – the latter is perhaps the best guarantee of the former's defense.

Truth is a process, not just an end-state. *The Righteous Mind: Why Good People are Divided by Politics and Religion* is a 2012 social psychology book by Dr. Jonathan Haidt, is about the obstacles to that process, such as confirmation bias, motivated reasoning, tribalism, and the worship of sacred values. Given the many ways that our moral psychology warps our reasoning, it's a wonder we've gotten as far as we have, as a species.

That's what's so brilliant about science: it is a way of putting people together so that they challenge each other and cancel out each other's confirmation biases and tribal commitments. The truth emerges from the interaction of flawed individuals.

#### The Dramatic Shift That's Hurting Students' Education

Something alarming has happened to the academy since the 1990s. As the graph below shows, it has been transformed from an institution that *leans* to the left, which is not a big problem, into an institution that is almost *entirely* on the left, which is a noticeably big problem. This phenomena are shown on the first graph at the beginning of this chapter and the one below.



If you've spent time in a college or university any time in the past quarter-century you probably aren't surprised to hear that professors have become strikingly more liberal. In 1990, according to survey data by the Higher Education Research Institute (HERI) at UCLA, 42 percent of professors identified as "liberal" or "far-left." By 2014, that number had jumped to 60 percent and represents a much higher percentage as opposed to the student body they teach.

Over the same period, the number of academics identifying as "moderate" fell by thirteen percentage points, and the share of "conservative" and "far-right" professors dropped nearly six points. In the academy, liberals now outnumber conservatives by roughly five to 1. Among the general public, on the other hand, conservatives are considerably more prevalent than liberals and have been for some time.

Nowadays there are no conservatives or libertarians in most academic departments in the humanities and social sciences. The academy has been so focused on attaining diversity by race and gender (which are valuable) that it has created a hostile climate for people who *think* differently.

The American academy has–arguably–become a politically orthodox and quasi-religious institution. When everyone shares the same politics and prejudices, the disconfirmation process breaks down. Political orthodoxy is particularly dangerous for the social sciences, which grapple with so many controversial topics (such as race, gender, poverty, inequality, immigration, and politics).

#### **Universities Should Adopt Institutional Neutrality**

Mark McNeilly is Professor of the Practice of Marketing at UNC Kenan-Flagler Business School defines institutional neutrality is the idea that the university "cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness." UNC adopted it; others should follow suit.

On July 27, 2022, the University of North Carolina Board of Trustees passed a resolution adopting both the University of Chicago's Free Speech Statement and its Kalven Report. Chicago's Free Speech Statement, which guarantees free expression at the university, is well known in academia. According to the campus free speech organization FIRE, 87 universities have adopted the Statement as of July 2022. Much less well known is the Kalven Report, which focuses on institutional neutrality.

Institutional neutrality is the idea that the university, as the Kalven Report states, "cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness." It comes to this conclusion on the basis of the view that "the mission of the university is the discovery, improvement, and dissemination of knowledge." The university follows this mission to advance society and humankind. What higher mission could there be?

The instrument of the mission, per the Report, "is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic." Thus, "to perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community."

This philosophy does not mean a university as an institution can never speak out. The Report states that "from time to time instances will arise in which the society, or segments of it, threaten the very mission of the university and its values of free inquiry. In such a crisis, it becomes the obligation of the university as an institution to oppose such measures and actively to defend its interests and its values." However, this should not be done lightly or often, and there should be "a heavy presumption against the university taking collective action or expressing opinions on the political and social issues of the day..."

The policy of institutional neutrality does not only apply to the university as a whole and its top administrators. It applies as well to its subunits — schools, departments, programs, etc. — and the administrators of those organizations.

There are several reasons why institutional neutrality for universities is the right policy. Institutional neutrality:

- 1. Increases academic freedom and free-expression protection for faculty and students. Because the institution takes no position on political issues of the day, open inquiry and free expression for faculty and students are not chilled. They can research areas of potentially controversial subjects and take provocative positions without fearing that those subjects and positions run counter to stated university views.
- 2. Avoids administrators espousing positions for faculty and students without their consent. When administrators speak for the university, school, or department, they are making a statement for all the faculty and students in that organization. Obviously, not everyone in that organization will agree with that statement, yet they are being represented by that expressed

viewpoint. From that standpoint, it's not fair to those people when an unelected official takes a position without their consent.

- 3. Increases the credibility of the university. When a university takes a position on a controversial topic and thereby chills speech on that issue on its campus, it loses credibility as a neutral host of debate and harms its reputation as an organization that allows its faculty and students to express themselves freely.
- 4. Increases bipartisan support for the university. Recent studies from Gallup and Pew Research have shown steep declines in confidence in universities, primarily by Republicans. As many universities lean left, this is not surprising. Making public statements on issues that almost invariably take a liberal position exacerbates this problem. For public universities, this is especially an issue, as they depend on bipartisan taxpayer support.
- 5. Avoids a constant stream of statements being seen as overdone, ineffective, insincere, and/or aggravating. Once a university or its subunits get in the game of making statements about issues of the day, there is an expectation they will always make one whenever a new issue arises. Issues in the U.S. arise frequently, so every time one does, that expectation is there. However, when a university issues statement after statement, that reduces their potency and the university can often be seen as insincere (just checking the box). Or the statements become aggravating because they fill up faculty and student inboxes.
- 6. **Reduces time and resources required to make statements.** Churning out a steady stream of statements takes up the energy of university leadership and staff when their time would be much better spent acting on projects that can move the institution forward.

Naturally, there are objections to a university adopting institutional neutrality. Let me engage on those below:

- 1. Institutional neutrality is the censoring of the university, and we should encourage speech. Yes, institutional neutrality is the self-censoring of the university. However, it is done to encourage speech and a diversity of viewpoints by the proper people, namely the faculty and students. Just as a professor may choose to stay neutral in the classroom to encourage discussion, a university does the same.
- 2. The Kalven Report was submitted in 1967 and times have changed drastically, so it is no longer applicable in academia today. Yes, the Report is from 1967. However, much like today, controversial topics (the Vietnam War, race, class, and equality of the sexes) were all on the table then. The principle of institutional neutrality, like the mission of a university, is not applicable only to certain times and not in others. It is timeless. It applies no less today than it did decades ago.
- 3. The mission of the university should be seeking not only knowledge but also social justice. Jonathan Haidt does an excellent job discussing this topic. Fundamentally, he makes a strong case that a university must choose. A university can no more pursue both truth and knowledge and social justice than it can pursue truth and knowledge and religion simultaneously. When a

university pursues any cause in addition to truth and knowledge, it must limit what can be discussed. A university must pick one and only one.

In sum, for all the reasons I listed numerically, and especially the first, universities should adhere to institutional neutrality, either by adopting the Kalven Report formally or by instituting a policy of institutional neutrality.



## 4 – Faculty Voter Registration in Economics, History, Journalism, Law and Psychology

Recently, Mitchell Langbert, Anthony Quain, and Daniel Klein published their findings on faculty voter registration in the fields of economics, history, journalism, law, and psychology. Their work is now the most recent snapshot we have of the politics of American professors. This blog post briefly summarizes their methodology, findings, and conclusions.

To explore the politics of faculty members in the United States, Langbert, Quain, and Klein obtained the voter registrations of all faculty in five kinds of departments at 40 leading universities. Voter registration is public information and was obtained in this study through the Aristotle database. Due to differences in state policy over the storage of voter registration in a database such as Aristotle, their analysis was limited to universities within 30 states. Nonetheless, check out these disturbing findings:

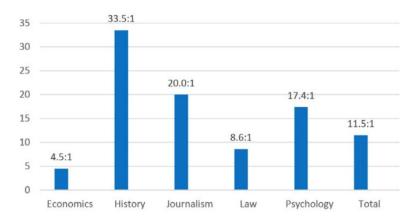
- Registered Democrats outnumber registered Republicans in the academic departments of Economics, History, Journalism, Law, and Psychology. In most cases the discrepancies were higher than previously reported (see Klein & Stern, 2005; Klein & Stern, 2009).
- The discrepancy was lowest for Economics departments (4.5:1) and highest for History departments (33.5:1).
- A good number of departments have no registered Republicans.
- Discrepancies are higher at more prestigious universities.
- Assistant professors are least likely to be Republicans; thus, discrepancies are lower among older professors and among higher-ranked professors.
- Consistent with the findings of Abrams, discrepancies were higher at universities in New England.
- The overall ratio across all departments was roughly ten Democrats to one Republican.
- In total, Langbert et al. looked up the voter registration of 7,243 professors. They found 3,623 registered Democrats and 314 Republicans.

#### Increased Discrepancy Due to These Specific Mechanisms in Academia

Langbert et al. finds the overall ratio of registered Democrats to Republicans has increased over time, from roughly 3.5:1 in 1970 to roughly 8:1 in 2004 to roughly 10:1 in 2016. They further suggest that one of the reasons for this increased discrepancy may be due to three specific mechanisms present in academia:

- Sacred values are likely to impact a given professor's political outlook. Typically, these values cannot be divorced from that professor's scholarship and may impact what is considered a worthy topic of study, what methods to employ in one's investigation, and how one interprets their findings. The role of sacred values makes groupthink theory applicable to the professoriate.
- Academia is made up of distinct disciplinary pyramids that are sustained as departments within a university. The apex of these pyramids consists of the top departments for a given discipline. These departments typically produce most of the Ph.D.'s and then subsequently place those Ph.D.'s in other top departments.
- 3. The success of an individual research career is linked to one's department. The members of a department vote on who to hire, how much to pay that hire, and ultimately whether that new hire, if they accept the job, will be promoted, and receive tenure.

"Once the apex of the disciplinary pyramid becomes predominantly left leaning, it will sweep leftleaners into positions throughout the pyramid (or, at least, it will exclude vibrant dissenters). At the micro level of a particular university department – no matter where in the pyramid – once it has a majority of left leaners, it will, in serving, enjoying, protecting, advancing, and purifying sacred values, tend to hire more left leaners (or at least not vibrant dissenters)" (Langbert et al., 2016, p. 428).



Credit: Registered voter ratios, Democrat to Republican, among social scientists at 40 top U.S. universities (2016, Econ Journal Watch)

The increasing sweep of left-leaners into positions throughout the pyramid is evident when, on the one hand, one considers that only ten universities had an overall ratio of Democrat to Republican of less than 9:1. On the other hand, fourteen universities had an overall ratio of Democrat to Republican of

greater than 20:1. Study of public voter registration data shows that Democrats outnumber Republicans among social scientists, 11.5 to one as shown in the chart above. Does it matter?

#### The Discrepancy Between Democrats and Republicans at American Universities

The presence of the three prevalent mechanisms noted above continues to increase the discrepancy between Democrats and Republicans at American Universities.

One pundit on higher education has described our colleges and universities as islands of oppression in a sea of freedom. While the comment is humorous, the observation is quite serious. The lack of intellectual diversity on our college and university campuses is increasingly troublesome and of profound concern and interest to educators, next generation of leaders and the SAPIENT Being.

As early as 1991, Yale President Benno Schmidt warned that, "The most serious problems of freedom of expression in our society today exist on campuses. The assumption seems to be that the purpose of education is to induce correct opinion rather than to search for wisdom and liberate the mind."

In his last report to the Board of Overseers, retiring Harvard president Derek Bok similarly warned: "What universities can and must resist are deliberate, overt attempts to impose orthodoxy and suppress dissent. ... In recent years, the threat of orthodoxy has come primarily from within rather than outside the university."

#### A Robust Exchange of Ideas is the Essence of a College Education

Rather than fostering intellectual diversity—the robust exchange of ideas traditionally viewed as the very essence of a college education—our colleges and universities are increasingly bastions of political correctness, hostile to the free exchange of ideas.

