Speaker 1 (<u>00:00:02</u>):

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

Steve Maguire (<u>00:00:09</u>):

Okay. Welcome to Radio Free Campus. I'm Steve Maguire.

Justin Garrison (00:00:12):

And I'm Justin Garrison. And in this episode, Steve and I are going to talk to Sarah McLaughlin, the author of Authoritarians in the Academy. We're going to talk with her about the ways in which academic freedom has come under threat from foreign governments and US university engagement with those governments. We're also going to talk about Cornell University's recent settlement with the Trump administration. I'm going to offer a thundering denunciation of artificial intelligence in higher education, which is definitive and can't be refuted. And of course, we'll do the segment that everyone has come to adore our Apparatchik of the Month and Hero of the People Awards. So let's get to it.

(00:00:45):

So Steve, one of the stories that we saw recently is that know TPUSA has tried to continue some of these speaking engagements that would've been taken by Charlie Kirk at UC, Berkeley recently. Surprise, surprise, this did not go over particularly well. I'm wondering what you made of that event and how you think things might play out going forward with this particular issue.

Steve Maguire (<u>00:01:11</u>):

Yeah. Well, the first thing I thought of was Milo Yiannopoulos at Berkeley in 2017 and here we are about eight years later and once again, Berkeley is all over the news because people there can't handle somebody coming to express some views that they disagree with. And once again, it seems like it, well, it doesn't seem like, it did turn violent, there was a fight. It looks like some firecrackers or smoke bombs were set off, reports of a car backfiring that scared people to death. It's just outrageous. And now the federal government, Harmeet Dhillon and Pam Bondi have said that the Department of Justice is going to be investigating this episode. It is just a complete mess. It's happened to Berkeley before.

(00:01:57):

Really, these kinds of things just obviously shouldn't happen on campus. It's fine if you don't like TPUSA or you don't like the speakers that they're bringing to campus, you don't have to go. You can argue with them, you can have a counter-event of your own at the same time in another place on campus, but this kind of stuff just has to stop. And I'm not sure, but I'm guessing in this case, I haven't read up on it quite as much as I'd like to at this point, but I'm assuming that it's a combination of some people who are on campus and others who are from off-campus. So that, of course, presents difficulties and that sort of thing too. But obviously, you just can't have this kind of thing happening on your campus.

Justin Garrison (<u>00:02:40</u>):

Yeah, it looks terrible. I'll tell you what, I tried to read about this a little bit before we got on, and a lot of news stories reference, "UC Berkeley makes a statement about the event." I couldn't find it, not on their website. It is very strange. But according to the reporting about this statement, Berkeley has pledged full cooperation with the Department of Justice. They seem to be zeroing in on whether or not the university was adequately prepared in terms of security for this because the event did go forward. There wasn't a shout-down in the auditorium or some kind of disruption in the auditorium, but there was a lot of anger, there was a lot of violence in terms of people being arrested. There's the picture of the guy with blood on his face who was selling freedom T-shirts and stuff like that. It's not a good look.

(00:03:37):

Berkeley just seems to be making these kinds of news stories where you talked about Milo. And whatever people make of these particular speakers isn't the issue, the events need to go forward and counterprotesting, counter-demonstration, all of that stuff is fine so long as it follows the university's time, place, and manner procedures. I didn't see any information about whether or not that was the case with this, but the optics are pretty bad and UC Berkeley should do better.

Steve Maguire (<u>00:04:15</u>):

And we're just recording here a couple days after it happened. So we'll have to wait and see. That's good to hear that the university is planning to cooperate. Clearly, it needs to be investigated and they need to have procedures in place to hopefully ensure things like this don't happen in the future.

Justin Garrison (<u>00:04:34</u>):

Efforts to stop speech you don't like is not something that's unique to Americans, there's a whole international dimension to this. And that part of it brings us to our guest today. Steve, do you want to introduce who we're going to talk to in a moment?

Steve Maguire (<u>00:04:46</u>):

Yeah, and I think there's been increasing concern about foreign influence on our universities. So it's really exciting that we have a chance to talk to Sarah McLaughlin today who's a senior scholar with FIRE, the Foundation for Individual Rights and Expression. And she's just come out with a new book on Authoritarians in the Academy in which she looks at how foreign governments are actually pressuring people on American campuses to clampdown on speech that they don't like. She looks at China a good deal in the book. We'll also talk about Qatar with her, which she also talks about. So really looking forward to this conversation.

(00:05:28):

Sarah, welcome to the podcast.

Sarah McLaughlin (00:05:30):

Thanks for having me. Appreciate it.

Steve Maguire (00:05:32):

Yeah, we're so grateful that you could join us and congratulations on the publication of your new book, which looks at how foreign governments are impacting free speech at American universities. Some people might even be surprised to learn that foreign governments have that kind of ability, although perhaps not people like you, who are in the know on these sorts of things. But let me just start by asking you, and let's maybe use China as an example because that's a big focus in your book. How does China affect free speech rights on American campuses, both for Americans and also for international students?

Sarah McLaughlin (00:06:13):

There's a few different ways that the Chinese government has this power over the classroom and even the quad, even protests, things like that. Essentially, the relationships that universities have been building up with the Chinese government and with the country of China as a whole over the years have created these ties that allow the government of China to put pressure on institutions and the people within them. So there's a lot of different ways and a lot of different things that that looks like, one of which is Chinese consular officials, which have actually visited universities to say, "I don't like that you're hosting this Tibetan speaker. You might want to consider doing something about that." It also looks like the Chinese government perhaps threatening that they're going to revoke access to international students from China.

So universities, which often rely on international students to make up for some of the missing money that universities need, if they lose access to those students, that could be financially devastating.

(00:07:19):

So there are a lot of different ways, sometimes direct pressure from the Chinese government and its officials telling universities that they have to shape up. But sometimes, and what I actually find even more disturbing is universities that act this way, even when they haven't been directly told that they need to self-censor to abuse China, it's just because they think that's what's expected and wanted of them. And so there's never a government proclamation saying you need to dis-invite this speaker, sometimes universities just operate that way because they think that's what's expected of them. And that to me is the even more disturbing question here to be honest.

Steve Maguire (<u>00:07:57</u>):

Okay. So in these cases then the Chinese government or the consular officials or whoever it is, they're requiring the university administration to cooperate basically in whatever form of censorship they're pushing for. So it seems like in your book, one big part of this puzzle is that the university administrations themselves are capitulating in many cases to the demands of these governments. So why do they do that? What's in it for them?

