

Steve McGuire (00:00.142)

Radio Free Campus is brought to you by the American Council of Trustees and Alumni.

Okay, welcome to the inaugural episode of Radio Free Campus, the new podcast of the American Council of Trustees and Alumni. I'm Steve McGuire, the Paul and Karen Levy Fellow in Campus Freedom. Just to give you a bit of background about myself, I worked with ACTIV for about three years. I work on our Campus Freedom Initiative, which is a project we have that

tries to improve policies on college and university campuses around the country to create better conditions for free expression and diversity of thought on campus. Before I joined ACTA, I was a professor at Villanova University, have a PhD in political theory. I ran a center at Villanova for a while called the Matthew J. Ryan Center, where we put on events and organized discussion groups, a lot of stuff focused on.

American politics, American political thought, history of Western civilization, you know, all that sort of good stuff. And joining me on this podcast is Justin Garrison. Justin, why don't you introduce yourself?

Justin Garrison (01:15.438)

Thanks, Steve. So I'm Justin Garrison. I joined ACTA in August of 2024 and have been working with Steve. My position is a research fellow for Campus Freedom and CFI, the Campus Freedom Initiative. We've been doing some pretty exciting work about different regions of the country, as well as on big picture issues such as institutional neutrality and other components of reform that we promote and our gold standard, which we can talk about a little bit today and probably every time we have an episode.

mandatory plug every episode. That's right.

That's right. It's not the bronze standard. It's the gold standard. It's legit. And we are very serious about it. Prior to joining ACTA, I was also a professor. I worked at Roanoke College in Salem, Virginia. I still live in the Roanoke area, which is a wonderful place to be. And I taught political theory, just as you did, Steve, did a lot of work with literature and politics, things of that nature. But I've always had an interest in campus freedom. And I'm happy to be here to be a part of the organization as well as this particular

podcast that we're launching.

Awesome. Yeah, great. Definitely glad to have you here. So the way this is going to work is Justin and I are going to start out covering a couple of top stories from the past month in higher ed. And then we're going to interview somebody every month. This month our

Steve McGuire (02:33.57)

guest is going to be John Seiler of the Manhattan Institute. Many listeners might know John for the extensive investigations and research that he's done into diversity, equity and inclusion in

faculty hiring processes. And he's increasingly moved into looking at various programs other than just DEI statements, know, Provost Fellowship programs, postdoc programs, cluster hires.

as well as programs that have been funded by government agencies like the NIH that have contributed to some of the problems in terms of viewpoint diversity on campuses. So we'll be talking to John in a little bit. And then after the interview, a little bit of reflection followed by a positive and a negative story about something that we've seen in higher ed in the last month. So stay tuned for that. All right, well, first thing that we wanna talk about

This month is some things that have happened at the University of Michigan. And the most recent news, quite surprising really, is that University of Michigan's president, Santa Ono, has been announced as the sole finalist for the presidency of the University of Florida. And first, I didn't really know what to think about this. You I don't know President Ono personally. I've obviously been following the University of Michigan for a while. So, you know, I don't know what he...

feels in his heart of hearts or anything like that, but it was interesting. you know, he's clearly put himself forward for this job. There was some pushback on whether he would be a good candidate for the position, actually from the conservative side.

So this is a big moment for the University of Michigan as well as for the University of Florida. And I think that leads us to something else that we were interested in discussing in this episode. Presidents don't work alone and you can't hire yourself as a president, right? That would be a good job. But you know, in this case, the Board of Regents at the University of Michigan is going to have the responsibility of finding a successor. And the university's Board of Regents has done some phenomenal work.

Justin Garrison (04:46.048)

over the last about 18 months related to campus freedom and some of the things that you and I and ACT as well are quite interested in. As you know, but other people listening might not, the Board of Regents accepted a pretty substantial document called the University of Michigan Principles on Diversity of Thought and Freedom of Expression. And this really makes the case.

Justin Garrison (05:12.534)

that hearing different ideas, including things that you don't agree with or might not even have respect for is an essential part of being human, right? You don't want to live in an echo chamber. And that the way to work through difference is not by ignoring it or shunting it away, but by engagement, by coming up with better arguments for those arguments that you think aren't particularly persuasive. know, so that was in January. Over the summer, they worked on a pretty expressive report.

an expansive report, excuse me, looking at what culminated in September, which was the adoption of institutional neutrality, which is something that ACTA promotes. And Steve, I was

wondering, something you and I know a great deal about is kind of where we live, but other people may not. What is institutional neutrality and how did Michigan go about adopting this?

Yeah, I mean, it's a, it's something that we promote at ACTA. We've been encouraging institutions to do that and we've seen a number do it in the last year and a half or so. But, you know, basically it's the idea that institutions shouldn't take official positions on contemporary social and political issues or controversial social and political issues. And really what a university ought to be is a forum where people have different views on those things can come together and share their views and argue with one another and present research.

and conduct inquiry and that sort of thing. And the problem is that if the university through say a statement or some other action signals that it's taking a position that signals to people on campus that there's an official orthodoxy that should not be crossed. And it makes it less likely that people who have different points of view will say something. And that's a real problem too, because at university, like I was saying, you want it to be a place where people can ask questions and engage in research and engage in debate.

And of course, you know, human beings are not, you know, all knowing, even when we think we're really right. Sometimes it actually turns out we're really wrong. This has happened countless times in the history of science. And so you really want the university to maintain its integrity as a special place where people, you know, feel like they can ask questions that sort of go against the grain or buck against an orthodoxy. So

Steve McGuire (07:30.74)

know, setting up a situation where the university has clearly communicated to everybody, this is what our institution thinks on this issue. That just seems like a real problem for the nature of the university, you know, as an institution.

It kind of feels like a oxymoron or something like a contradiction. You know, we want you to be free thinkers as long as you arrive at this conclusion.