Threats to the robust exchange of ideas on our college and university campuses come in many forms, but typically manifest themselves in the following ways:

- Disinviting of politically incorrect speakers.
- Mounting of one-sided panels, teach-ins, and conferences.
- Sanctions against speakers who fail to follow the politically correct line.
- Instruction that is politicized.
- Virtual elimination of broad-based survey courses in favor of trendy, and often politicized, courses.
- Reprisal against or intimidation of students who seek to speak their mind.
- Political discrimination in college hiring and retention.
- Speech codes and campus newspaper theft and destruction.



## 5 – Passing on the Right: Conservative Professors in the Progressive University

What's it like being a conservative or libertarian professor in the American academy today? Many readers of *The Independent Review* can answer this question from first-hand experience, while others can sympathize. But in Jon Shields and Joshua Dunn's telling book, *Passing on the Right: Conservative Professors in the Progressive University* is a book-length study published in 2016, their study explored the question of the existence of a liberal or anti-conservative academic bias in the United States via interviews with 153 professors from 84 universities who identify as conservative.

Shields and Dunn answer the question in a remarkably direct manner. They conducted in-person interviews with those who identify as conservative that included 153 college professors in six disciplines in the social sciences and humanities – economics, political science, sociology, history, philosophy, and literature – working in 84 universities around the country. The interviews typically lasted an hour or more and are supplemented by results from a questionnaire.

Their principal finding is that these conservative and libertarian faculty members are generally tolerated where they are, although about a third concealed their politics prior to tenure and a few do so afterward too. The libertarians (about one-third of their sample) encounter the least resistance, but the welcome is frostier for social conservatives who encounter massive "no go zones" – courting trouble if they voice views on certain subjects, especially on religion, marriage, family, abortion, and sexuality.

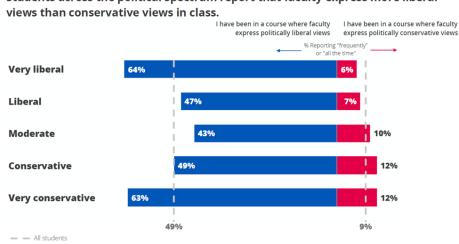
Shields and Dunn seem to favor the view that sees conservatism as a "coalition against liberalism (i.e. modern liberalism, not classical liberalism) rather than as an ideology" and discover that many on the right started on the left and the majority have become more conservative over time.

What triggered the move to the right? For many it began with course work in economics – especially the ordinary principles of microeconomics course (which indeed turned me around). Others were simply repelled by campus liberals.

Most seem to be characterized by a set of core values summarized by Dr. Jonathan Haidt, which contends that:

- "people are inherently imperfect and are prone to act badly when all constraints and accountability are removed;"
- "our reasoning is flawed and prone to overconfidence, so it's dangerous to construct theories based on pure reason, unconstrained by intuition and historical experience;" and
- 3) "institutions gradually emerge as social facts, which we then respect and even sacralize, but if we strip these institutions of authority and treat them as arbitrary contrivances ... we render them less effective ... (and) expose ourselves to increased anomie and social disorder."

#### Why Are There so Few in Academia Who Hold These Views?



Students across the political spectrum report that faculty express more liberal

Shields and Dunn note that some of the massive ideological imbalance is due to a selection effect liberals are far more attracted to academia and likely to enter Ph.D. programs than conservatives. But they also demonstrate significant bias in hiring and promotion from the incumbent liberals who want to keep conservatives locked out.

At its worst, the left sees conservative ideas as "a disease of the political mind" and contend that social scientists must be able to "visualize a state of human affairs radically different from that of today ... (with) analytical minds which do not automatically accept cultural beliefs," something conservatives can't do. (Must they? Can't they? Is there a single American who lacks these abilities?)

Often the bias is much subtler, but bias there clearly is. Bias in labor markets? Conservatives are quick to debunk sweeping claims of labor market discrimination, noting that employers who practice discrimination will earn fewer profits, as Gary Becker argued.

But academia is the exception that proves the rule. There's no bottom line in academia – and hiring committees are given great discretion so that they can discriminate all they want with little to no penalty to themselves or the administrators to whom they report.

Conservative academics know this, so they routinely fly below radar and the most interesting parts of *Passing on the Right* are about attempts by those on the right to "pass." Recall that fully one-third of the respondents report concealing their politics prior to tenure. Here, the authors are perhaps too gentle in echoing a claim that "when a typical department offers an applicant an interview, it knows little more than the candidate's gender, educational history, and publication record.

But it has no idea about ideological affiliation unless the candidate deliberately brings it up in conversation." My take is that this can only happen when those on the hiring end simply assume (perhaps from experience) that everyone who applies for employment will fit their mold or when they are out of their depths in unusual hiring waters. Both are rarities. Academics are hypersensitive to even subtle political differences and spend much time and effort to discover them.

#### Academics Are Hypersensitive to Subtle Political Differences

In fact, only about half of those interviewed say they think they would have been hired in their first tenure-track position if their political views had been well known to the department (the rest say "No" or "Hard to Say"). Close to half report engaging in some sort of self-censorship and about half of the twenty-five to forty-four year old cohort report concealing their politics prior to tenure.

The reality may be even worse, since Shields and Dunn's sample must omit those who do the most to conceal themselves and those that never got a foothold in academia because of the biases. The big exception is in economics, where only one of twenty-eight report concealing their politics prior to tenure.

Conservative economists, it seems, sit in the cat bird's seat. Many of the conservative academics report that after they find a toehold, they are often stuck in a monopsony market – and, therefore, are paid less because they don't receive outside offers. Again, this isn't much of an issue for economists on the right.

The authors speculate that the right-wing critique of the university is somewhat overdrawn, even though they recount several "quite troubling, even shocking" abuses. They fear that these critiques may backfire by scaring conservatives away from the academy but conclude that there's not a lot that can be done to remedy the problem. And it is a problem, but not primarily because many students drown in the sea of liberalism.

Shields and Dunn conclude that there's little actual successful indoctrination in our colleges and universities (perhaps because students sense that professors don't really care about students and spend so little time with them), but explain that the one-sidedness of academia means crimes of omission – missing civil debates, missing perspectives, missing mentors, and missing reality checks make it harder to weigh and sift ideas in the pursuit of truth.

Neither left nor right has a monopoly on truth. Debate and sharing of ideas are needed to discover it – and this is the loss when those on the right are excluded.



## 6 – Campus Administrators' Bias and the Attack on Free Speech

Almost since the start of *Power Line* in 2002, American Council of Trustees and Alumni (ACTA) has reported with dismay the descent of American colleges and universities into a leftist bastion of illiberalism. Most of their focus has been on professors, and not without reason. They are the ones who have degraded the teaching of humanities through their obsession with identify politics and disdain for Western Civilization.

However, Dr. Samuel Abrams came away from an ATHENA Roundtable Conference believing that administrators, not professors, are the primary culprits on American campuses today. The ATHENA Roundtable Conference is a program presented by the American Council of Trustees and Alumni (ACTA). ACTA is an independent, nonprofit organization committed to academic freedom, excellence, and accountability at America's colleges and universities.

The threat posed by the ever-growing ranks of college administrators was pinpointed in an address by Abrams. He's a professor of politics at Sarah Lawrence College who has not only fought courageously for academic freedom, but also studied, as an empirical matter, the threat to it.

Abrams explained that, compared to administrators, college professors exert limited influence on the lives of students. They teach relatively light course loads, have limited visiting hours, spend most of the day on research, and then head home to their family (if any).

Administrators, by contrast, are embedded in their colleges. Some live in dorms where they adjudicate disputes that, in better times, students worked out for themselves. As Abrams puts it in his American Enterprise Institute (AEI) article:

Today, many colleges and universities have moved to a model in which teaching, and learning is seen as a 24/7 endeavor. Engagement with students is occurring as much—if not more—in residence halls and student centers as it is in classrooms.

Schools have increased their hiring in areas such as residential life and student centers, offices of student life and success, and offices of inclusion and engagement. It's not surprising that many of the free-speech controversies in the past few years at places like Yale, Stanford and the University of

Delaware have concerned events that occurred not in classrooms but in student communal spaces and residence halls.

## The Difference in the Attitudes of Student-Facing Administrators and Professors

Abrams surveyed the "student-facing" administrator class—those whose work concerns the quality and character of a student's experience on campus. He found that liberal staff members outnumber their conservative counterparts by a ratio of 12-to-one. Only six percent of campus administrators identified as conservative to some degree, while 71 percent classified themselves as liberal or very liberal. On New England liberal arts campuses, liberals outnumber conservatives by a 28-to-one ratio!

The leftism of this cohort is significantly more pronounced than that of professors, which is pronounced enough.

The difference in the attitudes of student-facing administrators and professors is even more stark when it comes to free speech. Samuel Abrams told us that somewhere around ten percent of professors participate in "shout down" style protests or encourage their students to do so. For the administrator class, the number is more than 40 percent. (These numbers are from Abrams's memory).

Less than twenty percent of professors believe these kinds of protests are a good idea. By almost a twoto-one ratio, student-facing administrators believe they are.

Radical students engage in aggressive protests, such as occupying the office of the college president. One of their demands is that the college hire more diversity coordinators, sex harassment specialists, etc. The college complies.

The new hires foment grievances and encourage new protests. The protests result in the hiring of still more agitator-administrators.

The problem of administrative bloat at colleges and universities is well recognized by Joe Asch who painstakingly documented the problem at Dartmouth. However, it wasn't until he attended the ATHENA Roundtable that he fully understood the relationship between the problem of bloat and the assault on academic freedom.

Colleges could ameliorate both problems by cutting back on diversity deans and other student-facing staff members. It's clear, however, that this isn't going to happen. If anything, the ranks of these grievance mongers likely will continue to swell, and free speech on campus likely will come under even more intense attack.

#### **Marxist Professors or Sensitive Students?**

Students should complain about professorial indoctrination, because it is real and it is loaded heavily on the left, most notably in the social sciences and the humanities. See the end of Chapter 8 for a list. One recent ghastly example that received woefully inadequate press attention was a true thought reform program at the University of Delaware.

In this program, all 7,000 residents of the university's dormitories were required to attend coercive and unabashedly ideological "treatments" (the actual term administrators used) with the explicit goal of getting students to adopt specific points of view with regard to issues such as morality,

environmentalism, and sexuality. Resident assistants were required to give students questionnaires on what races and genders they would date with the goal of getting students to be more open to dating other races or genders.

One student, who in one of these exceedingly creepy "one on one" sessions answered, "none of your damn business" to the question "When did you discover your sexual identity?" was written up by an RA and reported to the administration. That's only the tip of the iceberg and, shockingly, the Residence Life program at the University of Delaware still seems to believe this was a good program.

It is chilling that we are raising a generation of citizens who believe it is their right to mandate the appropriate views that other citizens should have. It's a formula for totalitarianism.



## 7 – How Colleges Get Rid of Conservative Admins: An Example From UNC

When Christ West accepted an administrative position at the University of North Carolina at Chapel Hill, friends warned him that I would not fit in as a conservative. He dismissed their concerns as hyperbole, an instance of believing universities are more politicized than they actually are.

After eight long months, however, Chris had to admit that they were right. The political atmosphere in the college bureaucracy does not tolerate political disagreement and is overwhelmingly left-leaning. Per Chris:

Administrators keep large universities running and help students access the extra services for which they pay. University staff handle finances, work in human resources, or, in my case, serve as program administrators. Most of my job was focused on marketing events and making sure vendors get paid. I would do the small behind-the-scenes work that keeps a program running.

Though those basic duties are non-political, the office environment can be anything but.

That point was brought home to me when, one day, my supervisor walked into my office and said, "I just can't stand you anymore. You don't fit in here and you don't even seem to realize it." I was dumbfounded.

She expressed concern with my general demeanor and my desire to take classes—which is an employee benefit at all UNC system campuses. Nor was it the first time she admonished me for enrolling in classes, advising that it would be "better for the department" and those I worked with if I waited until I had more experience in my job to take classes.