Sarah McLaughlin (00:08:29):

They do it for a few different reasons, but most of those reasons ultimately tie back to financial justifications. So whether it's wanting to retain access to international students from China or wanting to keep lucrative partnerships with the Chinese government, with satellite campuses, or even with Chinese industrial giants, they want to make sure that they can protect those ties. And so this is, I think, the problem that's not just in terms of foreign censorship, but more broadly I think we've been seeing universities start to act more and more like corporate bodies. And so they're going to make decisions that aren't necessarily values-based or values-driven, but driven towards supporting the bottom line. So what they're going to say is, what's best for us financially, not what's best for our commitment to academic freedom or free expression. And often those two things are directly in conflict.

(00:09:28):

And so there's been a lot of focus in recent weeks and months in the US about will universities stand up to political pressure. But I think people have been missing perhaps that this has been happening for a much longer time than they've realized and that universities haven't had much of a spine when it comes to standing up to this kind of pressure from abroad for quite some time.

Steve Maguire (00:09:52):

One more before I hand it over to Justin. So the universities, they're getting money, they're getting international students, so they're benefiting financially from these programs. What other potential benefits are there? Why do they want to have this funding, other than financial reasons?

Sarah McLaughlin (00:10:16):

I think there's also a huge drive right now within higher ed to be a global institution, to have global campuses, global programs, global partnerships. I think it's a real feather in the cap for universities and their leaders especially when they can say, "We created our university to be a global brand, to be a global institution." So it's not just about the money that it brings in, though I think that's a large part of it, it's also about creating a more prestigious institution by making it globally based and something that's attractive to people all around the world because then you create a much larger base of students, of scholars, of

financial opportunities that you can look to. So I think there's a lot of reasons why universities want to be global, some is reputation, some is financial.

Justin Garrison (<u>00:11:10</u>):

Yeah. Sarah, thank you so much for being with us to discuss your book and your research. I wanted to unpack a little bit more about China because we were talking about maybe more direct ways in which the government of the PRC might indirectly or even directly exert pressure on US institutions. But one of the fascinating and kind of disturbing components or parts of your book is how student organizations can be weaponized to suppress speech. So I was wondering if you could talk a little bit more about that as well as the dangers. You were talking about one government tactic could be withholding international tuition money, but there's a real risk to Chinese nationals who come to the United States who get implicated in any kind of speech or activity that the government doesn't like. So I'm wondering about this, almost like peer-to-peer student tension, that's something I wasn't aware of and it sounds pretty troubling to me.

Sarah McLaughlin (00:12:15):

Yeah, the student question is actually I think the biggest portion of my book because it's to me what's most disturbing. I've worked at FIRE for a long time and I have worked directly on the question of students' rights, students' ability to speak free on college campuses. And so over the years to realize and research and understand more broadly the extent to which some international students really don't have access to this freedom that we promise on our campuses was really disturbing to me.

(00:12:46):

And when it comes to the question of dissident international students from China, that's where we see, I think ,the most direct and extreme pressure from the Chinese government is on those students directly. There are some students who I've interviewed and who I've spoken with who actually have had their family members, who still live in China, taken in for questioning, for threats, warnings because their kids take part in protests, research, events on college campuses in the United States that threaten the Chinese government in some way because it talks about COVID restrictions or human rights in China or abuses against Uyghurs. And so just because students took part in this, students from China, but are really basic parts of the academic experience, their family members are essentially used as a threat against them.

(00:13:44):

And so to the second part of this question, the students who are taking part in the censorship itself, one group that I especially focused on in the book, it's called the Chinese Students and Scholars Association, CSSA, and these CSSA Chapters, they are at campuses across the country, and there's nothing inherently wrong with student groups that organize over shared background values. That's what any student group is essentially. But these groups have been involved in a disturbing number of censorship attempts against their peers. Most often it will be international students from China that have been the targets or speakers who are affiliated with China in some way in a critical manner.

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But it can even affect citizens here too because if you successfully censor an event about the Chinese government on a campus, that also means no one else can hear it either. And that includes every other student who is not necessarily a party to these disputes, but is still having something taken away from them. And some places where this has taken place, George Washington University, which is one of the opening examples in my book 'cause I think it's one of the most disturbing. There, some students had anonymously posted artwork that was critical of the Beijing Winter Olympics and suggested that China was not fit to host the Olympics because of its human rights abuses. And so a CSSA Chapter there along with another student group wrote to the university and they said that this was hurtful and offensive to them and that the university had to act against this artwork.

(00:15:35):

And to me, the appropriate response from a college president would be, "You have your speech rights, you're allowed to post counter-speech against that. You're allowed to protest these expressions you don't like, but censorship isn't the answer, and your peers have rights too, and you're not allowed to take down their speech just because you don't like it." But that's not what happened at George Washington. The president actually agreed that they were offensive. He not only said he was going to have them removed, but he also said he was going to have campus security investigate who posted them, which to me was just shocking to even imagine that on an American campus, if you anonymously criticize the government of a foreign power, maybe the university will set its campus police on you. It's one of those things that sounds so outlandish, it's hard to believe. But we have all the e-mails, we know what took place here.

(00:16:34):

But there've been a lot of incidents like that that have been happening on campuses. And the term that I'm using for that, for what the students engaged in is sensitivity exploitation. So essentially, taking advantage of university's desire to be seen as open, welcoming spaces that react negatively to bias and that respond and do something about offensive speech. And they're sort of pressuring universities to use that desire to be seen as open and welcoming and using that to censor government criticism. And it's pretty disturbing to me, but I think in some ways it's been effective because I'm not sure the university administrators who've been getting these e-mails fully understand the controversies they're wading into when they say, "Sure, I agree this poster is offensive. Let's take it down." You're actually stepping into really messy political questions from overseas that you might not fully grasp. And so I think that's been happening here, especially with the CSSA Chapters.

Justin Garrison (<u>00:17:48</u>):

One of the things that I really liked about your book is how careful it is. There are unfortunately, I think, too many publications that kind of do China red meat, the PRC is just terrible, it's kind of like a cartoon villain. I think part of what makes your research so powerful is it's very measured. You don't have to overstate the case 'cause the facts are disturbing enough. But as you note in the book, China is not the only authoritarian country in the world and they're not the only authoritarian regime trying to exert this kind of influence on US institutions.