Yeah, exactly. And the Michigan one is interesting. A lot of universities have adopted the University of Chicago's Calvin Report, which is kind of the gold standard statement on institutional neutrality. University of Michigan drafted their own document. clearly has a lot in common with the Calvin Report. But you can do it either way. You can draft your own document that has your own principles built into it. You can signal that.

you're referencing the Calvin Report, or you can have a resolution that says, you know, we essentially adopt the Calvin Report or this part of it. You know, different schools have done it both ways. And Michigan's is interesting. They did their own, and it's got a lot of detail. And one thing I really like about it is that it expressly says that it doesn't just apply to, the university president or the president or the provost, but it goes all the way down to department heads or unit heads, right? So if you're a young faculty member,

in one of the departments there, say the Department of Political Science, since that's what both of us studied. Imagine you're on the tenure track, junior hire, and your chair is sending out emails saying, our department is putting forward a statement on X, and here's what we're going to say. what are your thoughts? Well, if you don't agree with the policy stance that they're taking or the political stance that they're taking, what are you going to do in that position? I think 99 % of people are just going to keep their mouths shut.

Steve McGuire (09:17.539)

maybe even pretend like they agree with it because you know you're just hoping to get through and get tenure right.

Yeah. Yeah. I mean, I think something we've got to do pretty soon, you and me, is just a whole episode on this topic because I think it's really fascinating. I think it's a really important policy move for universities and colleges to make, but there's also a lot of misinformation and disinformation out there. For anyone, you know, wonders, I know the difference. And I think both of those are accurate depending on the institution or AAUP chapter that's talking. So

And then, you know, so that was, so we got January, we've got this academic freedom statement, and then we've got the institutional neutrality adoption by the Board of Regents in September of 2024. And then they close out the year by banning DEI statements. This is something that John in a few minutes is going to give us some really interesting insights into, suspect. But they banned that in December of 2024, and then just a few months ago, make a much bigger kind of comprehensive reevaluation of their DEI programming.

That's a huge move. mean, you know this stuff better than I do, but I'm under the impression that Michigan was really at the forefront of this, spending hundreds of millions of dollars on a variety of things under this pretty big DEI umbrella. Is that right?

Yeah, hundreds of millions of dollars. Definitely, if you're wondering which

Steve McGuire (10:41.23)

universities are most responsible or most committed to DEI in the academy. University of Michigan would be one of the ones at the top. You know, I think DEI statements in particular, these statements that you would have to submit as a candidate for a faculty position saying you're committed to diversity, equity and inclusion. Those originate in California. And I think the reason that they do is because California banned affirmative action. And so conveniently, they come up with this idea of the diversity statement. And it becomes a way of sort of hunting around for

people who are from minority groups, thinking they'll signal that in some way in this statement. And then it also becomes a kind of ideological screening tool where you're looking to see if people say the right kinds of things about diversity. you have to be committed to it, but you also have to have the right kinds of commitments to it or the right kinds of thoughts about it. And so

it becomes really problematic, both from the standpoint of discrimination on the basis of things like race or maybe sex.

But also it becomes problematic in the university context in terms of discriminating on the basis of a viewpoint. And the University of Michigan, of course, is also in a state that has banned affirmative action. So, you know, I think they're probably historically have been pretty committed to these things for similar reasons. But yeah, if you were to ask me two years ago, even which university I thought might start to disband its diversity equity inclusion programs, the University of Michigan would have been

nowhere near my list. Like I would have never suggested it. And it's really remarkable, you know, led by the Regents, as you mentioned, they've just done some incredible things there. The new resolution on diversity of thought and freedom of expression, you mentioned the institutional neutrality, they commission a massive report or self study.

looking at diversity of thought on their campus and they publish it with all of these anonymous comments from people on campus, many of which were people saying that the DEI regimes got to go talking about how it's a suppressing their free speech on campus or their academic freedom. So, you know, honestly, it's just remarkable for a university even to do a study like that and then publish it. Then, you know, I think they revised their rules governing protests, which is something I think we're going to get into a bit next.

Steve McGuire (12:58.52)

but that was another big step. Another thing that act has been pushing for as have others, right? To have proper time, place and manner restrictions and actually observe them, that sort of thing. then they get rid of DEI statements and then, not just that, but they decide that they're shutting down their main DEI office and they're ceasing all sort of funding and planning under their DEI strategic plan. I mean, it's, really remarkable.

And then the most recent step, which they kind of signaled they were going to do when they took those last ones, is they're taking some of the money that they were spending on bureaucrats in this office, and they're redirecting it towards funding for students. And they're going to provide more scholarship money for students. they have a program there that I think is kind of like a college prep program for students in Michigan to sort of help them.

be ready to be competitive to get into the University of Michigan. And so they're going to be adding more to that program. And I just think that's a fantastic step because the DEI stuff, I think a lot of it's problematic from the standpoint of things like viewpoint diversity, academic freedom, but there's also increasingly studies out there that show that it doesn't really work. And in fact, a lot of the programs that DEI offices run,

they actually will increase animosities on campus or they don't contribute. At Michigan, it seems like it didn't really contribute to increasing even the number of minority students who were on campus for the most part. So you're throwing all this money at it. You're putting

bureaucrats on campus who are meddling in the work of the faculty or other aspects of the institution. And it's not really effective. It's arguably making things worse.

Why not take all that money and give it back to students, whether it's through tuition savings or through these kind of scholarship programs. I mean, it just seems like a win-win-win to me.

Justin Garrison (15:01.752)

which is why it's encountering so much faculty resistance, but I digress. You know, I know we're going to move on to another important set of stories that we've thought about over the last month as we've been putting this episode together, but you know, the Michigan Board of Regents, University of Michigan Board of Regents has a really momentous decision to make. It's going to be controversial, but I really do hope they can find someone who will continue to partner with them the way it looks like Ono has to pursue these and other necessary reforms.

Absolutely. mean, I think they should make that clear in the materials that they put forward when they're looking for a candidate that they want someone who's going to support these recent moves that they've made.

I agree. I mean, it should be explicit in the job ad. Are you interested in campus freedom? Are you interested in free expression, diversity of thought? And there should be a request to demonstrate some kind of experience with promoting that. Cause anyone can just check a box and say, yeah, sure. care about all of these things. Where's the evidence? What have you done? And I think that's the way, you know, whatever it's worth, they should go. But you wanted to bring up a couple of stories about

Yeah.

Justin Garrison (16:06.478)

unrest on campuses in the spring of 2025. We're thinking about how horrendous spring of 2024 was and are things the same, different, worse? What's going on at some of these places that we all know from the news, you know, 12 months ago?

Yeah, well, obviously last year was just historically bad. It's almost hard to understand how universities let things get so out of hand. And, you know, it was just remarkable to see them constantly fail to respond to these disruptive protests, the encampments, right? I mean, we're talking about this isn't just free speech or something like that. We're talking about vandalism. We're talking about disruption of, you know, university operations.