She refused to cite any specific issues with my job performance, even after three meetings between herself and my program director. Additionally, she reprimanded me for attending a meal with a visiting lecturer—which the department offers as a benefit to faculty and staff—and warned me that I needed to "learn my place."

Of greater concern, she took issue with me talking to students about my religious and political views and threatened to have me removed from my job if she got another complaint that I shared my views.

What few conversations I had with students were with friends after work or at events specifically designed to foster dialogue on campus. Just a few weeks prior to that conversation with my supervisor, the program I coordinated partnered with the Listen First Project and Living Room Conversations to host an event to encourage healthy dialogue among the campus community. She would never specify what was said or done to cause an issue, so I am still not sure if any complaints about me were actually made.

Talking politics or religion is not generally good practice at work, especially when holding a view that contradicts majority opinion. I was always very cautious about who I would share my views with, though no one is shy about sharing their opinions and beliefs at Chapel Hill.

If a student or coworker would ask me directly, I was happy to share my beliefs with them. As a Christian and seminarian, I am very open about my faith and was approached about it twice by curious students, who spoke with other students I knew. At one point, I even had two students commend me for my neutrality on an issue.

#### Another Flashpoint Was Offering Support to a Campus Student Group

Having been actively involved with Young Americans for Liberty (YAL) as an undergrad, I connected with Chapel Hill YAL students and offered to be their advisor, thinking it a good way to give back and contribute to the intellectual community on campus. To my supervisor, doing so was apparently too much to tolerate. She claimed that being YAL's advisor would cause the UnKoch My Campus movement to criticize our department.

Our program maintained a politically neutral stance and had this reputation on campus, something of which the program director and students were particularly proud. To truly remain politically neutral, however, workers need an environment where they are not pressured by supervisors to believe or not believe certain things. Political neutrality isn't only refusing to endorse political candidates. It also involves accepting political differences and respecting others.

While at Chapel Hill, for example, my department hosted a series of speakers who shared the belief that gender does not exist. Grad students would often wear shirts expressing support for Bernie Sanders and Hillary Clinton when tutoring students or at events. Professors would make outlandish comments to students about how awful Republicans or conservatives are. I sat in on two sessions of a graduate course in the department and, during both of them, the professor made blatantly political asides such as "some people are just thoughtless or vile. Remember, people voted for Ben Sasse."

Chapel Hill does not actually insist on neutrality; instead, it favors the expression of liberal and progressive views and disapproves of anything else.

Other administrators were also quick to share their political opinions. After the death of David Koch, a coworker made a joke about how they were celebrating the death of "such an evil, despicable old bastard" and invited me to join. Students walking down the hall laughed; "Hell yeah," one student said.

A strong insistence on political neutrality while in the office would be just. Many workplaces don't approve of political discussion during business hours, and Chapel Hill serves students and professors who shouldn't feel pressured to think one way or another. However, Chapel Hill's administrators do not insist on political neutrality at the university. They do not even see it as a norm that is desirable.

My problem wasn't unique to my department. When I talked with my program director and others in the appropriate chain of authority, nobody wanted to get involved. The bureaucratic culture at Chapel

Hill does not actually insist on neutrality; instead, it favors the expression of liberal and progressive views and disapproves of anything else.

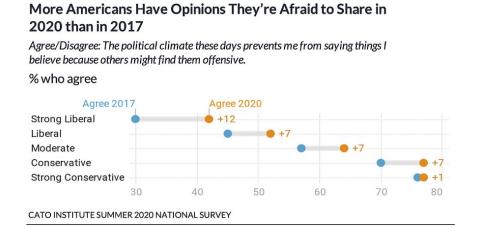
I was not alone in my experiences. I heard stories from students and administrators about how they were made uncomfortable and excluded for their beliefs. One student said the journalism school staff could be just as callous, citing a time when an administrator was worried about the student's journalistic ethics because she wanted to intern for a conservative news outlet.

#### We Are Better Than This—Our Public Universities Should Be Too

Even with First Amendment protections guaranteed by the North Carolina Free Speech Law (State Law 2017-196), campuses can still be restrictive and harmful to intellectual pursuits on campus. As pointed out in a Martin Center article, there is still work to be done on campus.

Shortly after my conversation with my supervisor and program director, I resigned from UNC. Upon leaving, I confronted this supervisor about how her words affected me, to which she was short and vapidly apologetic. She refused to acknowledge that she was out of bounds. "We are just administration. To them [faculty], we are just holding the purse strings and in their way," she said. "Nobody wants to hear our opinions or thoughts."

Perhaps she is right. Yet it is clear that Chapel Hill will let some opinions be, while others will be pushed off campus.





## 8 – Why So Few Conservative Student Clubs? Faculty Are Unwilling to Sponsor Them!

Conservative students across the country are facing difficulty when they attempt to start a right-leaning student organization on campus due to a lack of faculty members willing to serve as the advisor.

Students at Texas A&M, University of Arkansas, and Miami Dade College report being unable to find faculty advisors for their clubs. One student told 'Campus Reform' about 'openly conservative faculty being intimidated, demoted, and mistreated by the deans of their respective schools due to ideological differences.'

Most universities require prospective student organizations to obtain a faculty advisor before the school will consider recognizing the organization as an official on-campus club. Texas A&M University, for example, requires every "recognized" student organization to have a faculty or staff advisor.

Campus Reform spoke to TAMU senior Cristina Bills who hoped to start a Young Women for America chapter on campus but was unsuccessful because she was unable to find a willing faculty member to serve as the club's advisor.

"As conservative women we wanted to start a Young Women for America chapter here on campus at Texas A&M. To be affiliated with campus, we needed a campus advisor to be over our organization. Sadly, we could not find a professor or faculty member that wanted to be affiliated with us," Bills said.

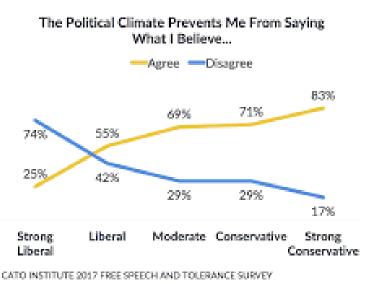
Bills admitted that she and her fellow officers searched for a faculty member for nearly six months before deciding to end the search and host the club's meetings off-campus instead. "Just because of our beliefs we couldn't start the organization on campus, yet other left-winged organizations can and have advisors," she told Campus Reform.

The University of Arkansas also requires that student organizations acquire a faculty advisor before being officially recognized by the university.

Junior Addison Pummill is the founder and president of the Network of Enlightened Women chapter at the University of Arkansas. She told Campus Reform that the "huge lack of conservative professors" at her university makes it "impossible" for her new club to meet the faculty advisor requirement.

#### It's Difficult to Find Conservative Faculty and Staff on Campus

**Political Views** 



## believe because others might find them offensive.

Agree/Disagree: The political climate these days prevents me from saying things I

Strongly Liberal College Students Most Willing to Share

Addison Pummill is a Campus Reform correspondent at the University of Arkansas where junior Nate Harris told Campus Reform that it is "difficult" to find conservative faculty and staff on campus.

"It seems that there are only a few conservative professors present on the campus," Harris said. Even if a prospective club's founders find a conservative-leaning professor, there are still obstacles to overcome, according to Pummill. "Unfortunately, the rare conservative professor cannot take on another club because they are already the faculty advisor for too many other clubs," she said.

Harris echoed this when he told the Campus Reform correspondent that "vocal conservative" faculty members are "typically advising multiple groups and have little time for new conservative groups."

Providing a hypothesis for why this is the case, Harris revealed that there is an "effort to drive out the conservative faculty members. There are accounts of openly conservative faculty being intimidated, demoted, and mistreated by the deans of their respective schools due to ideological differences," Harris said.

"This reality is disheartening and a barrier to political engagement at the University of Arkansas. The administration seems devoted to promoting 'diversity' but not intellectual diversity," he continued. "Sadly, it seems that the administration will go on with business as usual in promoting a liberal agenda as well as continually making it difficult for conservative groups to form without impediments."

"Without a more politically diverse faculty, there is no hope for conservative students to spread their ideas, educate their peers, and be involved on campus," Pummill told Campus Reform. The American Council of Trustees and Alumni echoed Pummill's sentiment in a statement to Campus Reform.

"Unfortunately, on most campuses, conservative faculty and administrators are on the verge of extinction," the statement read. "While one's political beliefs should never be the basis for hiring decisions, institutions must address when students do not have equal access to educational opportunities."

Sophomore Cristen Lameira who is a Campus Reform correspondent attempting to start a Turning Point USA chapter at Miami Dade College Kendall Campus but is also having a hard time finding an advisor. She told Campus Reform that she is facing difficulty because "professors are afraid to lose their job if they are associated with political activist organizations like TPUSA."

If Lameira does not find a faculty member willing to serve as advisor to her new club by September 24, she will be forced to "dismantle" her goal of starting the organization on campus.

Campus Reform spoke to TAMU senior Cristina Bills who hoped to start a Young Women for America chapter on campus but was unsuccessful because she was unable to find a willing faculty member to serve as the club's advisor.

In spite of the difficulties conservative students are facing on-campus, Bills offered a positive outlook on the situation to Campus Reform. "Despite these hardships, we must keep up the good fight & be strong in our beliefs & know that they are true through these crazy times!," Bills concluded to Campus Reform.



### 9 – How Heterodox Is Your University?

The Heterodox Academy ratings reveal the good, the bad and the ugly about the intellectual diversity on 150 leading campuses and published a rating of the intellectual diversity and free speech friendliness of 150 of America's more prominent universities and colleges. The goal of the Heterodox Academy group is to find "ways of improving the academy by enhancing viewpoint diversity and the conditions that encourage free inquiry." The founding academicians of the Heterodox Academy all endorse this statement:

"University life requires that people with diverse viewpoints and perspectives encounter each other in an environment where they feel free to speak up and challenge each other. I am concerned that many academic fields and universities currently lack sufficient viewpoint diversity—particularly political diversity. I will support viewpoint diversity in my academic field, my university, my department, and my classroom."

#### Why Does This Matter?

Most people know that professors in America, and in most countries, generally vote for left-leaning parties and policies. But few people realize just how fast things have changed since the 1990s. An academic field that leans left (or right) can still function, as long as ideological claims or politically motivated research is sure to be challenged.

But when a field goes from leaning left to being entirely on the left, the normal safeguards of peer review and institutionalized disconfirmation break down. Research on politically controversial topics becomes unreliable because politically favored conclusions receive less-than-normal scrutiny while politically incorrect findings must scale mountains of motivated and hostile reasoning from reviewers and editors.

When it comes to measuring the true quality of a learning institution, conventional measures of academic quality are relatively useless if the intellectual life of the university is skewed in a manner that (intentionally or unintentionally) suppresses unfashionable ideas and alternative points of view.

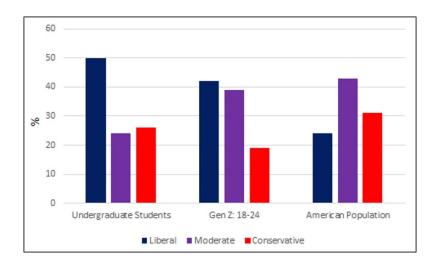
Countering campus "groupthink" is part of what led to the creation of Heterodox Academy. "When nearly everyone in a field shares the same political orientation, certain ideas become orthodoxy, dissent is discouraged, and errors can go unchallenged," they write.

#### President Roth Calls on Universities to Promote Intellectual Diversity

On May 11, 2017, Wesleyan President Michael Roth's statement about heterodoxy was published in *The Wall Street Journal* regarding the need for colleges and universities to proactively cultivate intellectual diversity on campus. While student protests over controversial speakers have dominated headlines of late, he writes:

The issue, however, isn't whether the occasional conservative, libertarian or religious speaker gets a chance to speak. That is tolerance, an appeal to civility and fairness, but it doesn't take us far enough. To create deeper intellectual and political diversity, we need an affirmative-action program for the full range of conservative ideas and traditions, because on too many of our campuses they seldom get the sustained, scholarly attention that they deserve.