(00:18:23):

Now, one of the things that you talk about for a bit in different chapters is the impact of these kinds of relationships on academic freedom for faculty. And I didn't know if you could say a little bit about that, the examples that stick out in my mind from your book tend to come not from China so much as the Middle East. So Qatar, UAE, stuff like that, that's authoritarianism. But the content is quite different from what the PRC is pursuing. So tell us a little bit more about what's happened to some of these Georgetown University and Qatar and other institutions like that, professors that have been at those kinds of institutions. What's happened to them vis-à-vis their kind of academic freedom expectations?

Sarah McLaughlin (00:19:07):

Well, I think that's exactly the problem there, the expectations because universities have set those expectations when they open these satellite campuses in the Middle East, so in the UAE or in Qatar. They will say, "We promise the same exact academic freedom rights that we have at our home campus." And that's the terms that they have set, but obviously they can't actually deliver that. These countries that universities are expanding into have a very different legal standard than the US when it comes to free expression, when it comes to academic freedom. And that has come through in some very clear and obvious ways, and that especially has come up with questions of speech about homosexuality or blasphemy.

(00:19:53):

And so there are two American universities that have come across this, Northwestern and Georgetown. One was trying to host a speaker who was openly gay. This was at Northwestern for a media event. And the university said they canceled it because there were security concerns and they were going to host it at their home campus instead. And you might think, "Oh, that's good. They're still trying to have this event," but actually, the university appears to have been openly lying about how and why that cancellation occurred. So the university said there were security concerns, and then the Qatar Foundation, which is a state-linked partner to the university, they issued their own statement and they said, "That's not at all what happened. What actually happened was this event was going to violate the social customs and laws of our country, so it had to be canceled."

(00:20:45):

And so to me what's even more disturbing is not just that a university canceled an event because it could risk violating the law, it's that they were dishonest about the path of events that led to that cancellation because I think many of us understand that a university is only going to be able to do so much when its policies violate local law, but we would at least expect that they would be honest about when that happens or should be able to expect that. And then at Georgetown, there was going to be a debate about female depictions of God, which apparently would be violating the country's blasphemy law. And I actually had some back-and-forth with Georgetown over this because I was critical of it, and we put them on our 10 worst list the year this took place, our 10 worst campuses for free expression because of this incident.

(00:21:45):

And Georgetown ultimately issued a later statement that they have free expression and they protect free expression that, I forget the exact wording, but it specifically said that doesn't violate the laws of Qatar. That is about the biggest asterisk you can put at the end of a statement. And so that's ultimately the problem with these satellite campuses. I think there are good arguments for them. I think they do some valuable things, but I think if universities are pursuing them first and foremost as cash infusions without really being at least considerate or even honest about what kind of challenges local laws create for their policies and for their protections, that's what we're going to see here. We're going to keep seeing bad headlines about a university canceling a debate about female depictions of God.

Justin Garrison (00:22:46):

Yeah, it almost seems like there's kind of some implicit shame on the part of the institution. They know if they say that well, we don't really care about free speech or academic freedom as long as the money's rolling in, that's a bad argument. But if it's security, it's kind of the other side of the coin of what you're talking about with China, the weaponization of sensitivity. You can kind of find these euphemisms to cover over some pretty crass rationales.

Sarah McLaughlin (00:23:14):

And I think there are ways that universities could at least be more honest about these justifications they have to make. But when they aren't honest about it, that means we can't trust that if there is a really, really severe threat to their faculty, perhaps someone facing arrest for what they teach in a classroom, we can't really trust that they're going to be honest or upfront about what's happening because they haven't really been honest and upfront thus far about what restrictions actually exist in their faculties. So I don't think professors who teach on these campuses can necessarily trust that there will be policies in place if they are actually facing serious repression that goes beyond the classroom.

Justin Garrison (00:24:03):

So I guess college presidents should read The Boy Who Cried Wolf. Steve, go ahead.

Steve Maguire (00:24:09):

Ahead. Well, I couldn't help but think as you were talking about this incident of female depictions of God that we don't even have to go sadly to the Middle East to get that kind of censorship on American campuses. I was thinking of this [inaudible 00:24:22] we had a couple of years ago where an art history instructor showed-

Sarah McLaughlin (<u>00:24:26</u>): Hamline, yeah.

Steve Maguire (00:24:27):

... this painting... Yeah, Hamlin, that's right. I don't think they ever really fully righted the ship after that. I know they had an event sort of trying to address concerns that were raised. One of the featured speakers was Robin DiAngelo. I was like, "I don't think this is really the solution that free speech advocates were looking for," although of course Robin DiAngelo also has free speech. But you mentioned that these campuses in the Middle East that there are benefits to these, and I think one could potentially make the argument that universities just shouldn't do this sort of thing, especially if it's going to put students and/or faculty, who go there, in jeopardy. And I think there's concerns about free speech and academic freedom and then there's also potentially concerns about criminal law in those countries that people coming from the United States might not understand or might run afoul of. And of course, there are perhaps certain people with certain identity characteristics or lifestyle and that sort of thing or identities that might not be as welcome over there.

(00:25:38):

And so if you're going to open up a campus under those kinds of conditions, other than money or prestige, what would be a more sort of honest, substantive argument for having a campus over there? What's the academic benefit for these institutions?

Sarah McLaughlin (00:26:00):

So I think, taking the cash infusion benefit out of the question, I think what opportunities there are, you have a way to reach students who may not be able to travel to the US for a few years to get a degree from Northwestern in the United States. So you provide a way for students, who are in these countries, to access the education, you can provide without very difficult travel. I think especially if you're in certain fields, it makes a lot of sense for you to be able to travel to certain parts of the world. If you do economics, even some medicine, it makes sense for you to be able to access these campuses for a couple years, get on-the-ground education and research.

(00:26:46):

And so I think there are actually a lot of benefits and there are a lot of reasons why it's a good idea, but I do think that universities have been overselling how many benefits there are and underselling the downsides to it. And I also think that there's more of a desire to oversell the benefits because there are perhaps financial benefits that like the research opportunities are being used as a cover for, for example.

(00:27:26):

But I don't have a final yes or no, should universities pursue these. I, at least, think there needs to be so much more transparency when they do. But I think at least the answer I'm reaching right now is if you're not willing to openly and clearly state on-the-record what the laws of those countries are that you're opening in, you probably shouldn't do it because that suggests to me that you lack the self-awareness and the willingness to stand up for your values, should those laws actually become a challenge to your university. So if you have a university that says there are some different interpretations of academic freedom in this country, that to me is a sign that they're not being very upfront about how severe the difference is.