We're talking about health and safety issues. And we haven't even started to talk about things like anti-Semitism or discrimination and harassment or hostile environment or anything like that, which obviously are also major problems that we've seen on these campuses. And it's very disturbing. But yeah, in the last little while, you know, first of all, the number of these things has gone way down. And we saw a sort of hopefully what's a sort of last gasp attempt to set up

some of these disruptive protests or even encampments at a few places. And I think what's remarkable this time around is how quickly some of these institutions have acted to shut these things down. And then even some of the statements that they've made. And yes, I know statements are not enough. We've seen an endless number of statements over the last couple of years. The follow through is going to be important. But there was one at the University of Washington.

where the students occupied, which I think it was a brand new or recently renovated engineering building. Yeah. And they ended up doing like a million dollars worth of damage. was reported they set fires outside when the police showed up. I mean, it just crazy, crazy stuff. And, the university, you know, shut it down pretty quickly, called the police and there were a few funny scenes, with that. unfortunately the police there don't have the funding that they probably need to really handle these kinds of things.

Justin Garrison (17:57.198)
brand new.

Steve McGuire (18:20.758)
But nevertheless, they did get it shut down. They got the building cleared out, but the damage was done. And the university has very quickly announced that they condemn this and that there's going to be discipline, et cetera, et cetera. Of course, the Trump administration also announced almost immediately that they were launching an investigation into the University of Washington over this incident. But hopefully this is an example of us moving towards

a better, more common sense status quo where universities really don't tolerate this kind of stuff. Another great example is Columbia University. Of course, they had some disruptions at Barnard not so long ago, which made headlines around the country. There was one disruption at Barnard itself and then another in a library there at Columbia. But more recently, they once again went to the library.

and went up into the reading room of Butler library. I think it was about a hundred protesters. I won't say students, cause we don't know that they were all students. In fact, I'm certain that some of them were not. And, you know, they went up there and they're chanting, you know, free Palestine or from the river to the sea or whatever. And this is like during finals time, right? Like people are preparing for their, final exams. They're writing their final papers. And suddenly this reading room in the library is flooded with people yelling and screaming.

Banners are going up, vandalism. it was pretty interesting to see how Columbia handled it. They basically, they've just recently instituted this new security force on campus. And they had these people come in and they basically cleared anyone out of the library who wasn't part of the protest, or most people. There was a few who got caught in there, I think. And then they basically told all the students in this reading room who were participating in this protest, you have to show your ID.

in order to get out because they were planning to submit their names for discipline through the process. And they didn't wanna do that. So it did get a little bit dicey. There were some physical contact between some of the security and some of the students. Obviously you never wanna see that, but it shows how quickly these things can get out of hand and really how potentially.

Steve McGuire (20:34.658)

dangerous they are again. It's not just about free speech. They can express their views just not you know in this way breaking all these rules. So anyways, you know Columbia basically got this thing shut down on the night that it started. I think something like 65 people were arrested. They brought in the NYPD got them out of there. Most of them are going to be going through the the university's disciplinary process as well and acting president.

Claire Shipman delivered what I thought was one of the best statements that we've seen in the wake of one of these events in the last couple of years and said just how appalling it was. I mean, it was truly a common sense statement. I don't know why we weren't getting these. I mean, I know why, we should have been. Yeah, just higher ed in general. But anyways, it was a great statement. People are going to be subjected to discipline at the university. sounds like I hope it's severe. Some of these people probably should be expelled.

I love you, that's why.

Steve McGuire (21:30.99)

especially those who are repeat offenders, and they all know what the rules are at this point. They're doing it on purpose. hopefully, I mean, I'm not holding out any hope, but hopefully the DA actually pursues the charges this time around, because these people deserve it. They're disrupting this institution. They're violating the rights of their fellow students. They're challenging the overall integrity of the university. And it really just needs to be stopped. The signal needs to be that there is zero tolerance for this kind of behavior.

Yeah, completely agree. I've seen this in my home state, the VCU, Virginia Commonwealth University, which is in Richmond. They had their graduation. I think they graduated like 4,900 people. It's just astonishing. I taught at a small liberal arts school. So that's like twice as many people that went to the school. But some of the students that were able to participate in commencement had their degrees withheld because they're currently undergoing conduct proceedings for doing unauthorized protesting.

So there wasn't any damage per se, but they were talked to by the campus police for several hours that they needed to move because the place they were occupying was not a place where anyone could do any kind of protesting, but that there was a spot just a few hundred yards away where they could carry on and do any number of things that they wanted to do. But some of them, you know, refused to move and are going through this disciplinary procedure, you know, as a result. it seems, you know, the point isn't obviously

There will be no protests on campus. There are plenty of First Amendment reasons why on public university campuses in particular, that's not only possible and permitted, but you have to allow these things. But that a number of schools have really tightened up their time, place, manner restrictions and then enforced them. That's such a huge difference from here compared to 12 months ago.

Yeah.

Steve McGuire (23:19.628)

Yeah, absolutely. And I should mention, ACTA published last summer, an encampment guide that's available on our website that sort of details some things that trustees or university administrations can do to make sure that they have proper rules in place. Cause yeah, I think it's just critical that you have the right rules in place and then you enforce those consistently over time. And then when students break the rules and complain that you're treating them differently, you can just point to the policy and point to the history and say, no, this is our practice here. These are our policies. what's happening right now is exactly what you should have expected.

Okay, great. Well, let's get to our interview with John. So we're going to be talking to John Seiler. As I mentioned, he's a fellow with the Manhattan Institute used to work for the National Association of Scholars before that. And he's done a lot of really great reporting, a lot of it based on

public records requests that he's made either to universities or to government agencies, sort of digging in to how they use diversity, equity and inclusion and programs that rely on those kinds of criteria to hire in ways that have really not had an overall positive impact, shall we say, on colleges and universities as institutions.

Steve McGuire (24:37.304)

John, welcome to the podcast.

John Sailer

Thanks so much for having me.

That's great to have you here. So you've done a ton of research looking at the role of diversity, equity, and inclusion, or DEI in faculty hiring, a lot of it based on public records requests. So you've seen a lot from the inside, I think, through these requests about how colleges and universities go about trying to hire in ways that arguably discriminate on the basis of race or on the basis of ideology, or maybe both.