Our present political circumstances should not prevent us from engaging with a variety of conservative, religious, and libertarian modes of thinking, just as they shouldn't prevent us from engaging with modes of thinking organized under the banner of progressivism or critical theory. Such engagement might actually lead to greater understanding among those who disagree politically, and it might also allow for more robust critical and creative thinking about our histories, our present and the possibilities for the future.





## 10 – Why Today's Students Are Less Tolerant Than Before

The resurgence of influence of Herbert Marcuse's New Left, who argued in the 1960s that true "liberating" tolerance requires suppressing all non-progressive voices is problematic with Millennials and college students. Dr. April Kelly-Woessner shows the big split in American opinion on matters of free speech: Millennials and college students embrace Marcusian ideals much more than did previous generations, and it is this moralistic illiberalism that leads to the witch-hunts and ultimatums that are sweeping across American college campuses since Halloween 2015.

When Samuel Stouffer first wrote on political tolerance during the McCarthy era, he concluded that Americans were generally an intolerant bunch. Yet, finding that younger people were more tolerant than their parents, he also concluded that Americans would become more and more tolerant over time, due to generational replacement and increases in education.

However, Stouffer did not predict the rise of the New Left, which has reframed our collective notions about free expression, resulting in a significant decline in political tolerance among America's youth. Two months after Kelly-Woessner posted an essay confirming this bias, Pew research published strong confirmation of her argument: 40% of Millennials OK with limiting speech offensive to minorities.

Kelly-Woessner develops the argument from Stanley Rothman's last book, *The End of the Experiment*, (Rothman, Nagai, Maranto, and Woessner, 2015) that Millennials are less politically tolerant than their parents and her findings are outlined below.

#### **Millennials Are Less Politically Tolerant Than Their Parents**

First, Kelly-Woessner makes the case that young people are less politically tolerant than their parents' generation and that this marks a clear reversal of the trends observed by social scientists for the past 60 years. Political tolerance is generally defined as the willingness to extend civil liberties and basic democratic rights to members of unpopular groups.

That is, in order to be tolerant, one must recognize the rights of one's political enemies to fully participate in the democratic process. Typically, this is measured by asking people whether they will

allow members of unpopular groups, or groups they dislike, to exercise political rights, such as giving a public talk, teaching college, or having their books on loan in public libraries.

Americans have not, in fact, become more tolerant. Rather, they have shifted their dislike to new groups. For example, "Muslim clergymen who preach hatred against the United States" are now the least liked group included in the General Social Survey (GSS), followed by people who believe that "blacks are genetically inferior." Most importantly, compared to those in their 40s, people in their 30s and 20s actually show lower tolerance towards these groups.

According to the 2012 GSS, people in their 40s are the most tolerant of Muslim clergymen who preach anti-American hatred: 43% say a member of this group should not be allowed to give a public speech in their community. Among people in their 30s, the number who would prohibit this group from speaking climbs to 52%, and for those in their 20s it jumps to 60%.

Young people are also less tolerant than the middle aged groups toward militarists, communists, and racists. This is not true for tolerance towards homosexuals or atheists, because younger people simply like these groups more. (Political tolerance is not a measure of liking someone, but the willingness to extend political freedoms to those one dislikes).

Second, Kelly-Woessner argues that youthful intolerance is driven by different factors than old fashioned intolerance, and that this change reflects the ideology of the New Left. Herbert Marcuse considered "The Father of the New Left," articulates a philosophy that denies political expression to those who would oppose today's progressive social agenda. In his 1965 essay "Repressive Tolerance," Marcuse (1965) writes, "Tolerance is extended to policies, conditions, and modes of behavior which should not be tolerated because they are impeding, if not destroying, the chances of creating an existence without fear and misery. This sort of tolerance strengthens the tyranny of the majority against which authentic liberals protested... Liberating tolerance, then, would mean intolerance against movements from the Right and toleration of movements from the Left."

#### The Orwellian Argument of Liberating Tolerance

The idea of "liberating tolerance" then is one in which ideas that the left deems to be intolerant are suppressed. It is an Orwellian argument for an "intolerance of intolerance," and it appears to be gaining traction in recent years, reshaping our commitments to free speech, academic freedom, and basic democratic norms.

If we look only at people under the age of 40, intolerance is correlated with a "social justice" orientation. That is, I find that people who believe that the government has a responsibility to help poor people and blacks get ahead are also less tolerant. Importantly, this is true even when we look at tolerance towards groups other than blacks. For people over 40, there is no relationship between social justice attitudes and tolerance. I argue that this difference reflects a shift from values of classical liberalism to the New Left.

For older generations, support for social justice does not require a rejection of free speech. Thus, this tension between leftist social views and political tolerance is something new.

Third, Kelly-Woessner states that intolerance itself is being reclassified as a social good. For six decades, social scientists have almost universally treated intolerance as a negative social disease. Yet now that liberties are surrendered for equality rather than security, the Left seems less concerned about the harmful effects of intolerance. In fact, they have reframed the concept altogether. For example, political

scientist Allison Harell (2010) uses the term "multicultural tolerance," which she defines as the willingness to "support speech rights for objectionable groups" but not for "groups that promote hatred."

In other words, multicultural tolerance allows individuals to limit the rights of political opponents, so long as they frame their intolerance in terms of protecting others from hate. This is what Marcuse refers to as "liberating tolerance."

In fact, the idea that one should be "intolerant of intolerance" has taken hold on many college campuses, as exemplified through speech codes, civility codes, and broad, sweeping policies on harassment and discrimination. Students now frequently lead protests and bans on campus speakers whom they believe promote hate.

While this may have the effect of creating seemingly more civil spaces, it has negative consequences. In fact, tolerance for all groups is positively correlated. It is not simply the fact that leftists oppose the expression of right-wing groups. Rather, those who are intolerant of one group tend to be intolerant of others and of political communication in general.

When colleges fail to represent the full measure of political ideas, students are less likely to learn to tolerate those unlike themselves. This combined with the New Left's legacy of "liberating tolerance," creates an environment that values anger and orthodoxy over inquiry, debate and viewpoint diversity.





## 11 – The Unabridged Leftist Abuses and Bias on Campus List

If an increasingly left-leaning academy is staffed by people who are increasingly hostile to conservatives, then we can expect that their concepts will shift, in ways that will help them and their allies (e.g., university administrators) to prosecute and condemn conservatives. We can expect academic concepts to "creep" in ways that increase the number of victims and the damages those victims suffer, and in ways that make it ever harder for anyone to defend themselves against ugly moral charges.

The following list is provided by the Leadership Institute's Campus Reform college news network as part of their Campus Leadership Program that recruits and trains college activists and leaders for successful participation in the public policy process.

## Leftist Control on Campus:

- Overwhelmingly leftist faculty.
- Overwhelmingly leftist administrators who actively suppress conservative activities and refuse to address grievances from students who suffer persecution for their conservative beliefs.
- Leftist domination of most student government associations.
- Leftist domination of "student courts" which decide issues regarding student government actions and persecute students for activities on behalf of conservative principles.
- Refusal of leftist administrators to hold leftist students to the same standards that conservative students are held to.
- The use of extralegal tribunals to prosecute cases of sexual violence instead of encouraging students to seek out law enforcement.

### Leftist Indoctrination on Campus:

• Large numbers of courses presented that explicitly in their catalog descriptions push leftist ideology, but no balance of conservative principles offered in the curriculum.

- Indoctrination of students in class by faculty who promote socialist ideas and other leftist priorities.
- Leftist faculty using their class time to preach politics instead of teaching the topic at hand.
- Faculty who express in class blatant contempt of conservative ideas.
- Assignment by faculty of one-sided textbooks and readings which systematically push leftist ideas and denigrate or ignore conservative ideas.
- Exclusion of conservative faculty from teaching courses that are requirements for graduation.
- Denial of tenure to faculty members because they are discovered to be conservatives.
- Tenure rules which give lifetime salaries to even the most incompetent leftist professors Persecution of Conservatives Students and Organizations.
- Faculty who discourage or prohibit the expression of conservative thought by students in class.
- Faculty who urge students in their classes to vote for specific leftist candidates.
- Exams that assume a leftist agenda to be correct.
- Faculty who penalize in their grades students who reveal themselves to be conservative, which sometimes delays or even prevents those students' graduation.
- Speech codes and campus rules which facilitate leftist indoctrination and clamp down on any expression of conservative opinions.
- Shouting down, shutting down, or walking out on conservative speakers.
- Refusal or long delays in granting conservative student groups recognition as official campus groups, despite the presence of many officially recognized leftist student groups.
- Student governments allotting student activity fee money overwhelmingly to leftist student groups.
- Refusal of administration to allow student groups to present conservative speakers on campus, on the basis of assumed security risk.
- Discrimination against conservative student groups which ask to reserve rooms or other campus facilities for meetings and public programs --denying them rooms, unreasonably delaying the assignment of rooms, changing the room at the last moment, or giving them the worst locations.
- Destruction, theft, or vandalization of conservative groups' property or space.
- Proliferation of leftist signs, posters, and flyers posted on bulletin boards all over campus but the immediate defacement or tearing down of comparable conservative materials.
- Leftist domination of almost all official campus newspapers, which are funded by taxpayers, compulsory student fees, or unwitting donors to the colleges and universities.
- Large numbers of leftist student organizations supported by major, national leftist organizations.
- Leftist monopolies of most journalism faculties.

- Programs which present overwhelmingly leftist off-campus speakers to the students.
- Overwhelmingly leftist speakers provided to speak to graduates and their families at graduation ceremonies.
- College and university libraries packed with leftist books and magazines but few if any books or publications which promote conservative principles.
- Compulsory freshmen orientation programs and "sensitivity training" designed by leftists to undermine traditional values.
- Mandatory seminars for students on how to have "safe sex" with little or no mention of the possibility or merits of abstinence or marriage.
- Enforced diversity in every area except for the adherence to or the teaching of conservative principles.
- Declarations of the existence of various "privileges" (white, able-bodied, Christian, etc.) and exhortations to "check" those privileges.

## **Systematic Exclusion of Conservatives:**

- Student admission procedures which deliberately weed out applicants who appear to be conservative.
- Known conservatives excluded from positions as dormitory Resident Assistants (who get free rooms) and all RAs subjected to training programs biased against traditional values.
- Graduate school practices which make it difficult or impossible for conservative graduate students to get advanced degrees which would lead to college teaching positions.
- Faculty hiring procedures which make it difficult or impossible for conservatives who manage to get advanced degrees to get teaching positions.
- Denial of salary increases to conservative faculty.
- Exclusion of conservative faculty from teaching courses that are requirements for graduation.
- Denial of tenure to faculty members because they are discovered to be conservatives.
- Tenure rules which give lifetime salaries to even the most incompetent leftist professors.

### Persecution of Conservatives Students and Organizations:

- Faculty who discourage or prohibit the expression of conservative thought by students in class.
- Faculty who urge students in their classes to vote for specific leftist candidates.
- Exams that assume a leftist agenda to be correct.
- Faculty who penalize in their grades students who reveal themselves to be conservative, which sometimes delays or even prevents those students' graduation.
- Speech codes and campus rules which facilitate leftist indoctrination and clamp down on any expression of conservative opinions.

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- Compulsory freshmen orientation programs and "sensitivity training" designed by leftists to undermine traditional values.
- Mandatory seminars for students on how to have "safe sex" with little or no mention of the possibility or merits of abstinence or marriage.
- Enforced diversity in every area except for the adherence to or the teaching of conservative principles.
- Declarations of the existence of various "privileges" (white, able-bodied, Christian, etc.) and exhortations to "check" those privileges
- Toleration of leftist slogans and advertising posted on dorm room doors but restriction and destruction of comparable conservative communications.
- Persecution of students and student organizations who are motivated by religious faith
- Ridicule of students who appear on campus in their military uniforms.