(00:28:22):

But there's a lot of euphemisms, universities use. We have clear bright lines on academic freedom. There are different interpretations, that kind of language, when what I want to see is very upfront, this country restricts XYZ, here's what we're going to do if we reach a point where we feel like we can no longer freely teach these issues. This is exactly what we're going to do, if that comes up and these are the terms under which we'll leave and say, we're protesting this, we're leaving because we cannot abide these kind of threats to our faculty rights. But that's not really what we're seeing very much.

Steve Maguire (<u>00:28:59</u>):

Right. Interesting. Yeah, the transparency point is a really good point. It reminds me a little bit of an argument that we make about institutional neutrality, which FIRE also supports. And there are some schools, say private religious schools, and I don't know what FIRE's position is on this, but at ACTA, if you're a private, say Catholic university and you want to have a more circumscribed policy of institutional neutrality because there are certain things consistent with your identity as a religious institution that you're going to take positions on, while we prefer maximum institutional neutrality wherever possible, if you're going to restrict it, at least have some transparency and tell people like there are certain things on this campus where we're not as open in some ways as maybe we would be on other things.

(00:29:54):

So kind of taking a similar question and applying it back to the domestic campuses, I think when people hear about foreign funding in the United States or even international students to some degree, one of the main concerns is national security. So there was a big story recently coming out of Stanford about Chinese students that were allegedly being contacted seemingly for some kind of espionage purposes. There's a story, a couple of stories actually in the last few years at the University of Michigan where Chinese students, some were caught allegedly photographing a military base. Just more recently, some others have been, I think, charged with bringing biological materials in. So I'm not going to ask you to weigh in on the specifics of these national security cases, but I'm wondering do you see a connection between those kinds of concerns and the concerns that you're expressing in your book about freedom of expression on our campuses?

Sarah McLaughlin (00:31:04):

Yeah, so I shy away to a certain extent from the national security issues just because it's not my area of expertise, but I think underlying it is something we've been talking about a lot, the issue of transparency. And I think because universities have not been upfront about their funding for a couple decades, there's been billions in unreported funding from foreign sources. I think it does not help their case for universities because it looks like you're hiding something if you're not following what you're legally required to do about reporting foreign funding. And there are rules that universities are supposed to be following when it comes to being upfront about where foreign funding is coming from, who it's coming from, and what purpose is it for. So I think that the decades of failure on universities' part has helped create a sense that there are national security issues.

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So I think a lot of problems could be solved here if we didn't have this obfuscation that's been taking place. The national security question does come up to a certain extent because I think there has been some bad acting on the part of universities. So we saw things that came out, like the China initiative, which the federal government was pursuing to try to target academics that may have improperly taken funding from overseas and not reported it and things like that, but a lot of those cases fell apart. I think most of those cases fell apart, and it gave the impression that it was perhaps racially profiling and targeting professors who were from China or who had relationships to Chinese government. And so it needs to be done carefully when we respond to these things. And I think on many sides, that carefulness, I think as you

mentioned earlier it's become kind of like a red meat issue, and the more we pursue this without care and regard for people's rights, the more we're going to have controversies like these where acting carelessly in trying to solve this problem.

Justin Garrison (00:33:37):

Well, Sarah, I wanted to thank you for a wonderful interview, but before we let you go, we wanted to give you an opportunity for shameless self-promotion, right? So please tell our audience where they can find out about you and your research and where they can get your excellent book and buy multiple copies and hand them out at Christmas, that sort of thing.

Sarah McLaughlin (00:33:55):

All right, I'll be that person. My book is Authoritarians in the Academy. It is available from all major booksellers. It's published at Johns Hopkins University Press. It's out this year. So if you want to give people a very surprising stocking stuffer, you are welcome to do that. And my work is at thefire.org and I write a global speech newsletter there as well. So if you're interested in non-campus global censorship issues, I write about that too.

Justin Garrison (00:34:27):

That's brilliant. Sarah, thank you so much for your time today and good luck with promoting the book in other venues. I know it's been a busy schedule, but it's wonderful.

Sarah McLaughlin (<u>00:34:35</u>):

Yeah, thank you. I really appreciate it, and thanks for the conversation.

Steve Maguire (<u>00:34:42</u>):

Well, that was a really interesting conversation with Sarah, and she's written a really interesting and important book. What are some of your takeaways from the interview, Justin?

Justin Garrison (00:34:51):

Just so I can boost sales, I know she did it, but in case she didn't watch the interview, I've got my own copy here. It's a fantastic book. It's really, really good. I enjoyed the interview. I had read the book. Obviously, I hadn't talked to her about it, but one of the things that I really like about how she put this together is it's so well researched, the documentation is very strong. She doesn't overstate things because the problems are big enough that you don't have to exaggerate them for people's jaws to kind of drop and think how is this going on, why does this continue to happen. I think I would've liked to have seen more, and I think off-camera we were talking about this, but expanding the scope and maybe that's the second volume, the updated version, there might be more chapters on some other areas in which these kinds of things are happening.

(00:35:43):

But it's genuinely the case that China really is the biggest player when it comes to this kind of soft power, hard power that they use to coerce students and university administrators into saying things that are desirable for the regime. We were talking in the interview what do universities get out of it. They get cash. Everybody loves money, right? I guess part of what China gets out of it is prestige, right? If you have illustrious American and European universities in partnership, then you can kind of brag about degrees being granted from that partnerships and so forth. But they're very determined to manage their global image, and they do that in a pretty direct and sometimes ruthless way.

(00:36:35):

So I think this book is really excellent at outlining those things. Correct me if I'm wrong, Steve, but I sensed a little skepticism maybe on your part about whether or not these partnerships should endure if they're just about making cash and things like national security and free expression are nice slogans, but don't really matter. What are your thoughts on the kind of bigger picture that she paints so well?