And today we want to talk to you mostly about some of your more recent research, looking at things like post-doctoral programs, as well as NIH funded programs and how those contribute to those problems. But I think most people listening, the one thing they'll be most familiar with is

the diversity statement or the DEI statement that professors who are applying for jobs are often required to submit as part of their application.

And I wanted to start just by asking you, if you could tell us based on your research, you know, how are these used in ways that do discriminate on the basis of race or ideology?

John Sailer (25:47.382)

Yeah, so to give a little context on the practice, you know, the Civil Rights Act has always had pretty strong...

restrictions on the use of race in hiring. Basically, broadly speaking, you cannot use race as a consideration in hiring, but a lot of universities for the last 40 years really have made it a goal to change the demographic makeup of their faculty, just like they've done with their student bodies. so universities have had to find ways to increase the diversity, the racial makeup.

racial diversity of their applicant pools or, you know, often they make an explicit goal to increase the diversity of the people that they hire and they've had to find sort of roundabout ways to do that. Diversity statements are that. Diversity statements, you know, when the policy first got started in really around the early 2010s, you had these universities that said basically instead of hiring on the basis of race, what we should do is hire in...

heavily way or at least require applicants to submit a statement on how they contribute to diversity, equity and inclusion through their activities. So through their research, their teaching and their service. so, you know, lingering in the background is obviously this question of whether that is actually a cover for just good old fashioned racial discrimination. And we can talk about that at some point. A short answer is that yes, it is. But

You know, this is always brought up the question of, well, if you're asking applicants to talk about how they are committed to this trifecta of nice sounding words, diversity, equity, and inclusion, what does that actually mean? Because if these words are just indicate, well, let's hire anyone. If these words just indicate treating people with respect, then.

John Sailer (27:49.11)

It hardly deserves any kind of special evaluative tool. can just say, yeah, do we really need a statement on how you ascribe to the principles of being a generally nice person? No. This is obviously, and a lot of people have made the argument that in effect, what happens with diversity statements is that universities are requiring faculty to

describe how they are committed to a substantive set of controversial ideas. And that has brought up not only the issue of racial discrimination, but also the issue of viewpoint discrimination. Now my research over the past couple of years is basically involved looking at how that plays out in practice, going into the public records showing how these statements are actually evaluated.

And I would say, broadly speaking, time and time again when I get my hands on a rubric or when I get my hands on actual evaluations of these practices, say like I did a few years ago with Texas Tech in their biology department, what you find is, put simply, these statements tend to be evaluated in a tendentious way that could usually be

qualify as some kind of viewpoint discrimination, which is why it's a big problem. It's not the only problem related to DEI and hiring, but it's a big one and I think a lot of people have seen that over the last couple of years.

Hmm.

Steve McGuire (29:18.988)

Well, we've seen a lot of movement against the use of these diversity statements, whether it's legislatures, mostly in red states, passing laws against using them in colleges and universities. In some cases, somewhat surprisingly in my view, major private universities have even said they're going to stop using them. I think MIT was the first sort of major elite private institution to say that. Harvard quickly followed. Now the University of Michigan, which we were just talking about earlier, they also are not using.

them anymore. So there does seem to be some movement against these things. on the one hand, know, how ubiquitous are they currently, you know, in higher ed in terms of their use? But also the other thing I wanted to ask you about is how confident are you that just getting rid of the diversity statements will solve the problem of getting rid of the viewpoint diversity or even the racial diverse discrimination, sorry, that is, you know, conducted by using these things? Because

Usually when these things get removed, what we see from a lot of people in higher ed is that they're upset, right? They're still committed to the ideas. They're still committed to the goals. And you get the sense that the people on the inside, whether they have the DEI statement as a requirement in the hiring process or not, are maybe still going to want to try to find ways to discriminate on the basis of viewpoint or race or other protected categories.

Yeah, so on one hand, it's a major symbolic victory for a lot of people who have been making a really important argument really about freedom of expression for the last decade. And so you have a number of people who, at a time where it was not at all popular to do so, within academia, kind of standing up and saying that these

This requirement is awfully similar to the McCarthy-era anti-communist loyalty oaths that were required of professors in places like the UC system, and that the Supreme Court pretty decisively deemed unconstitutional. And it kind of makes sense that requiring somebody to

John Sailer (31:37.774)

state their commitment to a controversial cause as a condition for employment, that runs pretty, it's easy to see how that runs contrary to the principles of free expression and it's not

hard to see how that then would run contrary to the principles kind of laid out in the First Amendment. And that's pretty much the argument. And I think that that's why it was so easy for universities to all...

especially when they came under pressure over the sort of ideological drift that more and more people have noticed over the last couple of years, it was easy to say, OK, this is one example of something that's gone too far. And I think that genuinely we have just won that argument. When university leaders come out and say that this is a step too far, I think it's probably because most of them actually think so. And I think a lot of people who call themselves DEI advocates,

or have even indicated that that might be the case. So on one hand, that's a pretty significant victory. And whenever you're talking about like a tool or a policy that gets picked up within an institution, you have to recognize that like those particular tools just give a constituency within the institution a kind of weapon to use to carry out their goals. So that tool has gone away for...

social justice advocates on hiring committees. They cannot point to diversity statements in particular as a reason to say, no, we can't hire this person. And that'll probably be to the benefit of, I think that that'll just be a good thing at any of these institutions where the policy has sort of been revoked. And there's a growing list of institutions where that's the case.

But I would say that on the other hand, it's just as easy to say, well, okay, we're not gonna hire on the basis of diversity statements, but we're to establish a criterion that looks pretty similar to what those statements were asking for. And at a certain point, it's difficult for state legislatures to...

John Sailer (33:58.51)

to really regulate that because if a hiring committee says we're going to conduct a search for a professor of STEM equity, if you come in as a legislature or even as a college president to some extent and say, you're just blanket, not allowed to hire in this area, well, that would probably create its own issues around.

censorship, its own issues around basically cutting off examination of an area of research. So yeah, I think that there are pretty obvious ways that people who are still committed to this vision for higher education, they have plenty of tools to continue to push that forward. That's why, yes, diversity statements are an important battle and an important victory.

But there's still a lot of other stuff out there to look at and that might be harder to address.

Yeah, I think a good example of that, there was a cluster hire that was posted by Hunter College not too long ago and they were hiring someone who was going to work on Middle Eastern politics or something like that. It was just obvious when you read this ad that they wanted someone who had a history of activism and somebody who thought, you know, Israel was the worst state on earth, basically. Like they had set it up in such a way that that was obviously what they were looking for. Let me hand this over to Justin now.