• Public support of so-called anti-fascists ("Antifa") who work to terrorize students and locals with the threat of violence.

## **Political Correctness Gone Mad:**

- Prohibition of U.S. military recruiters on campus.
- Prohibition of ROTC programs on campus.
- Violation of freedom of association through persecution of prohibition of fraternities and sororities.
- Elimination of single-sex bathrooms in dormitories or establishment of special bathrooms for the "trans-gendered."
- The creation and suggested use of so-called "pronoun guides."
- Segregated housing, usually defended on the grounds that minorities need a "safe space," that splits students up based on ethnicity or race.



## 12 – Alumni Organizations Are Pushing Back on Woke Campuses in Battle for Free Speech

When university administrations refused to step in and support censored students, alarmed alumni began to take action. A poignant example happened when Davidson College senior Maya Pillai was asked about her greatest college memory, the first-generation immigrant answered, "I don't have one."

In an August 2020 interview with the *Charlotte Observer*, Pillai, the president of Davidson's chapter of College Republicans, described her alienating college experience.

"Because of my political affiliation, it led to not having friends," said Pillai, who received a full, merit scholarship to the highly-respected North Carolina institution. "And because it led to not having friends, it led to not having a fair reputation on campus. So I've been essentially outcast due to my political views."

Pillai's work with national Republican leaders earned her a spot as an alternate delegate for the Republican National Convention in 2020. In addition, during the COVID-19 lockdowns, Pillai organized a significant and well-attended rally in Charlotte, North Carolina to urge politicians to re-open the state. Though she was proud of her work, Pillai's efforts were met with hostility from students and professors on Davidson's campus.

Multiple hit pieces were written about Pillai, published in the school's widely respected newspaper, *The Davidsonian*.

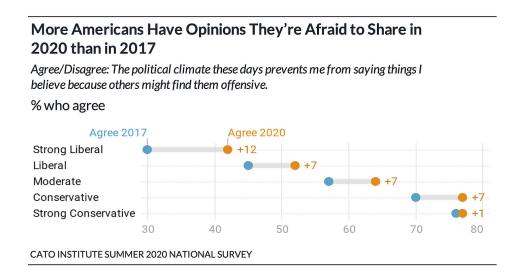
One classmate wrote that "Pillai and other Reopen protesters believe that individual lives, particularly those who are Black, Brown, disabled, fat, or low-income, are expendable for the sake of America's oppressive capitalist machine," an ironic statement, considering that Pillai herself is a first-generation minority.

Though the campus re-opened to in-person classes in fall of 2020, Pillai chose to finish her degree online because the threats she received were so severe.

"The main reason I decided to attend virtually is not entirely because of the COVID-19 outbreak, but because I am afraid of being targeted. ... If students have written these articles about me in the few

months of being off campus," said Pillali, "imagine what they will do to me *on* campus, when they see my face and see me walking around."

Pillai is not the only free-thinking student who has faced harsh discrimination at the nationally-ranked liberal arts college, and when the Davidson administration refused to step in and actively support the students, concerned members of Davidson's alumni community began to take note.



## A Grassroots Movement

Across the country, alumni at some of the nation's most prestigious universities have similarly come together to take a stand against the recent trend of blatant censorship and assaults on free speech in higher education.

At Princeton University, alumni have formed the non-profit, Princetonians for Free Speech, which aims to rally behind students and faculty members who have been "isolated, outnumbered, and exposed" for their beliefs, while simultaneously promoting academic freedom on campus. The group publishes articles on free speech at Princeton, and they have organized and sponsored events and debates on campus to further their mission.

The University of Virginia has taken a similar approach with their creation of The Jefferson Council, which hopes to preserve the type of intellectual freedom that one would expect from a university founded by Thomas Jefferson.

Though organizations such as these have taken higher education administrations by surprise, this movement started organically. As their alma maters became increasingly radical-leaning and drifted away from a focus on free inquiry, alarmed alums began to pull their financial donations, ending years of major giving. Slowly, communities were formed over these shared concerns and values, and the grassroots campaigns took flight.

## **The Guiding Principles**

The mission of these alumni organizations is largely guided by the Chicago Principles, a declaration on free expression in academia originally developed by the University of Chicago. See the Resources section for a link containing more information.

After a series of incidents that "tested institutional\_commitments to free and open discourse," the University of Chicago established the Committee on Freedom of Expression in 2014 to write a statement articulating the school's dedication to ideological diversity.

To sum up the principles and push back against ideological censorship, the committee asserted that, "debate or deliberation may not be suppressed [on campus] because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed."

Supporting the free market of ideas, the Chicago Principles stated that, "It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose."

Following the creation of the Chicago Principles, a campaign arose to get them adopted on *other* college campuses. However, it wasn't until a few years ago that their implementation became a trend. Prestigious institutions like Columbia University, Claremont McKenna College, Vanderbilt University, and most recently, the University of Virginia have all endorsed Chicago's statement, and this was accomplished with significant help from concerned alumni.

This commitment to fostering debate and deliberation is an essential part of *any* university's educational mission because it challenges students to become articulate, independent-minded, critical thinkers. Traditionally, this has been the goal of higher education. However, in today's culture, that objective has been superseded by political agendas.

In the case of Davidson College, the Davidsonians for Freedom of Thought and Discourse have been pushing for the school's adoption of the Chicago Principles since 2018. Regardless, the administration continued to strike down the request but the alumni group offers no indication of backing down.

The Davidson alums, along with so many others, are watching as their alma maters become environments that are hostile toward free inquiry and antithetical to genuine intellectual exploration. The quality education they themselves received as students is being eroded in front of them, so it's not surprising that they're using their sway as donors, leaders, and trustees to counter this deterioration.

"This whole effort is really about freedom of expression and discourse," said John E. Craig, Jr, a founding member of Davidson's alumni group. "We regard the Chicago Principles as the definitive effort."

Engaged, independent students such as Davidson's Maya Pillai deserve environments that help them explore and grow as free thinkers, and this alumni movement might have the power to restore free inquiry and discourse in American higher education.



## 13 – Alumni Organize in Defense of College Free Speech

Millions of college and university alumni around the country are dismayed by the intolerance of unpopular viewpoints at their alma maters, and now some have begun to fight back.

Alumni have organized groups at five of America's most prestigious higher-ed institutions—Cornell University, Davidson College, Princeton University, the University of Virginia, and the Washington & Lee University—to defend free speech, academic freedom, and viewpoint diversity on college campuses. Today these groups are announcing that they have joined forces under the banner of the Alumni Free Speech Alliance to launch a national effort to mobilize alumni.

"Free speech and academic freedom are critical to the advancement of knowledge and to the success of our colleges and universities," said Edward Yingling, a co-founder of the Princeton alumni group. "Yet these basic principles are under attack today at schools across the country."

National and school-specific polls show that high percentages of students and many faculty are afraid to express their views on controversial topics. In fact, discouraging numbers of students indicate in polls that free speech is not justified if certain groups find the ideas offensive. The Foundation for Individual Rights in Education (FIRE) found in a survey this year that more than 80% of students report self-censoring their viewpoints at least some of the time, with 21% saying they censor themselves often.

College administrators and boards of trustees are often too timid to push back against the culture of intolerance on their campuses. Alumni have influence with college presidents and board members, who are constantly asking for their involvement and contributions. The five groups comprising the Alumni Free Speech Alliance share the conviction that alumni can create a countervailing force to stand up for free speech. The Alliance will promote the exchange of information and best practices between its member organizations and provide assistance to alumni at other universities who wish to create free-speech organizations and join the Alliance.

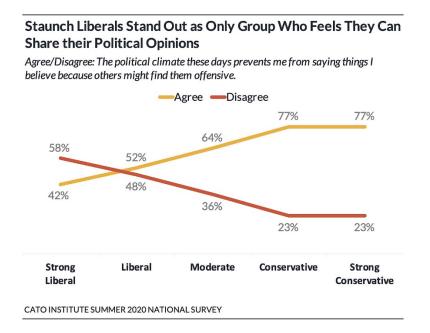
"American universities and colleges are entrusted with educating our youth to think critically, to explore all options, and to gain the skills needed for leading productive lives," said John L. Craig, president of Davidsonians for Freedom of Thought and Discourse. "This can be accomplished only in environments

where the search for truth is unfettered. The forces against campus free speech and for ideological indoctrination are entrenched, and things can change only if alumni stakeholders strike back."

"Forty years ago, Cornell was a campus that embraced freedom of speech and great viewpoint diversity but the demographics of its student body and faculty were monolithic. Today Cornell enjoys great diversity within its student body and faculty but imposes significant barriers to freedom of speech and viewpoint diversity on campus," said Kenneth P. Wolf, co-founder of the Cornell Free Speech Alliance. "Neither of these extremes support academic excellence and, in the long run, will destroy a world class institution of higher learning."

"Conservatives, and increasingly liberals, are afraid to speak against "woke" orthodoxy at the University of Virginia," said Bert Ellis, president of the Jefferson Council. "The Jefferson Council was formed to preserve the legacy of intellectual freedom at the institution Thomas Jefferson founded. Core goals include the protection of free speech, free expression, and intellectual diversity."

"Education based on victimization, grievance, and critical race theory harbors the seeds of tribalism, cultural segregation, and erasure of history," said Tom Rideout, president of the Generals Redoubt. "Conversely, education based on diversity of viewpoint and free speech promotes robust learning, the pursuit of truth, and an inclusive culture based on shared values."



## **Alumni Unite for Freedom of Speech**

By now, you should be well aware that free speech, academic freedom and viewpoint diversity are in big trouble at U.S. universities. But many of those worried over the state of campuses are almost resigned to the idea that the forces of illiberal intolerance have won. The fight is far from over. On Oct. 18, 2021, five alumni groups announced the creation of an organization to stand up for open inquiry: the Alumni Free Speech Alliance (AFSA).

AFSA's founders are groups of graduates of Cornell University, Davidson College, Princeton University (our alma mater), the University of Virginia, and Washington and Lee University. Our allied organizations are the Cornell Free Speech Alliance, Davidsonians for Freedom of Thought and Discourse, Princetonians for Free Speech, the Jefferson Council (composed of UVA alumni) and the Generals Redoubt (W&L alumni).

AFSA's member groups are nonpartisan and will protect the rights of faculty and students across the ideological spectrum. The groups will pool ideas and information as well as promote and mentor similar groups of alumni from other schools. Our goal is to ally with scores of as-yet-unformed alumni groups around the country.

Why alumni? Because with rare exceptions, everyone else may feel too exposed to attacks to take a stand against campus culture. Our experience is that the few student free-speech groups don't have many members (Princeton's has about 20). Champions of free speech among faculty are badly outnumbered, even as many left-of-center professors are starting to realize that they too can be brutally canceled by the mob. Those few students and faculty who speak up often feel isolated and exposed.

University trustees, presidents and other administrators are also usually mired in the toxic campus environment, which responds to heresy with attacks. Most have either been cowed by or genuinely believe in a woke orthodoxy that sees free speech as an inconvenient disruption.

That leaves alumni as the only university stakeholders with the numbers and clout to lead the defense of free speech, academic freedom and viewpoint diversity in campus environments. Free speech and academic freedom are fundamental to the advancement of knowledge and to the success of our colleges and universities. Will all teaching and research at these schools soon be subject to a mandated orthodoxy? Will parents keep paying to send their children places where the fundamental elements of learning are suppressed? These institutions constantly seek alumni involvement and contributions. Alumni have the ability and duty to demand that their schools maintain the reasons for which they were created. But to be effective, alumni need to organize.