Steve Maguire (<u>00:37:04</u>):

Yeah. Well, this isn't really my area of expertise per se. I've read some stuff about national security and academic freedom, and there are some real concerns there. So I had that in the back of my mind while I was thinking about her work and listening to the interview. But I think okay, maybe the institutions have some rights in terms of if they want to take deals and that sort of thing. But if their main reasons to do this are money and prestige, those aren't the most powerful reasons if this is affecting free speech rights on American campuses or if it's potentially impacting national security and that sort of thing. That said, I think there's lots of great arguments to be made for having, obviously, international students on American campuses, whether it's cultural exchange or making connections across countries. That can obviously have beneficial effects for things like diplomacy down the road, right, like people know one another, they've studied each other's ways of thinking, bringing in brilliant people from around the world to advance scientific research in this country. These are all potentially and in fact beneficial things.

(00:38:16):

So I think there's lots of reasons to do it, but when you think about a foreign government being able to sort of reach in and pressure an American government and not just one that has like a satellite campus in the Middle East, sorry, an American university, and to actually impact the free speech of American citizens on an American campus, that's pretty outrageous. And the idea that college and university administrations would go along with this because of money or something like that is even more outrageous to me. But I got to say too, what the international students in some cases are facing like some of these stories about Chinese students and it's their families back home, you tweet something or make a couple of posts on Facebook and suddenly there's an official going to your family home and saying, "Hey, look, your son or daughter has been posting this stuff on social media. They better stop or something might happen." That's crazy.

(00:39:23):

It reminds me a little bit of when Russia first invaded Ukraine actually, and there are some Russian hockey players who play in the NHL, the National Hockey League, of which I'm a big hockey fan, I'm basically required to as someone who was born in Canada, but there were reporters who were asking Russian hockey players here in North America, what their views were on the war, what their views were on Putin and that sort of thing. And some of them were being criticized. Now, maybe some of them are pro-Putin, I don't know. But there were some of them who just clearly didn't want to talk about it at all. And I think a big part of the reason was they still have family over there. They themselves are fairly prominent people, right? They're celebrities as professional sports players over in North America. So anything they say is going to get attention in the media, and they're probably fully aware that if not them, their family members could be threatened if they say the wrong thing. And in Sarah's telling, there are students from other countries coming to America who are facing similar things.

(00:40:38):

And so that's obviously a real problem for them, and it is a problem for our campuses that they're facing that kind of pressure. So I think the way that this impacts free expression for everybody on campus, both the international students and the domestic students, is clearly a real problem. And I think she's right that transparency is probably a good step. The government here obviously has already been looking into some of the funding that universities receive from foreign sources, I think mostly motivated by national security concerns, but this is yet another reason to have universities be clear about who they're taking money from and what they're taking it for. But then also they have to be clear that okay, you can fund this on our

campus, but you have to live by the free speech rules of our country and the academic freedom rules of our campus, and they have to be prepared to stand by that.

Justin Garrison (00:41:48):

I thought that was one of the aspects of the book. She didn't dwell on it to a great extent, but there is a recognition in the book that one of the reasons, particularly after the second World War that the US opens up to international students on a pretty large scale, is to promote liberal values in the sense of free discussion, diversity of thought to expose people to that. So they will take that ethos back with them in productive ways. I think one of the anecdotes that she cited is a former guy, someone who went on to become the head of the KGB, Oleg Kalugin, used to quip that he was the first and last KGB agent to be part of the student government at Columbia University or something like that, to be on their executive committee. So I guess time will tell if that record gets broken. It's called the FSP now, but I digress. But on his own telling, it was being exposed to civil debate, diversity of thought, and the ability to speak freely that shaped his own leadership style in there.

(00:43:01):

And the Soviet Union is definitely not a bastion of liberalism at any point in its history, but within its internal dynamics, it created friction for him because that was not a system where speaking your mind and saying what you thought was rewarded. It was often actively punished and depending on who's in charge, punished with a bullet in the head or punished with incarceration or something like that. To see those kinds of aspirations for international engagement be exchanged for a sack full of money is just so disheartening. There's a sense in which I imagine people would object, some people would object to the broader notion of trying to use international higher ed engagement as a way of promoting liberalism, but I would take that over. We have values and willing to sell those values to the highest bidder. That's just so crass and scandalous, shame on these people who do these things in such a dishonest and in a way that lacks transparency. It's pretty sad.

Steve Maguire (00:44:10):

Yeah. Well, I hope her concerns and her research will get through to some of these people and maybe some of their boards of trustees too will recognize that they have some liabilities here and will want to look into this and ensure that they're transparent about what they're doing and that they can make a solid case for why it's beneficial to do what they're doing for their campus community members and for the country, which is obviously something that universities need to think about a lot more these days is all the stats that everyone cites all the time about confidence in higher ed show.

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Justin Garrison (<u>00:44:52</u>):
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Absolutely.

Steve Maguire (<u>00:44:54</u>):

All right, well, I guess we want to move on to a couple of other news items that we want to discuss. There's always so much to talk about, but we can-

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Justin Garrison (00:45:03):
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Plenty of problems going on domestically, right?

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Steve Maguire (<u>00:45:06</u>):
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That's right, just come up with a list of problems to talk about, or news items I guess, and pick the ones that we most want to talk about that are related to academic freedom or free speech issues.

(00:45:22):

Yeah, so one I wanted to talk about is Cornell University and Cornell just recently reached a deal with the Trump administration over civil rights issues. So it kind of follows inline with some other universities. Columbia is obviously the biggest one, but Penn, UVA have made deals. I think Cornell's deal kind of fits a trend we've seen with some of those smaller deals, not the Columbia one, where the terms of the deal are actually much more limited. I would say that I'm not sure how many people are happy with this deal, maybe it's one where everybody feels a little bit happy and not so happy in other respects. I know that the president of Cornell, Michael Kotlikoff, he did a call with his campus community, which I saw, and he touted some pretty significant parts of the deal that he thought were important. One being that it affirms academic freedom and two, that it also commits the government to following proper procedures with any future civil rights concerns.

(00:46:38):

So as people that have been following along know, one of the objections that many have raised about how the Trump administration has pursued some of these civil rights actions is that they haven't followed the standard expected procedures. They've cut off funding, people argue, without doing a proper inquiry. They've cut off funding that's not related to the units that are actually guilty or allegedly guilty of the civil rights violations and that sort of thing. So there's been procedural concerns, and it seems like in the Cornell deal, that was one of the things they emphasized.