Justin Garrison

Thanks, Steve. John, Steve just mentioned this particular instance of hiring with an activist kind of appointment in mind. Now, one of the things that you talk about in a number of your recent writings is not as well known, I think, in the public conversation as DEI statements. talk about this postdoc pipeline, this fellow to faculty pipeline, which seems really fascinating because, you know, statements are important.

Justin Garrison (35:54.648)

but personnel may be even more important in terms of who's at the institution doing the hiring. And so, you I was really just curious if you could help me and others listening understand what's a scholar activist? I mean, when I read that the first time, I thought, well, this is just a synonym for being like a left-leaning faculty member, but it's actually a term of art that has specific components to how it's described. So was wondering if you could talk a little bit about that and...

You mentioned the UC system a moment ago, and that seems to be a real flashpoint for the of the origins of these faculty pipelines. So I was wondering if you could show us or tell us a little bit about this really important piece of the puzzle that few people besides you are talking about.

Yeah, you know, I would say one of the most pressing issues right now in higher education is this question that could be described as ideological or viewpoint diversity. you know, the policy of requiring diversity statements has an effect on viewpoint diversity essentially because it kind of creates a selection effect that weeds out people.

who might oppose the DEI orthodoxy. And if you look at the way these statements are evaluated, that's almost explicit in written policy. So there's one side of the whole system that weeds out people who might have heterodox views. But I think a bigger issue and one that, like you said, is not

maybe as well known, is that actually a lot of universities have essentially created hiring programs, hiring incentives, a substantial amount of infrastructure that goes kind of in the other direction, that creates a strong incentive to hire people who share certain ideological affinities. And I would say

John Sailer (38:07.094)

you know, the term scholar activist, the reason I use that is because we're not just talking about university professors who hold progressive, more like left-leaning or progressive opinions because, you know, by and large that's been the case of university professors for a long time. And what's being prioritized through these particular programs that I've highlighted is actually faculty who

who have a certain comportment toward their scholarship. if you would like a succinct definition of scholar activism would be, or a scholar activist would be a scholar who views their

academic work as an extension of a social or political agenda. And so for the last couple of months, I've been reporting a series on how universities, university systems,

private funders, and to some extent even the federal government have worked in tandem to create and fund a well-furnished career pathway for scholar activists. And one of the incredibly clever ways that they do this is through something called a fellow to faculty hiring. So what this basically is, you know,

This tool has been around for a long time. Universities usually to hire a professor will have departments create a search committee and the department, the search committee made up of scholars in that particular field will all conduct a competitive national search. the new professor will be hired through that sort of open competitive process.

Post-doctoral fellows are not usually hired in that kind of rigorous context. Usually a post-doctoral fellow can be hired through a non-competitive process. There are a lot of different ways for that to be done. Often, in the sciences, a post-doc might just be hired by a particular scientist who's heading up a particular lab. And so what a lot of universities have done is they have created these fellow to faculty programs where

John Sailer (40:31.662)

Fellows are hired through a non-competitive process, but then they are either guaranteed a tenure track job at the conclusion of their fellowship, or they're kind of given, they're heavily favored for a tenure track job. Now here's the kicker. About 10 years ago, a lot of universities started realizing that this was a clever way to get around university departments that might have said that they were

really committed to the cause of DEI, but didn't necessarily want to hire all of the people that the, you know, maybe a diversity officer would have liked them to hire. And this makes sense. You know, in my experience, university faculty actually are not as enthusiastic about blatant affirmative action. They're certainly not that enthusiastic about hiring

hiring people who kind of distort their discipline and try to view every part of their discipline exclusively through the lens of race and social justice. And so there's kind of this conflict between administrators and faculty. And this tool, fellow-to-faculty hiring, gives administrators the ability to sort of bypass that process whereby the faculty might

might veto their preferred candidate. So usually the administrators put out a call for a post-doctoral fellow whose work contributes to diversity in some way. This happens, in California where the UC system has just an enormous fellow to faculty program. And then once those faculty members are hired, or once those post-docs are hired, they're given, they're heavily favored for, or just given,

assurance that they'll have a tenure track position later. And it's a way to really stack the faculty in whatever direction these administrators would like to go. And if you look at the people who

are hired through these programs, through and through, it heavily leans towards scholar activism. It heavily leans towards scholars who view really the entire mission of the university in a way that's very different from what

John Sailer (42:56.576)

most people think of when they think of higher education.

It seems like a pretty radical departure from both how postdocs originated and just how departmental or how faculty hiring typically works, right? You're planning at the departmental level, you're looking at disciplinary and knowledge needs, and then you're building a case for a hire out of that. Having been on the academic job market, I got to admit it's pretty attractive to think about landing a spot that guarantees you a tenure track line. So I can see why this would be so appealing to people that are already kind of aligned.

with this scholar activist model, but in a more serious sense, this is pretty troubling in terms of really having a hiring process that aligns with what we would all hope, I think, is the overarching mission of an institution of higher education. That's really important information that you've shared with us.

John, I think you mentioned in the course of your answer there that this is sometimes funded through federal grants. And I know you've written about that as well and looked at some programs that the NIH has run. And maybe things have changed now under the new administration. But could you tell us a little bit about how the federal government has been involved in this? And I have to say it's interesting against the backdrop of some of the concerns that we're hearing now about how the federal government

is trying to influence the way that universities like Columbia and Harvard and others govern themselves. But what kind of programs was the NIH running and what sort of requirements did they have or goals did they have that contributed to the kinds of problems that you've been discussing?

John Sailer (44:42.89)

Yeah, you know, it's really funny to me to hear.

people like Chris Eisgruber at Princeton, the president of Princeton, say that it's strongly object to the federal government having influence over the way universities do things like admissions. Because if you've paid attention to the way that these federal funding behemoths have operated for the last 10 years, irrespective of the obvious regulations that have existed since

the Civil Rights Act of 1964 was passed. It's just obvious that the federal government has been doing this for a long time. What I would say is that what I described with the fellow to faculty program, there's essentially infrastructure at every step of the scholar career path that is designed to promote

demographic diversity and that for legal reasons to, you know, at the very least to give kind of a legal fig leaf, usually are couched not in explicit demographic language, but rather they're couched in the language of contributing to DEI or contributing to inclusive excellence. And so, you know, these programs in general have

used, I would say, ideological conformity as a proxy for demographic diversity. And the federal government has been heavily invested in that. And so, you know, a few years ago, I reported, wrote several pieces on the way the NIH did this through funding what's called cluster hiring. you know, this is after the postdoc stage, essentially.