In a recent 2020 survey by the Foundation for Individual Rights in Education, more than 80% of students reported self-censoring their views at least some of the time, with 21% saying they censor themselves often. The survey, of more than 37,000 college students on 159 campuses, shows growing support among students for various forms of censorship, especially of conservative speakers, with 66% of students saying that shouting down speakers on campus may be justified. Other polls report similar results.

Tolerance for free speech among faculty appears to be marginally greater, but it is in decline; and lefttilted ideological litmus tests in faculty hiring have become common while moderate and conservative professors have become scarcer.

Hundreds of articles in numerous publications have reported on the harassment, suspension and even dismissal of faculty and students for expressing opinions, many quite reasonable, that offend woke activists. Meanwhile, university presidents often do nothing, even when their schools' free-speech rules would seem to require action.

Alumni—and that may include you—must act. Our five allied alumni groups stand ready to help.

## **About the Free Speech Alliance**

Harvard Alumni for Free Speech is the eighth alumni free speech group to join the original five since the Alliance was announced on October 18, 2021. The previous new groups to join were from Bucknell, Lafayette, MIT, UNC, VMI, Wofford, and Yale. Since the announcement of the new Alumni Free Speech Alliance, we have been contacted by alumni from over 110 schools interested in forming alumni free speech groups for their schools. We anticipate that many more such groups will join the Alliance in coming months.

The Alliance brings together alumni groups that have a focus on supporting free speech, academic freedom, and viewpoint diversity at their colleges and universities. The founding members of the Alliance were alumni groups from Cornell University, Davidson College, Princeton University, the University of Virginia, and Washington & Lee University, but other alumni groups are steadily joining the cause.

Members of the Alliance believe that free speech, academic freedom, and viewpoint diversity are critical to the advancement of knowledge and to very concept of a university. Yet surveys show most students at colleges and universities have little understanding of these principles. Most students oppose free speech. See, for example, the "2021 College Free Speech Ranking" published by the Foundation for Individual Rights in Education (FIRE).

On many campuses, students and faculty are attacked for exercising free speech. According to the FIRE survey, over 80 percent of students at the schools surveyed said they self-censor in the classroom, on campus, and online.

To preserve the purpose of their institutions, alumni must become involved to make the case for free speech and academic freedom and to provide support for faculty and students who speak up on their campuses.

The Alliance provides a mechanism for the exchange of information among its members on substantive and organizational issues. A priority for the Alliance is to encourage the creation of alumni free speech groups for other colleges and universities, and the Alliance will create tools to help new alumni groups organize. We believe the number of alumni groups supporting free speech on their campuses will grow.

While members of the Alliance are alumni focused, other interested parties, such as faculty and students, may also be involved. Each of the members is different in terms of its organizational structure and activities but is committed to promoting free speech, academic freedom, and viewpoint diversity.

Listed below are the members of the Alumni Free Speech Alliance, with a click through to their websites:

- Bucknell: <u>Open Discourse Coalition</u>
- Cornell: Cornell Free Speech Alliance
- Davidson: Davidsonians for Freedom of Thought & Discourse
- Harvard: <u>Harvard Alumni for Free Speech</u>
- Lafayette: <u>Alumni/Alumnae Coalition for Lafayette</u>
- Massachusetts Institute of Technology: <u>MIT Free Speech Alliance</u>
- Princeton: Princetonians for Free Speech

- University of North Carolina: <u>UNC Free Speech Alliance</u>
- University of Virginia: The Jefferson Council
- Virginia Military Institute: The Spirit of VMI
- Washington & Lee: The Generals Redoubt
- Wofford: Alumni for the Wofford Way
- Yale: Fight for Yale's Future

## How Alumni Can Organize to Support Free Speech and Academic Freedom At Their College or University

The members of the Alumni Free Speech Alliance (AFSA) encourage alumni from other colleges and universities to form their own organizations to support free speech, academic freedom, and viewpoint diversity at their institutions. Members of the Alliance are committed to providing resources and mentoring to assist with the creation of new alumni groups.

Alumni should realize that the future of their college or university could be at stake. Free speech, academic freedom, and viewpoint diversity are critical parts of the foundation of every college and university. If these core values are lost, your college or university will lose its very reason for existence. Many institutions may already be reaching a breaking point.

On many campuses, opponents of free speech and academic freedom are well-organized, while defenders of these values are not. Students and faculty who support these values often feel isolated and intimidated and do not speak up, even when they may be a majority. An organized group of alumni can advocate for free speech and academic freedom and provide much needed support for such faculty and students.

Each alumni group in the Alliance has its own structure and operates differently, but we share many common elements. Each of us started with a few dedicated alumni but grew quickly, as other alumni rallied to the cause. While forming a new group can seem daunting at first, the Alliance will be able to assist alumni who want to create new free speech organizations. We urge interested alumni to contact us through this website.



## 14 – Restoring Free Speech on Campus

How should students and scholars respond when challenged by speech with which they disagree, or groups and speakers they disagree with and wish to cancel? The Chicago Statement (Committee on Freedom of Expression) sets forth the answer: "by openly and vigorously contesting the ideas that they oppose." Anticipating the push and pull of passionate debate, the statement sets forth important ground rules: "Debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed."

Perhaps most important, the Chicago statement makes clear that "it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive." Laura Kipnis, Alice Dreger, and Teresa Buchanan would have benefited from this frank and necessary recognition.

"Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn." – The Chicago Statement.

Since last year's report, FIRE has observed an increase in the adoption of free speech statements at colleges and universities inspired by the "Report of the Committee on Freedom of Expression" at the University of Chicago (better known as the "Chicago Statement"). As of May 2019, 63 institutions or faculty bodies have adopted or endorsed the Chicago Principles or a substantially similar policy statement.

Thousands more need to follow!

### The Chicago Statement Can Take Three Different Forms

As tracked by Foundation for Individual Rights in Education (FIRE), endorsement of the Chicago Statement may take three different forms: official adoption by a university, approval by a governing board, or endorsement by a faculty body. Additionally, to ensure campus-wide engagement with the free speech issues raised by the Chicago Statement, many institutions choose to include several other stakeholders in the process, such as the student government and other campus community members.

Backed by a strong commitment to freedom of expression and academic freedom, faculty could challenge one another, their students, and the public to consider new possibilities, without fear of reprisal. Students would no longer face punishment for exercising their right to speak out freely about the issues most important to them.

Instead of learning that voicing one's opinions invites silencing, students would be taught that spirited debate is a vital necessity for the advancement of knowledge. And they would be taught that the proper response to ideas they oppose is not censorship, but argument on the merits. That, after all, is what a university is for.

Free speech and academic freedom will not protect themselves. With public reaffirmation of the necessity of free speech on campus, the current wave of censorship that threatens the continuing excellence of U.S. higher education can be repudiated, as it should be, as a transitory moment of weakness that disrespects what our institutions of higher learning must represent.

## Bolstering the Board: Trustees Are Academia's Best Hope for Reform

Two conditions are needed to effect large-scale reforms in academia: a hierarchical, top- down system of governance that can enact sweeping changes, and for that system to be controlled or heavily influenced by those outside the system.

Strong board governance provides both of those conditions. Most university boards, especially the public ones, were created by charters or statutes that placed the board fully in charge, and, remarkably, the boards legally retain much of their power. And yet, because of a variety of pressures and distortion, most boards have relinquished their rightful positions atop college and university governance.

This report is intended to operate on two levels. One is to make the case for stronger board control. Such a hierarchical system, rather than the distributed shared governance system that exists now, is necessary to effect large-scale reform. Shared governance is a sacred cow that needs to be gored.

The report also works on a more immediate, pragmatic level, providing many solutions that can be implemented individually to begin the process of reforming governance. In most situations, boards still have extensive legal authority. They merely need to exercise their existing authority to put the brakes on many of academia's excesses.

#### **Executive Summary**

Higher education is in a crisis. Its two key missions—the search for truth and service to the public—are under attack from many directions. Facts and well-tested theories that some segment of the academia community deems offensive are rejected and often replaced by wild speculations. Much of academia shows outright contempt for the nation's middle and working class. Additionally, costs have soared faster than in almost every other sector of the economy.

In such a scenario, the first place to look is governance policies and practices. An examination of such practices reveals a system of "shared governance" that is guaranteed to prevent bold leadership at the top. Furthermore, shared governance and other academic cultural practices that give authority to mid-level individual employees prevent almost any attempt to right the ship of institutional state.

Reform cannot be expected to happen in a broad-based, organic fashion from within. The incentives are such that those who see the need for reform put their careers in peril for speaking out. The psychological phenomenon known as "groupthink" is creating a dangerous uniformity in many departments and disciplines.

Two conditions are needed to effect large-scale reforms in academia: a hierarchical, top- down system of governance that can enact sweeping changes, and for that system to be controlled or heavily influenced by those outside the system. Strong board governance provides both of those conditions. Most university boards, especially the public ones, were created by charters or statutes that placed the board fully in charge, and, remarkably, the boards legally retain much of their power. And yet, because of a variety of pressures and distortion, most boards have relinquished their rightful positions atop college and university governance.

This report is intended to operate on two levels. One is to make the case for stronger board control. Such a hierarchical system, rather than the distributed shared governance system that exists now, is necessary to effect large-scale reform. Shared governance is a sacred cow that needs to be gored.

The report also works on a more immediate, pragmatic level, providing many solutions that can be implemented individually to begin the process of reforming governance. In most situations, boards still have extensive legal authority. They merely need to exercise their existing authority to put the brakes on many of academia's excesses.

#### Introduction

Higher education is approaching an existential crisis. It is in danger of rejecting its most fundamental value, the search for truth, and replacing it with political dogma and opportunistic careerism.1 Other problems abound, but none so serious as this one.

Indeed, in many departments on many campuses—even on campuses that seem well-ordered—the spirit of free inquiry is under attack. Irrational theories, such as the belief that race and gender are mere social constructs, are proliferating. Political correctness and corporate and government money are distorting scientific exploration. Many departments are dominated by adherents of fundamentally flawed philosophies, such as French post-modernism or communism. Disturbed or hostile individuals are routinely hired, while conservative scholars "need not apply" to many departments. On occasion, even political liberals who express moderate views in public are hounded out of their jobs; one widely publicized incident occurred in 2018 at Evergreen State University when a liberal biology professor, Bret Weinstein, was forced to resign because of harassment from students after he refused to leave campus on a specified "day of absence" for white people.2

Certainly, much of academia is still functioning at high levels, in technological research and STEM (science, technology, engineering, and mathematics) education, for instance. But the continued success of some programs merely provides cover for the erosion of standards and quality elsewhere in the Ivory Tower. In much of the humanities and social sciences, political dogma has already replaced objective inquiry. In some schools of education, for example, science is considered dependent upon the background of the individual instead of having universal principles for all, with indigenous myths considered equal to rigorous research methods.

It is still possible to get an excellent education at many universities, even in the humanities. But it is not likely to happen by chance; either a student must be intensely focused on a career path in the financial or empirical fields, or he or she will need considerable guidance and awareness to make it through the maze of nonsense. And the maze is getting increasingly difficult to maneuver.

Even traditional safeguards put in place to maintain standards of inquiry are failing, as revealed by the "Sokal-squared" controversy, in which highly reputable peer-reviewed journals in the social sciences were fooled by deliberately contrived nonsense and published it as if it was important scholarship.3 This collapse of intellectual standards is even starting to make inroads into the physical sciences.4

How can this be happening in plain sight, without spurring a massive campaign for reform?

In a well-run higher education system based on the honest pursuit of truth, the marketplace of ideas would permit critics to attack, refute, and even satirize such ideas. The worst theories would be prevented from gaining even a tiny foothold; the rest would be condemned to some musty little corner while more reasoned ideas displaced them. But that is not the case; the free market of ideas is broken, replaced by a one-sided, dogmatic consensus.

At the heart of the problem is higher education's tradition of sharing governance functions and authority among the board, the administration, and the faculty.