(00:47:19):

As far as, we'll say people who are more supportive of the Trump administration and what it's doing, I think a lot of people are probably looking at this deal and feeling like they didn't get enough. So that's kind of why I'm saying I don't know if people following on either side are totally happy with this. On the one hand, there's going to be people at Cornell who are just like any deal at all should have been anathema and we shouldn't have agreed to, we should have taken a stand like Harvard has, or something like that. And on the other hand people who want the Trump administration to get more reforms or more concessions out of the universities, probably look at this and think, "Well, there's not a lot or enough I guess here." So what do they get? Well, \$60 million, I believe 30 million of it Cornell is paying to the government and then another 30 million is going to be invested in farming and agricultural programs, which is connected to Cornell's status as a land grant university, and they have a lot of programs in that particular area.

(00:48:26):

So I think this is going to involve looking at how AI can make things more efficient, et cetera, et cetera. So there's that financial component. Another big part of the deal, probably the most significant part in terms of potential reforms from a civil rights standpoint is Cornell is going to be required, and we've seen this in other deals, to provide anonymized data of their admissions files. So this will allow the government to take a closer look and see if they're following the law under the students for fair admissions case. So those are kind of the key things. IU think Cornell is also going to conduct annual campus climate surveys, which setting aside your feelings about this deal and whether it should have been made an active part of our gold standard is we recommend that universities do regular campus climate surveys of their own, looking at free speech issues and that sort of thing. So hopefully, they'll incorporate questions looking at, of course, things like antisemitism and civil rights and that sort of thing, but also hopefully some questions about free speech, openness to intellectual or viewpoint diversity on campus.

(00:49:44):

I think there's also going to be, as part of the deal, they're going to offer some trainings on civil rights to staff and maybe faculty at the university. So those are some of the key things, but it's a fairly slim deal compared to the Columbia deal as an alternative, and at least the president of Cornell seemed fairly happy

about the deal under the circumstances. So I guess as with all of these, time will tell, right? We'll see how it plays out.

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Justin Garrison (00:50:21):
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Yeah. I'm not asking you to speak on something that you don't know, that is speculative or whatever, but I wonder based on how you were talking about this, do you think part of what the Trump people have learned is a little bit more precision in how they want to structure these agreements, that they might have overreached or are asked for too many things at once in some of these earlier agreements, whether they succeeded or failed, and that they're getting more of their footing. These would be reasonable targeted measures that would probably be too much. No, I'm asking you to speculate on their thought process, but it seems like these are turning out a little bit different with Cornell and UVA compared to Columbia.

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Steve Maguire (<u>00:51:01</u>):
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Yeah. And I've no inside information. So you're right, it would be speculative for me to talk about their motivations. But one thing I'll say is another point that President Kotlikoff made in that presentation he gave to the Cornell community is basically what we've done is agreed to follow the law-

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Justin Garrison (<u>00:51:19</u>):
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Who'd have thought?

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Steve Maguire (<u>00:51:19</u>):
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Yeah. A lot of universities arguably haven't been doing that, allegedly, arguably, and they should be. And if you look at, for instance, the anonymized data, if the government is concerned that the university is not appropriately following Supreme Court precedent or civil rights law in its admissions procedures, then in principle it seems the government does have the ability to ask for more information to try and investigate that and ensure that they are in fact following the law. So as far as, yeah, I can't speculate as their motives, but I think you make a good point in the sense that looking at it from the outside, someone who doesn't know internally how Cornell approached it or the administration, these deals do increasingly look like they are sort of honing in more on some of the things that you might plausibly expect them to be able to do in response to concerns about civil rights abuses.

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(00:52:27):
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But I do think that, like I said, there's probably, I know there's people at Cornell who are probably not very happy with this deal, that they feel like it leaves too much untouched and doesn't look deeply or affect deeply enough the DEI operations there, for example, or doesn't address adequately enough concerns about antisemitism on the campus and that sort of thing.

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Justin Garrison (00:52:58):
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All right, so for internal motivations, if Pam Bondi or Harmeet Dhillon want to come on and talk to us, we will make that happen at any point.

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Steve Maguire (<u>00:53:07</u>):
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Absolutely.

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Justin Garrison (00:53:09):
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Because that would be just wonderful. I know they have their hands full with so many other things like Berkeley-

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Steve Maguire (<u>00:53:15</u>): Berkeley, yeah.
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Justin Garrison (<u>00:53:15</u>):

... which we talked about earlier, it's always Berkeley. But no, this is an interesting story and you wonder if it is ultimately a decent agreement since everyone kind of feels mildly sad. It's like one of those things with the constitution, everyone kind came out of it thinking that's all right.

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Steve Maguire (<u>00:53:36</u>):
Yeah, right.
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Justin Garrison (00:53:37):

That's okay, it's got some good stuff, some other stuff I'm not so sure about. This is kind of the nature of politics.

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Steve Maguire (<u>00:53:43</u>):
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Yeah. Well, it's worked out so far, 250 years or so.

Justin Garrison (00:53:48):

That's right, that's right, that's right. Something, Steve, that caught my eye as we were preparing for the show, I have a longstanding profound skepticism of artificial intelligence as such, right? I don't think the latest Mission Impossible movie was fiction. It's probably just a documentary that had Tom Cruise in it for some reason. But this is a serious topic in higher ed in addition to a variety of other areas, but those are not our business on this show. And so last week in the Chronicles of Higher Education, Beth McMurtrie published an article called AI has Joined the Faculty, and it's one of those rare things that happens these days, it's just reporting. There's not like a political spin on it, there's not an interpretation that's baked in. It does a really good job of outlining areas in which artificial intelligence has become more used by faculty, where it's been used, things that they use it for. There are proponents of integrating AI into faculty life, there are skeptics of that.

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(00:54:59):
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So it's a really wonderful piece. I think that's fairly balanced and would be a good place to start if someone's actually curious about this topic, which is not to say that I don't have my own opinions 'cause we're here to stir the pot a bit. So I remember this coming up before I left my academic job and being really troubled by having colleagues who were doing things like first pass of grading is going through GPT. I'm going to design an assignment and then GPT will create a rubric for me to use to grade. And part of my concern about that is that there's something I think lazy about that. One of the things that kind of comes through in the article is well, this is going to save faculty so much time. If you want to save faculty time, stop making them do assessment. It's dumb and it shouldn't be a part of their life. Or stop putting faculty on dozens of committees.

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Steve Maguire (<u>00:55:56</u>):
You don't mean-
Justin Garrison (<u>00:55:56</u>):
... You could actually free them up-
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Steve Maguire (<u>00:55:57</u>):
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You don't mean assessment of their students.