John Sailer (46:44.014)

a lot of university administrators decided that one tool for promoting their hiring priorities was to conduct cross-disciplinary hires where they would say, where they'd make a call to hire 10 or 20 faculty members. And because it was across a lot of different disciplines, there was more administrative involvement, which was always helpful for administrators to ensure that their goals

are heavily enforced. And the most common operative tool used in these cluster hires was just requiring diversity statements. So the NIH, a few years ago in 2020, began a program called Faculty Institutional Recruitment for Sustainable Transformation, or FIRST, NIH FIRST.

That's a fantastic bureaucratic name.

They work backwards from the acronym, no doubt.

You know, they're really good at this. They're really good at this. You can get a lot of ungainly names by looking into these programs. So what NIH essentially did was they said, this model, this cluster hiring model, we've seen it work before to achieve the goal that we want to achieve, which they said was inclusive excellence. So we're going to give \$10 to \$20 million grants to universities to conduct their own

John Sailer (48:13.486)

cluster hires where a key requirement in evaluating faculty is submitting, that faculty submit diversity statements and that those statements are heavily weighed in the evaluation process. And so there were three rounds of grants, all of the money was given out or promised. for about a year and a half, I was paying close attention to these programs and I was

doing a lot of that FOIA work to try to figure out what was happening. So on one hand, what I found pretty early on, just by going to the public universities that were funded through this program and requesting their diversity statement evaluation rubric, is that there was pretty clear sign of viewpoint discrimination. So University of South Carolina and the University of New Mexico, both in their diversity statement rubrics.

They used the same one and it was a rubric that said that if a job candidate said that they prefer to treat everyone the same, that they should get a low score on their diversity. I mean, I would say that this was a pretty obvious way to weed out anybody who, when asked about their approach to diversity, said that they prefer colorblindness. That's a pretty obvious articulation.

of just the classical liberal approach.

I mean, that seems like they're just requiring you to endorse equity as a model at that point, right? This view that people come from different backgrounds with different advantages or disadvantages, and you're supposed to actually be working to try and level the playing field by treating people differently, I suppose.

John Sailer (49:59.406)

Yeah, and you know, in practice, I've seen that before. I've seen, I mentioned earlier that I acquired evaluations of actual diversity statements at Texas Tech. And one of the things that somebody was penalized for was not being able to describe the difference between equality and equity. Clearly, this is sort of a dogma for the people who...

the administrators and professors who've embraced this tool. And it makes sense. It makes sense that that, if you are a DEI advocate and you say that what we're trying to do is hire more people who show a commitment to DEI, that it would be a requirement that you believe that the general things that DEI seems to indicate in equity, this concept of equity, is absolutely one of them.

The other thing that I found though with NIH first is that the NIH was very careful to emphasize that universities should follow the law and should follow the law when it comes to non-discrimination. They put it on their website. In some emails that I found, there were NIH officials who really emphasized like you cannot hire on the basis of the demographic characteristics of job candidates, should not be a hiring criterion.

But all throughout the records that I acquired, this was clearly a criterion that was being used.

Sorry, I remember reading your work and there was one spot in there where the, I think it was one of the principles at the university was emailing with the person at the NIH and was basically talking about how they were going to be hiring on the basis of race or something like that. And the person at the NIH was like, I have no idea what you're talking about. And this is a non-discriminatory program. to me, reading through that, it revealed that the clear, implicit.

Steve McGuire (51:59.854)

understanding probably made explicit by normally by means other than email so it wouldn't be subject to public records requests but it seemed like clearly everybody understood that really we're using this you know to hire people based on on race or other protected characteristics is does that seem true?

So I think that when you have very clear civil rights law that says you may not hire on the basis of race, and then at the same time, you have very clear mandates coming from grant-making institutions as well as from university diversity plans that say, we need to achieve this racial benchmark, you're creating an environment where double-speak has to be the norm.

where you kind have to say, no, we're not hiring on the basis of race, but then in practice that happens. And now what I found is that, you know, what I found when carrying out these various FOIA requests and looking at university emails is that there's a lot of confusion. And I think that some university faculty members just don't actually get the message and that makes sense. And so often it appears to be the case that

university faculty actually don't know what the law is or administrators actually don't know what the law is. And other times there seem to be administrators who are savvy enough to say, no, we're not using this as a criterion. But the way that that translates down just leads to very humorous instances of, you know, befuddlement.

Yeah, the email that you were citing, this is probably worth going into. You know, this was at the University of New Mexico. And first I acquired a record that said that it was a department describing a department search. And they said, we deemed candidate number 42 to be a poor fit with the priorities of the program. That's all they said. And I was curious what that meant. And so I decided to make a request for emails regarding

John Sailer (54:15.374)

that candidate and I found the search committee members and the principal investigator on the project. And what I found was, well, candidate number 42 was a South Asian male and they went back and forth and email and asked if that counted as an underrepresented minority. They decided no. And on that basis, they removed this candidate from contention and they said, well, this department is really low on women. And then they indicated that there were other emails where similar discussions went on. I looked those up and that's where

At a certain point, this hiring committee said, well, you know, our department doesn't have very many Asians. And so even though Asians are not an underrepresented minority, they're underrepresented in our department. I wonder if we should figure this, like, we should, we should, if that counts. You know, they clearly thought that their job was to hire, as they would put it, URM's. And so they emailed the program official at the NIH and said,

do we need to know if these people count as underrepresented? And the program official said, what are you talking about? That shouldn't hold up your search. That shouldn't matter at all. This is not against policy. Please respond to me and indicate that you understand. They were clearly aware that this is a FOIA-able email. And then even after that, the emails that I acquired indicated that the team at the University of New Mexico did not understand that at all.

They literally, right after that said, you know, I don't really get what she's saying. Maybe she said she has to put it that way. She said that before over Zoom. And then another one follows up,

yeah, I don't want to hire white men for sure. Literally an email right after the program official said that, you have just a group of university professors who just don't get the message.