The reason is that the governance of academia has become almost terminally sclerotic and selfinterested; academic leaders simply cannot, or will not, respond to these destructive trends. The results are appalling. For example, in 2012 the English department at the University of North Carolina-Wilmington hired a professor instead of 100 other applicants whose scholarship largely consisted of vulgar poems dedicated to pornographic film stars, nonsense rhymes, profane X-rated ruminations made in Toronto strip clubs, and a dissertation about hip-hop music.

It may be that much of higher education is beyond reform. Having the will to reform is imperative; without that, nothing will drive change. Most elite private schools appear to have reached the point of no return. They are insulated from change by large endowments, tradition, and terminal groupthink; the politicization has metastasized, and only some unforeseen act of creative destruction will cause a reversal.

The same is true of public universities in states with large left-leaning majorities, where the radicalization is a valid expression of the popular will.

The potential for reform exists elsewhere: at public universities in states with majorities that want their educational institutions to remain open to a diversity of viewpoints and at private schools that are highly subject to market forces. If neither of those sectors improve their governance policies in the near future, they, too, may be lost. If that is the case, again, what can be done?

One possibility—and the easiest—is creating privately funded independent centers within universities that provide viewpoint diversity, with alternate viewpoints often expressed as a founding tenet. As stated in the "Soft Governance" section, such centers can thrive somewhat beyond the control of administrations and departments.

Otherwise, there is the solution of last resort: building new institutions—with proper governance and open inquiry explicitly stipulated in the founding documents. Those institutions should remain as free as possible from federal control. Then, let the results speak for themselves in a true marketplace of ideas.

#### Conclusion

An educational system cannot long remain antagonistic to the society it serves and is supported by unless backed by tyranny. Nor can a governance system act counter to the goals of an institution again, without tyranny.

Currently, both of these perverse situations are in ascendance in American higher education. Governance reform is the most expedient hope to reunite higher education with the American people and their ideals. The recommendations in this report are intended as a road map forward to having intellectual institutions that are aligned with the nation that created them, to where truth trumps politics, investigations into human existence are open and free, and the needs of the real people—not some pretend population born of academics' imaginations—are served.

## The American Council of Trustees and Alumni (ACTA) Leads the Way

The American Council of Trustees and Alumni (ACTA) is an independent, nonprofit organization dedicated to promoting academic excellence, academic freedom, and accountability at America's colleges and universities.

Launched in 1995, we are the only organization that works with alumni, donors, trustees, and education leaders across the United States to support liberal arts education, uphold high academic standards, safeguard the free exchange of ideas on campus, and ensure that the next generation receives an intellectually rich, high-quality college education at an affordable price.

#### What Happened to Your Alma Mater?

Is your college no longer the place you remember? Has it failed to protect free speech? Has it abandoned rigorous general education requirements? Alumni know the value of academic excellence and academic freedom—and they care about their colleges and universities. They give several billion dollars each year to their alma maters and are the largest private source of support for higher education. But writing blank checks year-after-year only enables the status quo. We help alumni reach out to faculty and university officials, structure their giving, and be effective agents for a long overdue course correction at their institutions.

#### **Colleges Need Informed and Engaged Trustees**

Academic quality, affordability, and accountability rarely happen on their own—they require exceptional leaders. And trustees are the key. They are in a unique position to be independent arbiters who can balance competing institutional demands with the public interest. They can provide a broad and fresh perspective and an openness to innovation. But they can only make this contribution if they have clear and reliable information and the resources they need—which ACTA is here to provide.

#### Guarding the Freedom to Teach, Freedom to Learn

Rational debate and the free exchange of ideas are the lifeblood of a vibrant democracy and are essential to intellectual growth. When the college community is afraid to think beyond or question popular beliefs, students cannot reach their full potential.

Today, it is a sad fact that the greatest threat to free speech comes from within the academy. Students regularly report feeling intimidated by professors, administrators, and fellow students if they question current campus orthodoxies. Meanwhile, professors fear censure from the administration if they speak out on controversial issues. Strict speech codes, bias response teams, trigger warnings, and speaker disinvitations weaken campus discourse. Students often report self-censoring their views in order not to

offend classmates. The result is an environment in which professors are not free to teach, and students are not free to learn.

Through our Free to Teach, Free to Learn campaign, the American Council of Trustees and Alumni helps institutions preserve and foster a campus culture that promotes intellectual diversity, open inquiry, and the free expression of ideas.

"We have the best university system in the world, but it is threatened by the narrowing of thought on these campuses. But for ACTA, it would be far worse. I commend you for the work you do."

-The Honorable Jeb Bush

#### For the Nation: Raising Awareness

ACTA carefully surveys students on issues of academic freedom and intellectual diversity using nationally recognized polling organizations. These studies, on both a national and state level, show an alarmingly high percentage of students who believe they must agree with their professors to get a good grade and who find the classroom a place of political indoctrination.

#### For Institutions: Advocating Strong Policies

Strong policies that protect free expression create a ripple effect across the entire campus. And fortunately for trustees and other university leaders, forming and implementing these polices is not uncharted territory. ACTA has been a leader in advocating for the adoption of the Chicago Principles on Freedom of Expression or similar policies on college campuses. Written in the 2014–15 academic year by the University of Chicago, the Chicago Principles represent the gold standard for an institutional commitment to free speech. To date, over 72 institutions of higher learning have followed Chicago's lead.

Many state and federal lawmakers are deeply concerned by the disinvitations of speakers on public university campuses, shout downs of speakers who offend campus orthodoxies, and campus policies that apply political litmus tests to student groups, curricula, and even hiring decisions. With decades of experience guiding university trustees and evaluating legislation, ACTA knows which policies are most effective at accomplishing the improvements that policymakers seek. We have provided expert testimony on numerous statewide initiatives, including most recently South Dakota Bill HB 1087, the nation's first legislation mandating protection of intellectual diversity on campus, as well as Michigan House Bills 4435 and 4436.

#### For Trustees: Providing Solutions

ACTA provides trustees with the tools they need to understand academic freedom and to take positive actions to protect and foster it. Our original research, including Guarding the Freedom to Speak, Freedom to Hear and Building a Culture of Free Expression on the American College Campus, educates trustees and university officials on today's most prominent threats to academic freedom and provides tried-and-tested methods that have enabled colleges and universities to protect free speech on their campuses. Our landmark publication, Free to Teach, Free to Learn: Understanding and Maintaining Academic Freedom in Higher Education, reports on the dangerous decline of intellectual diversity on college campuses and features key documents that shaped the modern concept of academic freedom, coupled with commentary from a wide and bipartisan roster of distinguished educators, attorneys, and policymakers.

ACTA holds conferences and events on academic freedom for higher education leaders, including our annual ATHENA Roundtable. At these events, trustees, policymakers, and higher education experts examine relevant case studies and highlight best practices that protect academic freedom.

#### For Faculty: Honoring Courage

ACTA believes that the most powerful lines of defense standing between the preservation of academic freedom and the proliferation of ideological homogeneity on campus are faculty and administrators who challenge students with new ideas and urge them to offer contrasting views. Our Heroes of Intellectual Freedom initiative celebrates the courageous university personnel who refuse to toe the line of speech codes and safe spaces. The stand these leaders make matters. They show students how to engage in robust dialogue with civility but without fear.

#### For Students: Promoting Civil Discourse

Despite reports of angry campus protests that make headlines, ACTA knows that the majority of students are hungry for close collaboration with each other and to understand the motivations of those who hold contrasting viewpoints. Through our partnership with the grassroots organization, Braver Angels, ACTA empowers university student groups to hold parliamentary style debates so that every member of the campus community can experience this type of passionate exchange. With ACTA's assistance, students learn how to hold a civil discussion with each other—by listening and asking genuine questions—and cultivate the virtues of patience, self-awareness, and empathy that result from forming a friendship across political and ideological divides.



## 15 – A 'Roadmap' for Campus Free Speech and Academic Freedom

These key tenets of free speech and freedom of expression and the ones below covered in this section can be one of many essential responsibilities and primary outcomes of a **Free Speech Alumni Ambassador (FSAA) Program.** 

"To be successful in upholding their institutional mission amid today's changing social, civic and political landscape, college leaders need a new roadmap for campus free expression," the report says. Yet instead of making a one-size-fits-all approach, it recommends a series of steps various campus constituencies should take to help their institutions arrive at healthier speech climates.

This new report from the Bipartisan Policy Center seeks to bridge the campus speech divide, arguing that talking through contentious issues is a skill set that students can and should be taught—and also that academic freedom and inclusion complement each other instead of conflict.

Campus presidents and their leadership teams, for instance, should "build confidence in a fair, consistent, and principled approach to free expression," the report says. This work cannot be "passive, or rest exclusively upon policy statements, resolutions, or guidelines," and "addressing the perceived tension between diversity, equity, inclusion, and free expression is an essential rhetorical and strategic task for campus leaders."

Task force report argues that free inquiry and inclusion are twin values, if campus groups all work to make them so.

## 'A Terrifically Useful Document'

More specifically, the report continues, "Leaders must make a case that it is possible to achieve a campus culture in which free expression helps the cause of diversity, equity, and inclusion by building student resiliency and understanding of the range of perspectives, opinions, and experiences of others; by creating opportunities for discussion about issues where students believe academic freedom, free expression, diversity, equity, and inclusion are in tension; and by fostering a sense of inclusion in an academic community of learning and inquiry."

The task force, formed last year, was chaired by Democrat Chris Gregoire, chief executive of the alliance of CEOs Challenge Seattle and former governor of Washington, and Republican Jim Douglas, executive in residence at Middlebury College and former governor of Vermont. Members included four current college and university presidents, civic leaders, a faculty member, a chief diversity officer, and a recent college graduate professionally engaged in campus speech issues.

Over the course of regular meetings throughout the year, the task force considered a range of topics assigned by the BPC, from approaches campus leaders can take to ensure wide input and buy-in, to procedures that protect free expression and guidelines for weighing in on contemporary political and social issues or expressing the value of institutional neutrality.

The report is based on the experiences of and conversations among task force members, qualitative research and news about campus speech issues, and polling and other data, such as surveys by Gallup and the Knight Foundation on college students' attitudes about campus speech.

The Bipartisan Policy Center released new data with its task force report, as well: according to a poll of more than 2,000 American adults conducted by Morning Consult on the center's behalf, 83 percent of respondents strongly or somewhat agree it's important that education institutions create environments where a diversity of viewpoints are expressed, and 63 percent have a lot or some trust that colleges and universities are an environment where people feel comfortable expressing their beliefs, thoughts, ideas and emotions about different issues.

Some 29 percent of respondents said colleges and universities are on the "wrong track" in their ability to create this kind of climate for campus speech. Fifty-nine percent said that it's very important that colleges and universities teach students the ability to converse with those with whom they disagree, and 69 percent said it's very important to teach students to think independently.

A subset of 186 respondents answered questions about their comfort level with sharing opinions about different topics in their college or university's classrooms. Of these, 72 percent said they're very or somewhat comfortable sharing views on politics in the classroom, and 77 percent are comfortable sharing views. Sixty-nine percent are comfortable sharing religious views.

Acknowledging that improving the campus speech climate is easier theorized than executed, the report recommends that presidents, in particular, use case studies and hypothetical scenarios to work through possible conflicts before they erupt on campus. Presidents should spend "leadership capital" to model free expression, viewpoint diversity and inclusion on a regular basis, and they should be ready to act with "confidence, clarity and due speed" when the inevitable campus free expression controversy occurs. This preparedness includes having "clear guidelines about what kinds of circumstances would be sufficient to trigger a formal investigation of expression by a member of the campus community," along with related policies, due process protections and timelines.

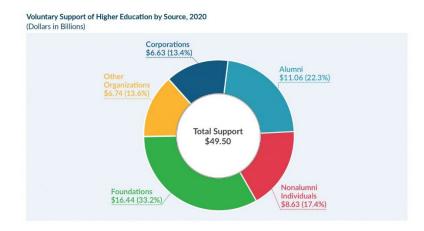
Regarding controversial campus speakers, the report distinguishes between those speakers whose views have been sanctioned by peer review or service in public office and "extremist speakers, who deny the fundamental equality of all."