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Justin Garrison (00:55:59):
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Yeah, right.

Steve Maguire (00:55:59):

When you say stop making, yeah, let them assess their students, but you mean related to accreditation and that sort of thing?

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Justin Garrison (<u>00:56:06</u>):
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Yes, right 'cause you would think, as a normal person, that the assessment of students is what we call grading, but anyone inside higher ed knows that, well, grading doesn't really count. You got to have this whole other infrastructure that uses all sorts of weird words and incantations to figure out if people really are learning. And so if you want to save faculty time, which is something they desperately need, there's so many other ways to do that than embracing this nonsense.

(00:56:35):

The article, as I said, it does a pretty good job of painting the broader landscape of this discussion. I think one of the things that troubles me a bit about their pro-AI argument is it's intellectually lazy in a lot of ways, and some of the things that come through in the article are not unique in this regard. So what do you do if you're talking with someone and they don't agree with you? You can dismiss what they're saying as motivated by fear. So you've kind of pathologized their disagreement, so you can just wave it off. That's not good enough. Then there's the inevitable list argument. Well, AI is coming, so you got to figure it out. Everyone said that about plenty of other things like NFTs, and that didn't turn out to be true.

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Steve Maguire (00:57:23):
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MOOCs were another one, if you recall, the Massive Online Courses.

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Justin Garrison (<u>00:57:28</u>):
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Oh, yeah.

Steve Maguire (00:57:28):

They were supposed to replace everything at one point.

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Justin Garrison (00:57:30):
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Right. That's right. And you know, there's certainly an important marketing angle to those kinds of arguments. You want to sell various chatbots and AI assistants, and so you've got to make your sales pitch. That's not wrong in the abstract, but here I think it is pretty toxic.

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(00:57:50):
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One of the things that I thought of when I was reading this is, I think you would remember this maybe in September, Greg Ip of the Wall Street Journal wrote an article about AI and he was talking about it from the perspective of a decline in knowledge production. If you don't have to think new things because you can just feed interests into some kind of LLM, the algorithm isn't creating new knowledge, it doesn't actually think. I don't like the way that people talk about hallucination and it's not actually doing this thing 'cause it lacks consciousness. It just amalgamates stuff that's already out there, so it's nothing new. And part of what his article was citing is some pretty staggering mental deterioration when it comes to

writing essays, when it comes to performing certain tasks when this is relied on too much. So I know I've been very subtle about this, but you can sense that I'm pretty skeptical about this in higher ed. So what would a more reasonable person than me say about these kinds of things? I think something that's-

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Steve Maguire (00:59:00):
Are you going-

Justin Garrison (00:59:01):
What's that?

Steve Maguire (00:59:02):
Are you going full Luddite, is that what you're saying?

Justin Garrison (00:59:06):
Yeah. Paul Kingsnorth isn't enough. I'm going to get a pioneer station on the moon.
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Steve Maguire (<u>00:59:13</u>):

You mentioned the consciousness thing, and I just wanted to say, there was an article in the New York Times this weekend by a philosopher, and she said artificial intelligence is already intelligent. It's going to be conscious 'cause we're going to revise the definition of consciousness to include it. And then she went on to say, but don't worry, even if it's conscious, that doesn't mean that it deserves any rights or anything like that because look at how we treat animals. And I thought of that scene from one of the terrible, terrible new Star Wars movies where Luke Skywalker says something like every single word you just said was wrong. And I was like I just could not disagree more. I was like it is not intelligent, it's never going to be conscious. And if it did become conscious, then it would deserve some kind of rights because okay, yes, we kill and eat animals and that sort of thing, but of course, we have ethics and there are people who would like us to have even more stringent ethics in terms of how we treat animals. It just seemed so absurd to me.

Justin Garrison (01:00:17):

It totally is, it totally is. Because you're right, okay, and if I recall that piece correctly, there was some kind of well, we're not really revising the definition, but that's essentially what you're doing. So yeah, you could just revise definitions and say this person is in, that person's out, this thing is in, that thing's out. But it's just an exercise in sophistry at that point. So you mentioned Star Wars. So I came up with Star Trek, and there's an episode where data is essentially declared the property of Starfleet because he's not human enough or something like this. It's like there are some 13th Amendment adjacent problems with thinking about AI this way. It's really not cool as a philosopher to come down on this, we can just exploit this technology in that way.

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Steve Maguire (01:01:11):
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Yeah, no, I once did a class on this question what is a person and looked at various categories of either people who had historically been denied full personhood or potential future potential persons including AI, like speculatively. Yeah, there's a lot of commonalities in these arguments for sure.

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Justin Garrison (<u>01:01:35</u>):
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So if you're listening to this and you're at a university and you're just not ready to flush all of this down the toilet, as you should, like the Charmin wet wipes that AI is, Kevin Gannon, who is the Director-

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Steve Maguire (01:01:49): Oh, brother. All right. This
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Oh, brother. All right. This will be our first censored episode. And someone said the F word before also-

Justin Garrison (<u>01:01:56</u>):

Yeah, well, that's right.

Steve Maguire (01:01:58):

Yeah.

Justin Garrison (01:01:59):

That's right. Yeah. So we're fine. I haven't used any obscene language. I'm just being very cranky today. So to bring this to a merciful close, the article cites Kevin Gannon, who's the Director of the Center for Advancement of Faculty Excellence at Queens University of Charlotte. And he actually has a pretty sober piece of advice. It's inevitable that this is going to be discussed on college campuses, it's already being discussed. Of course, it's being discussed anecdotally or informally and also in terms of policy and decision-making. And his advice is excellent on this front. Colleges and universities must include skeptics in any of the policymaking procedures that they're going to adopt. You can't just write off skepticism as people like me, that's too convenient. There are credible reasons where AI, as part of the faculty experience, is probably not all that people claim it is going to be. There are very mixed opinions amongst faculty members about whether or not this is useful.

(01:03:04):

So bracketing my own kind of concerns about this at the normative level, I think when it comes to process, this is an issue that's really going to be important for higher ed going forward, and it's something that needs to be an actual discussion rather than that kind of fait accompli that comes from administration that begins with the words best practices. Try to bring people in and really sort this out because it'll help morale at your institution and it'll probably give you a better policy than if everyone's drinking the digital Kool-Aid.

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Steve Maguire (01:03:41):
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That's great.

Justin Garrison (01:03:42):

That's it.