I think that's because hiring on the basis of race has been ubiquitous at universities for so long that you run into this kind of thing all the time.

Justin Garrison (56:15.256)

John, I wanted to first just say thank you for everything that you've told us today. It's been some really fascinating content and thank you for being our inaugural guest here. Before we let you go, I wanted to give you an opportunity to tell people who are watching this or listening to this as a podcast where they can look forward to seeing more of your work. Where would they be able to find you?

So these days I mostly write at City Journal, and that is the publication of the Manhattan Institute. And I put all of my content on Twitter, I would be happy to direct anyone to my Twitter account. That's John D. Seiler, S-A-I-L-E-R. Yeah, there's always some fun stuff there.

I like that you often throw up some of the primary documents that you secure through these public records requests. So you can read about it in City Journal and then you can go to Twitter and see the evidence all laid out.

So, you know, just as our last question, this is going to be standard going forward. But one of the things that ACT is really interested in is getting schools to reform themselves so that they can take the time and care to make prudent reforms in ways that fit their institutions. You know, so with that in mind, what kind of final thought would you leave us with in terms of what is a major step that, you know, trustees or college administrations could take to move away from the problems you've identified?

and move towards a greater, genuine sense of academic freedom and diversity of thought on campus.

John Sailer (57:50.136)

So it's an interesting moment right now because even though universities, for the most part, are united in being very upset with what the Trump administration is doing, there I think is a growing consensus amongst university professors that viewpoint diversity is actually something that matters. And so now is, I think, an incredible opportunity to—

take steps in the direction of promoting viewpoint diversity, which I think is, as I said earlier, probably the single kind of biggest problem or biggest issue for universities to tackle. And so there are a lot of ways to do that. I think that hiring programs that emphasize disciplines that are usually neglected is one way to do that. A lot of universities have created

civic schools that kind of have a more classical mission and those tend to be clearly be places that will attract a broader span of viewpoints in the faculty that they hire. But I think that, you know, one very easy first step is for university leaders to simply say that they want

they want to admit conservative students and they want to hire conservative professors. That doesn't mean that they are going to take, know, they're going to create an affirmative action program for conservatives. But even the signaling mechanism to young conservatives who are considering an academic career is important because I think a lot of talent right now simply selects out.

If you're a young conservative and you're considering whether to go into academia or law, you've almost, if you've ever asked one of your professors or mentors what you should do, most of them will tell you that academia is a treacherous path that you should only very carefully consider going into, in part, if you're a conservative because you're conservative. And so there needs to be a kind of counter signal.

John Sailer (01:00:18.742)

to that broad perception that conservatives are just not welcome. And so even just doing something as simple as putting a stake in the ground and saying, we think it is important to have these perspectives on campus can actually go along.

That's great. Great. Yeah. All right, John. Well, it's been great having you on the podcast as Justin said, our inaugural guest. So thanks for doing that. And hopefully we'll have a chance to talk again soon.

Yeah, thanks so much. This has been fun.

Steve McGuire (01:00:55.138)

Yeah, that was really interesting. I think he made a good point about the signaling. You know, I think a lot of the signals that various people, conservatives and other heterodox thinkers get from the Academy is that they're not going to be welcome there or it's going to be more difficult for them to find a position. And so maybe they go into other things. Another thing I think trustees listening to this could do right off the bat is start asking some questions. They could ask about whether or not their university has

one of these post-doctoral programs where it's conducted these cluster hires that John was talking about. Have they been receiving funding in the past from the NIH or other grant-making agencies that push them in the direction of hiring in these ways? And then sort of look at what kind of impact has that had? I think it sounds like there's potential here even for concerns about legal liability.

Right? Like John's reporting the one that he talked about in a bit more detail. I think it was at the University of New Mexico. I mean, some of the things that they have, he has like in the records, people saying, I don't want to hire any white males. you know, that's a, that's a real

problem. And if you, if your university is running programs that, you know, encourage people even unwittingly, to, do or say those kinds of things, that can be a real problem. Of course, I think a lot of people are also.

doing it on purpose because they believe that this is a good thing to do for whatever reason.

Yeah, know, the federal landscape is obviously in flux, right? And Trump's executive orders on a variety of these things are still being litigated and there's a lot of conversation going on. But, you know, when I was reading John's work, you know, it's it reminded me of kind of like the conversations that like mafia members have, like I'm not saying break his legs. I'm just saying go have a conversation, you know, like there's clearly a text and a subtext involved.

Justin Garrison (01:02:52.134)

And that doesn't work unless the federal part of it when it comes to these grants from NIH and NSF and so forth is also kind of in on the game, right? And so those kinds of things have clearly changed. So yeah, I would think that even if it were for purely like mercenary concerns, it would be really important for trustees to start asking some very specific questions about programs like this. And one of the things that I...

you know, noticed, I don't know how this came about, but one of the programs that John cited in some of his work was at the University of Arizona. And when I went to this program, it looks as if it's been suspended. And so, I mean, there's a real possibility, in other words, for impact in terms of asking those kinds of questions and just kind of seeing how the landscape has changed rather radically in the last couple of months. You know, something else that...

I'm a very visual thinker. As you can see, I've got like a cartoon cell behind me. Maybe we can figure out if we have it in the budget to have a contest for like the literal planting of the conservatives welcome flag. And so if you come up with a design for a flag and like a 50 foot pole that you'll put in front of your admin building, we will support you because it's a real problem. mean, I know that you were previously professor as I was.

And it was very difficult to have conversations with students who weren't even strictly speaking ideological, you know, but they wanted to learn interesting and important things that weren't filtered through this particular ideology that John was researching. And it's a really hard conversation to tell people there aren't a lot of options. It's difficult to find grad programs if you want to go for a PhD.

That needs to change. And again, even if it's just for self-interest on the part of the universities, if you have a diversity program that creates a monoculture, you know, that's not going to work in the long run.

Steve McGuire (01:04:48.714)

I actually just learned the other day, there's a university that has put a bunch of videos up on its library website about working with AI and how students and faculty can use AI either to

enhance their classes or enhance their research. And one of the videos is basically telling professors, know, you could use AI to create a kind of chat bot that would represent voices.

that are not present in your classroom. And the example that they give is a conservative, right?

So like a Buckley bot or something like that.