In general, the report says, "guest speakers serve the campus community by bringing the opportunity to discuss and debate; controversial and academically credible speakers may serve this purpose especially well." In these cases, a thorough major events policy, including accommodations for protest and counterevents, can "forestall the use of the heckler's veto." Where legal or other factors may force a campus to host someone who clearly doesn't enrich the academic debate, "college leaders must find

ways to honor their First Amendment obligations while affirming the equality of all members of the campus community."

A **Free Speech Alumni Ambassador (FSAA) Program** can be a leader in developing these free speech task forces on campus.

## A Group Effort



Regarding student affairs, the report recommends that campus free expression be a focus of first-year orientation and formally addressed with students periodically thereafter. Task force members recommend training modules such as the First Amendment Watch at New York University and the Free Speech Project at Georgetown University, for instance. Members also recommend the OpenMind platform and Heterodox Academy's "All Minus One" booklet, among other materials, to build campus speech-related skills and habits of mind.

Task force members also encourage institutions to encourage student engagement in clubs and other organizations, to bolster student confidence and resilience. When students associate with like-minded peers, the report says, they may be more prepared for the "intellectual rough-and-tumble of the classroom and the quad, where their ideas and creeds may be questioned, and where they will study, work, and play alongside those whose experiences and identities may be very different from their own."

The report encourages students affairs professionals to make students and student groups partners in free expression programs and offerings. The document also touches on mental health services, saying that mental health supports also play a role in campus speech climates, as mental health issues "can undermine students' ability to put forward their own line of thinking confidently and to dispute ideas with which they disagree or find offensive."

Faculty members, meanwhile, should affirm the values of academic freedom and respectful disagreement to their students, build free expression and viewpoint diversity into the curriculum, and teach methodology and epistemology early in departmental curricula—in part to push back on what may be a growing student deference to or preference for firsthand or "lived" experience.

While identity and experience are "important sources of insight, we heard that students' tendency to elevate such perspectives over knowledge developed on other bases can have a deleterious impact on

classroom discourse, particularly when it comes to some of the most fraught topics of our time, such as race, class, sex, and gender—topics that are aspects of nearly every social science and humanities course," the task force wrote.

Similar to the first-year orientation suggestion for students, the task force recommends that campus free expression and academic freedom policies and philosophy be a part of new faculty orientations.

Faculty peers and faculty governance bodies can also support academic freedom by "having specific strategies in place to defend controversial research and statements within the bounds of academic standards and, in the case of extracurricular statements made as citizens, First Amendment freedoms," the report says, noting that social media has raised the profile of faculty speech while "simultaneously blurring the boundaries between speech as a faculty member and extramural speech."

The report includes recommendations for trustees and even sports coaches, as well. Working together, the task force wrote, institutions can "rejuvenate a culture of free expression."

Jacqueline Pfeffer Merrill, director of The James G. Martin Center for Academic Renewal's Campus Free Expression Project, said in an interview that "we're at a time when the country is highly polarized and people are pitted against one another, and social media encourages people being siloed." Colleges and universities therefore "really have an important civic mission to teach people to be able to have those kinds of conversations and build up the skills that they may not arrive as 18-year-olds on campus with."

While commitments to freedom of expression and commitments to diversity, equity and inclusion are "sometimes framed as pitted against one another," she said, it's also up to campus leaders to show that "free expression is ultimately a liberalizing and inclusive force."

A **Free Speech Alumni Ambassador (FSAA) Program** can be the facilitator to help make campus free expression be a focus of first-year orientation.

# Speaking Up: A New Bill Offers Hope of Protecting Free-Speech Rights at American Universities

In the summer of 2021, North Carolina congressman Greg Murphy introduced the Campus Free Speech Restoration Act, designed to enhance free expression in American universities. Murphy's bill defines "expressive activities" to include peaceful assembly, speaking, and listening and protects them from "improperly restrictive" institutional incursions, such as speech codes, bias response teams, and "free speech zones."

That legislation of this kind might be necessary is a sad commentary on academia. But as observers of American higher education know, college is now a place where free inquiry, free speech, and intellectual growth are imperiled. Surveys show that many professors and students now self-censor for political reasons. A punitive progressivism has become dogma, and vague harassment policies, zealous students, and ideological administrators chill dissent. Laws such as Murphy's can help, but it's vital to get the details right.

Public universities, legally subject to the First Amendment, get away with unconstitutional practices when authorities fail to respect and enforce the law. This is because no constitutional provision is self-enforcing. To give it effect, an injured party must sue a school. But after filing suit, that party often endures years of "lawfare"—stonewalling, appeals, trials, re-trials, and remands—that public

universities, with taxpayer funds and lawyers at their disposal, greet with a yawn. All too often, individual lawsuits against universities are simply pebbles thrown against the citadel.

Murphy's bill addresses this problem with two innovations. First, it authorizes the Department of Education to condition Title IV federal funding on First Amendment compliance at public schools. While the bill does not specify how this would be implemented, it could easily appear alongside longstanding requirements in each school's Program Participation Agreement, which requires that institutions refrain from discriminating based on race and sex. The condition could also be the subject of an independent, annual certificate of compliance filed separately by the school with the Department of Education. The certification would force schools to document their efforts to protect free expression and to record where and when it was threatened—whether in "shout-downs," intimidation of speakers resulting in rescinded invitations or canceled lectures—and to list measures taken to prevent such events from recurring.

Second, the bill creates a new position in the Education Department to oversee the status of free speech on campus and to enforce the First Amendment there, independent of time-consuming and expensive litigation. This official would investigate credible complaints of First Amendment threats and would be authorized to impose penalties in the event of noncompliance.

(The bill also conditions Title IV funding for private universities on disclosure and enforcement of freespeech policies. This imposition is less demanding since private schools are not bound by the First Amendment.)

While the bill is a good start, practical questions remain. Since the Department of Education's finding of noncompliance would remain reviewable by a court, does the bill's new federal review simply impose an extra bureaucratic layer on complainants? Won't this new Education Department official inevitably follow the policies of the administration in power? And, given that schools often cave soon after a complaint is filed by withdrawing contested policies—only to reintroduce the policies at a later date— how will the law prevent backsliding?

Modifications to the bill could account for some of these concerns. The legislation could further empower the Education Department position to conduct random audits on campuses to ensure that a school's culture, policies, and enforcement practices are First Amendment—friendly. The new office need not wait passively to receive complaints, but instead, like health and safety agencies, should proactively inspect premises to prevent injury.

The bill could also authorize the official to enjoin the problematic policy or action when a complaint makes a reasonable case of a likely violation. The burden of proof at this early stage would be intentionally low—in favor of the complaint and of free expression. This would help level the "lawfare" playing field, signal the importance of the First Amendment in the academic setting, and recognize the reality that institutions of higher learning no longer deserve the benefit of the doubt on speech issues.

Finally, the bill should require the Department of Education to notify a school's regents or trustees of any complaint, investigation, or injunction, as well as the associated costs. The board can then communicate with the general assembly to deduct such costs from the school's annual appropriations, which would, of course, be refunded or re-appropriated should a final judgment exonerate the school.

Taken together, these provisions would ensure that the institution bears the cost of likely constitutional violations—not the individual and not the taxpayers. More could be said about required elements for

injunctive relief and about finding the right person to fill this new position. But with time and some tinkering, Murphy's legislation could be an important step toward rescuing American higher education.

Like the other proposed solutions in this section that address the freedom of speech and expression suppression taking place throughout America's educational institutions, the **Free Speech Alumni Ambassador (FSAA) Program** can be the catalyst to help make them happen.



## **Resources**

Alumni Free Speech Alliance (AFSA): <u>https://alumnifreespeechalliance.com/</u>

Alumni Withhold Donations, Demand Colleges Enforce Free Speech *Wall Street Journal* 11-30-21 <u>https://dftdunite.org/alumni-withhold-donations-demand-colleges-enforce-free-speech</u>

American Council of Trustees and Alumni (ACTA): https://www.goacta.org/issues/academic-freedom/

Bolstering the Board: Trustees Are Academia's Best Hope for Reform. Jay Schalin James G. Martin Center for Academic Renewal. July 14, 2020. <u>https://www.jamesgmartin.center/2020/07/bolstering-the-board-trustees-are-academias-best-hope-for-reform/</u>

Chicago Statement on Freedom of Expression: <u>https://www.thefire.org/research-learn/adopting-chicago-statement</u>

College Free Speech Rankings – 2021 (FIRE, RealClearEducation and College Pulse): <u>https://reports.collegepulse.com/college-free-speech-rankings-2021</u>

Cooper, Brett: Is an ambassador and independent content creator for both PragerU and Turning Point USA, and she is Content Manager and a writer for Unwoke Narrative.

Dallmeyer, McKenna: Is a Virginia Senior Campus Correspondent, reporting on liberal bias and abuse for Campus Reform.

Declaration of Principles (American Association of University Professors, 1915): https://www.aaup.org/NR/rdonlyres/A6520A9D-0A9A-47B3-B550-C006B5B224E7/0/1915Declaration.pdf

Flaherty, Colleen. A 'Roadmap' for Campus Speech. Inside Higher Education. December 1, 2021. https://www.insidehighered.com/news/2021/12/01/new-road-map-campus-speech

How Alumni Can Organize to Support Free Speech and Academic Freedom At Their College or University Alumni Free Speech Alliance 6/3/22 <u>https://alumnifreespeechalliance.com/</u>

Kalven Report (University of Chicago, 1967): https://provost.uchicago.edu/sites/default/files/documents/reports/KalvenRprt\_0.pdf Kaufmann, Eric. A Necessary Intervention. City Journal. March 4, 2021. <u>https://www.city-journal.org/govt-must-regulate-universities-to-protect-free-speech</u>

Manning, Teresa R. A New Bill Offers Hope of Protecting Free-Speech Rights at American Universities. City Journal. September 22, 2021. <u>https://www.city-journal.org/can-legislation-protect-free-speech-on-</u> <u>campus</u>

McNeilly, Mark: Is a Professor of the Practice of Marketing at the University of North Carolina, Chapel Hill's Kenan-Flagler Business School.

Merrill, Jacqueline Pfeffer: Is the director of The James G. Martin Center for Academic Renewal's Campus Free Expression Project.

Randall, David. Schools of Intellectual Freedom: Coming to a University Near You? Minding the Campus. September 28, 2022. <u>https://www.mindingthecampus.org/2022/09/28/schools-of-intellectual-freedom-coming-to-a-university-near-you/</u>

Schalin, Jay: Joined the Martin Center in August 2007and has a B.S. in computer science from Richard Stockton College in New Jersey and an M.A. in economics from the University of Delaware.

Statement of Principles on Academic Freedom and Tenure (American Association of University Professors, 1940): <u>https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure</u>

Taylor, Jr., Stuart: Co-founded the Alumni Free Speech Alliance (AFSA) and is a journalist and author of *Mismatch: How Affirmative Action Hurts Students It's Intended to Help, and Why Universities Won't Admit It.* 

The James G. Martin Center for Academic Renewal: Is a private nonprofit institute dedicated to improving higher education policy in North Carolina and across the country.

West, Chris: Is a graduate student at Duke University Divinity School and spent 2018-2019 as a Martin Center policy fellow.

Williams, Hayden; Assault by Zachary Greenberg at Berkeley: <u>https://www.youtube.com/watch?v=daN9ZWtTBIc&list=PLx8YzONmb4AvVJVryfxPiauNsWm0pFVGH&in</u> dex=2.

Woodward Report (Yale University, 1974): <u>https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale</u>

Yingling, Edward: Co-founded the Alumni Free Speech Alliance (AFSA) and is the former president and CEO of the American Bankers Association.