Steve Maguire (01:03:43):

And then if they need a consultant who's going to bring the skeptical view, I guess they could contact you.

Justin Garrison (01:03:50):

That's right, that's right. I take paper money because digital currency is wrong, also livestock to survive the AI apocalypse. So I guess that's a small window into how my mind works when we're not on the show.

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Steve Maguire (01:04:12):
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I have to say I'm not as skeptical about it as you, but I do have, which sounds like it's not that hard to be, but I do have obviously real concerns and I think there's something to be said for, especially in the educational environment, trying to find ways to educate students that keeps them away from AI, although

I'm also open to supplementing that with opportunities for them to learn to use AI in ways that they might have to. But I mean, we're still pretty early on in the whole AI thing. So we have to, I think, some sort of moderation and caution, and it sounds like this article is pointing people in that direction, and I think that's a positive contribution by the sounds of it.

Justin Garrison (01:05:05):

Yeah, I totally agree. All right. We're moving on to the segment that everybody has come to adore, which is our awards. And so this month I am to give out our Hero of the People.

(01:05:23):

Okay, so this month I actually have two, one of them is brief, the other one is slightly longer. I got a text message from a friend last week, and I guess Jalen Hurts paraphrased Kierkegaard at a press conference saying, "You live life forward, but you learn it backwards. So that's just the baller move, and that has to be respected." It's the only good thing about the Eagles, is that statement.

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Steve Maguire (01:05:49):
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Well, I mean that's the Super Bowl, but...

Justin Garrison (<u>01:05:51</u>):

Well, you know. Yeah, so two things, two big things. But that's cool, right? If we had a stronger and more robust liberal arts framework in our country, we could get people talking about the deontological reasoning behind showing up and going to practice or something like that. I guess that would be contra Allen Iverson, which is a different Philadelphia connection, but I digress.

(01:06:21):

So the real hero, the full-fledged award with all of the fabulous prizes that are associated with it is the University of Austin at Texas. And there was a story this week that a donor named Jeff Yass donated a \$100 million to the university, and this is part of a \$300-million campaign that they're running and the ultimate goal behind this is to make tuition irrelevant. If you're accepted to the school, you don't pay tuition. And the condition for this particular donation is that UATX will never accept government funding.

(01:06:56):

Now, I know at ACTA, we're not opposed to government funding in the abstract, but what I liked about this was it's clear that this is a way in which if you don't like what's going on in higher ed, one possibility is to build institutions like this. I think we have been pretty clear on this show in different ways that we really want reform at existing schools, and we want that reform to come from within, to do things that are aligned, for example, with our gold standard and other things that different teams at ACTA do. But there's no reason this is a bad idea to try and create an institution, like this one, that really is committed to academic excellence and free expression, clearly in this particular case, affordability, doing those things while teaching the American tradition. So I think this is just a marvelous thing. I was happy to see it, and so that's why I picked them as the hero. So well done, UATX

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Steve Maguire (01:07:56):
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And Jeff Yass, just a amazing donation.

Justin Garrison (01:07:59):

For sure.

Steve Maguire (01:08:00):

Great. Well, once again, it falls to me to discuss the Apparatchik of the Month. So this month I've selected a story about a couple of instructors at Colorado State University, although I think one of them has since moved on, but it concerns classes that were taught there dealing with racial justice. And this has been reported in the Chronicle and has been reported in the College Fix as well a couple of times. And now, FAIR has filed a civil rights complaint saying that students were discriminated against on the basis of both race and sex. And basically, I guess this is all allegedly because it's a subject of a civil rights complaint. But based on what's been written up in these sources and the work of the professors themselves, they were running classes on racial justice and it seems like they basically, when white and male students became upset about some of the content and expressed that they were quite distressed by it, the professors really almost wanted them to feel that way. There's one quote from the professors where they say they wanted this tension to be in there. For instance, one student when he reported his concerns, one of the professors said, "Well, it should suck because it's nothing compared to the lived reality of it." (01:09:48):

Obviously, this is dealing with difficult material, but the professors were using a particular pedagogical method where they wanted this tension, they wanted this discomfort, and obviously tension and discomfort can be part of the educational experience on a college campus, but it seemed like they were going in sort of expecting that the white students in particular would have these issues. And then the way that they reacted to it was just not very pedagogically or psychologically productive, I think, sort of almost telling the students, "Well, yeah, of course you feel this way," which implies that maybe they're somehow personally responsible or should feel guilty about some of the things that they're talking about in the class. And so I think they sort of treated, it seems like they treated students differently based on their race and maybe their sex as well.

(01:10:46):

But then not only that, but as they were conducting these classes, the two instructors also did these sort of debrief sessions where they talked about what was going on in the class and their reactions to it, and sort of kept a record of all of that. And then they wrote a paper about it, like a research paper, and got that published. And that paper has since been retracted. I think there were probably some research ethics or IRB issues, although if I recall correctly, the IRB decided that it fell outside its scope, the review, the committee that looked at it said that. So that seems a little odd in the first place, but basically it looks like they set up a classroom experience that was going to single out certain groups of students based on their identity, and sort of just let them twist in the wind of this extreme discomfort. And the professors expected this to happen, wanted it to happen, and then let it happen without really helping the students to deal with their reactions in a positive way. And then they use that as a basis to advance their research agenda.

(01:12:04):

So I think on every level, this just sounds like a terrible approach to teaching and research that really abused the teacher-student relationship, where a teacher really should have care and concern for all of his or her students equally regardless of their identity or their points of view or anything like that. And so for that reason, I've selected them as the Apparatchik of the month.

Justin Garrison (01:12:34):

Yeah, well deserved. It just sounds like what you would expect with that scholar activist model.

Steve Maguire (01:12:40):

Yeah, exactly. Okay. Well, that brings us to the end of this month's episode. I believe next month we're looking forward to interviewing David Rabban, who's just come out with a new book on the history of

academic freedom as a constitutional right. It's sort of development into something that's recognized through the First Amendment. So we'll definitely look forward to that.

Justin Garrison (01:13:05):

We'll see you all next month. Until then, KBO.

Speaker 1 (<u>01:13:09</u>):

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(<u>01:13:34</u>):

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Speaker 2 (01:13:45):

ACTA surveyed more than 2,300 undergraduate students at six of Virginia's 15 public universities and discovered a shocking erosion in their understanding and appreciation of free speech and open discourse. Discover more at GoACTA.org.