The person basically says, look, we all know you're not going to have a liberal faculty or you're not going to have a conservative faculty member. There aren't going to be very many conservative students. And so what you can do is program a chat bot to give you answers. obviously, much better than that would be to remove forms of discrimination or bias from your hiring and admissions procedures so that you can get people on campus who represented diversity of views.

that's going to help overall too with some of the, you know.

Steve McGuire (01:06:01.41)

the legal questions that might arise from this because if you're hiring somebody and everybody in the room sort of agrees with what you're doing, then nobody's going to say anything. you know, obviously to go back to this example at the University of New Mexico and John was saying this, like this person didn't think it was a problem to say in an email, I don't want to hire any white males. And obviously that is a problem. And if they had a few people in that program who thought a bit differently about these things, or even just more thoughtfully,

you know, you know, people wouldn't be necessarily getting away with this sort of thing. I can't help but remember the video that was posted of the Dean of Berkeley Law School, Erwin Chemerinsky, and he was basically telling his class about how people can, you know, they can vote based on sort of affirmative action criteria, but don't talk about it, you know, and it sort of pointed to this underlying

belief that we should do this. And so that's why I worry that even as we remove things like DEI statements from the process, which is a very important and like John said, crucial symbolic, and I think real step, it doesn't finish the job. There's still problems in the culture. And I think personnel change is gonna be important for that.

Yeah, I totally agree. I think the step is meaningful. I don't think it's meaningless. But the people who were vigorously advocating for using those statements as a way to extract ideological conformity still work there. And it's not inconceivable that, you know, John talked about DEI statements as a proxy for things that they couldn't do explicitly because they would be violating federal law and other, you know, statutes at the state level. It's not

It's not at all inconceivable that you just create new proxies. Some of the ways in which these DEI offices are being rebranded, it's not a marketing scheme, right? I mean, it really needs to be

a rethinking of the personnel that you're going to have, not to tilt it in some sort of like upside down, or you can do anti-DEI now.

Justin Garrison (01:08:20.81)

know that's that's not a good goal but you really need to have people who have different perspectives if you want to do viewpoint diversity and I'm not holding my breath that faculty are going to make that choice quickly and willingly. I hope

wrong. no, that's a great point. A lot of what we've seen are sort of PR style moves, you know, just change your name here, move an office around there, and otherwise mostly continue doing what we were doing. All right, well, next up, we're going to have this is obviously, again, the inaugural episode of the podcast, we want to have regular feature at the end of every episode, where we

you know, look at a positive story in higher ed from the last month or so and a negative story and we're going to call the positive story the hero of the people and the negative story the apparatchik of the month. So I think this episode Justin you're gonna you're gonna do the hero of the people.

That's right. We're going to have a good time here. No, so for this month, the story that I selected came out of the college fix. And I'm going to read the kind of the first line here. The Columbia Journalism Review fired Sewell Chan as its executive editor after he insisted on ethics, deadlines, and showing up in the office for work, unquote.

Steve, tell me about all of the jobs you've had where you didn't have to have ethics meet deadlines or even show up for work. It's a pretty long list for you too, right? Yeah.

Steve McGuire (01:09:56.216)

Yeah. That's basically my entire career history. Yes.

So scandalous. No, and I mean, you know, the issue here is that Chan was trying to teach people who worked at the CJR basic journalistic ethics. can't report favorably on a particular publication and then immediately go write for them. That looks a bit wonky. Even if it's not, it still gives the appearance of an ethical conflict of interest. The other note here about showing up for work.

My wife, you know, runs the literary magazine where she works at an institution where she works and you have students, they show up and they have to put in hours editing and writing things. It's kind of part of the contract, right? You get X if you perform Y. And apparently Chan was unable to persuade someone to do these things, to come to the office, which was a requirement, to publish regularly, which was a requirement. And according again to the college fix piece,

the school gave the employee quote, several months paid leave to look for a new job. So, you know, I might need a side hustle. I'd like to be doing this job of not doing a job and getting paid severance for several months for doing.

That's you could definitely have on the side.

Justin Garrison (01:11:16.0)

I mean, yeah. So, you know, for us, the hero this month is Sewell Chan, recently let go from the Columbia Journalism Review, but according to this article has also found gainful employment doing important, interesting things. So hats off. You've got the apparatchik of the month. This is much more interesting.

Yeah, I like to focus on the negative, I guess. So this is a story, I think it was first reported by the Washington Free Beacon. that's where I'm going to read a small portion of the article from. This is a professor at the University of Chicago who canceled a midterm and sent his, or at least recommended to his students that they attend a protest instead. So the article says, Yali Amit, a statistics professor.

who has long opposed Israel, told his machine learning and large scale data analysis class. So this wasn't even like a political science class or something like that. He was canceling the exam as a quote, small contribution unquote to the nationwide demonstrations being held that day to oppose President Donald Trump and Elon Musk. In an email to his students, Amit said he would post the exam as a homework assignment and include a link to a sign up.

and included a link to a sign up site for the Chicago area protest, which called to quote, stop the billionaire takeover.

Steve McGuire (01:12:47.084)

So clearly, totally unrelated to the class, trying to get students involved in political activism, which of course, everyone is free to do that if they want to do that on their own time. But the fact that he would, first of all, cancel a midterm, I'm sure that inconvenienced some of the students. They had prepared for this.

Maybe some of them didn't mind so much that it was, you they can complete it later online, but this raises serious questions about the integrity of the class and whether people are really getting what they're paying for at the University of Chicago of all places in this one class. Obviously, we generally

like the University of Chicago quite a bit. But then, you know, encouraging students to go to this protest. I mean, this is a real failure of professional ethics or a violation, I think, of the teacher-student relationship, right? I mean, basically signaling to students that this is something that you think they should all do. You know, clearly that doesn't leave much room for, you know, partisan diversity in the class or viewpoint diversity.

And I'm sure there was more than a few students who just wanted to get this midterm done that they had prepared for and then continue learning the materials in the class. I mean, clearly, because somebody wrote to the free beacon and said, hey, I got a story for you.

Yeah, it doesn't seem like the machine learning curriculum there is going to be building conservative chat bots anytime soon.

Steve McGuire (01:14:25.014)

That's right. Yeah. All right. Good. Well, you know, this has been a great first episode, I think. Really great to have John on, been following his work for a while and great chatting with you, Justin. hopefully, you know, people will tune in next time. We're going to have an episode about once a month going forward and we'll have an interview every time, you know, and otherwise keep the structure the way we've done it here.

and should be good.

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