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Vincent Munoz

I think what we need to do is explain how our principles of free speech, free inquiry, will help serve the cause of justice.

Betty Friendan

The First Amendment, the constitutional freedom of speech and freedom of conscience that is the bulwark of our democracy.

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Bettina Apthekar

There was a passion in what was being said, affirming what people consider a sacred constitutional right, freedom of speech and freedom of association.

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Michelle Deutchman

From the UC National Center for Free Speech and Civic Engagement, this is Speech Matters, a podcast about expression, engagement, and democratic learning in higher education.

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I'm Michelle Deutchman, the Center's Executive Director and your host. Across the country, state legislatures are introducing bills that reshape what universities can teach, how faculty participate in governance, and how institutions approach issues related to diversity, identity, and public discourse.

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While supporters of these measures often frame them as efforts to promote viewpoint diversity and institutional accountability, critics argue they represent growing political interference in higher education and threaten longstanding principles of academic freedom and shared governance.

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To help us better understand these legislative trends and what they mean for colleges, universities, and for democracy more broadly, we're joined by Laura Benitez from PEN America.

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Laura works at the intersection of free expression, education, and public policy, and closely tracks legislation affecting higher education through initiatives like PEN's annual report, America's Censored Campuses, and the Index of Educational Gag Orders and Higher Education Censorship.

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You'll learn more about her work after we turn to Class Notes, a look at what's making headlines. As graduation season unfolds across campuses, so do debates over commencement speeches. Numerous universities have faced campus-wide controversy after canceling commencement speakers in light of complaints about speakers' past comments regarding politically divisive issues.

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Three cancellations related to the Israeli-Palestinian conflict. At Rutgers University, the School of Engineering rescinded an invitation to biotech entrepreneur Rami Elgondor after students complained about his social media posts accusing Israel of genocide.

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During a University of Michigan commencement ceremony, Speaker Derek Peterson, a professor of history and African studies, praised pro-Palestinian student activists for criticizing the injustices of Israel's actions in Gaza.

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Swift backlash from external stakeholders followed the remarks, so much so that the university released a formal apology. The apology, in turn, sparked critiques of the administration by faculty groups who are concerned about the institution's responsibility to defend faculty speech, even in the face of external pressure.

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Former Northwestern University President Morton Shapiro withdrew as commencement speaker for Georgetown University Law Center commencement following the petition launched by students opposing his selection. Students opposed opinions that Shapiro published on Israel and Palestine in the aftermath of October 7, 2023.

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Issues pertaining to the Middle East were not the only ones that resulted in a change of course. Utah Valley University disinvited author and educator Sharon McNahan and as its commencement speaker because of her past comments following the murder of Turning Point's founder and executive director, Charlie Kirk.

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And at South Carolina State, the university canceled the state's lieutenant governor, Pamela Yvette, after student protests erupted on campus, citing her support for anti-DEI policies and for President Trump.

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Earlier this month, students and faculty from the Texas Tech University system held a mock funeral for academic freedom after its quote-unquote murder following the university's introduction of policies restricting content related to gender and sexuality.

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The protest, organized by students engaged in Advancing Texas, or SEAT, took place outside a Board of Regents meeting. SEAT organized similar funeral protests at the University of Texas system and at University of North Texas Board of Regent meetings last week. At all of the funerals, students protested what they described as growing censorship and threats to academic freedom.

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The end of the year may be near, but the Department of Education's Accreditation, Innovation, and Modernization Rulemaking Committee is not

slowing down. Rather, last week they voted to approve a draft of proposed regulations that would make broad changes to higher education accreditation. Among the proposed measures are requirements that accrediting organizations ensure public institutions uphold First Amendment protections and develop institutional policies to measure intellectual diversity on campus in order to promote a range of political viewpoints.

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Critics see these changes as just one more way the federal government can disrupt institutional autonomy and further its own political agenda. Now back to today's guest. Today we're joined by Laura Benitez, the State Policy and Government Affairs Senior Manager for US Free Expression Programs at PEN America.

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Her work focuses on protecting academic freedom, monitoring educational censorship legislation, and supporting the rights of students, educators, and institutions to engage in open inquiry and civic discourse.

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Through initiatives like Penn's annual report, America's censored campuses, and the index of educational gag orders and higher education censorship, she tracks legislative efforts shaping higher education and public education across the country.

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Before joining Penn America, Laura worked with the Arizona State Senate research staff where she facilitated the legislative process and provided nonpartisan policy analysis, research, and drafting services.

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at the Senate Education Committee Research Analyst. She held primary responsibility for both K through 12 and a higher education policy analysis, giving her direct experience with the legislative systems and policymaking processes that now shape many of the debates surrounding education and free expression nationwide.

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Laura holds a Bachelor of Arts in Poli Sci with a minor in Spanish from the University of Arizona. Laura, thanks so much for joining us. It's wonderful to have you on Speech Matters.

Laura Benitez

Thank you so much for having me. I'm thrilled to be here.

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So I usually like to start by asking people a little bit about their career trajectories. So i'm wondering if you could tell us what drew you to work at the intersection of speech and education and public policy, and ultimately how that path all led you Patton.

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Absolutely. So yeah, I came to these issues really through the public policy side. I, right after college, started working for the Arizona State Senate, as you had mentioned, and I worked on a couple different committees there, but the most of my time was spent on education issues. My mom was also a teacher, so of course there was that draw that has brought me to this area. and You know, as someone who was working at the Arizona State Senate in the time that I was, you know, leading up to 2020 and then a little bit after, this was the time where there began to be a lot more discussion about expression, what should be in the classrooms. And this was just an area that I saw these developments happening and I wanted to do something about it. So once I did leave, the Arizona State Senate and learned about Penn. What really drew me to Penn was really a lot of the K-12 book ban work. you know Again, as someone whose mom was a teacher, also a reader myself, it was always of great interest what was happening there.

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And then through Penn, I really learned so much about what is happening in higher education. And I joined an incredible staff who had done so much work, not only in understanding the free expression space at universities, but also creating the framework for how we understand the legislation that has been introduced over the last several years and how that is affecting universities. So all that to say really started through that public policy and education lens and then seeing how censorship was being pushed through government levels. It just seemed like the perfect space for me at Penn to get involved there.

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Well, and you know they say the timing is everything and it seems like your timing is right in terms of needing people to do things to counter what we're seeing. We've spent a number of episodes focusing on things that have been happening kind of at the federal level and sort of how the federal government is, you know, using its tools to sort of assault higher education. And so one of the reasons we wanted to have you on today is to take a little bit of a different vantage point, and that's at state governments, and to remember that there's plenty of things that are happening on state levels. And so I think maybe we could start, you know, looking back before we look ahead. And I just want

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You know, over the last bunch of years, as you've mentioned, we've seen an enormous increase in state legislation targeting everything from restrictions on DEI initiatives to curricular control measures, as well as changes to shared governance structures. And I'm wondering if just like based on your experience, what would you say are sort of the main either trends that you've seen or sort of buckets of bills over the last bunch of years?

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Absolutely. So, yes, as I mentioned, you know, Penn has created this framework for understanding the kinds of bills that we're seeing coming from the state levels. And Really this started, this project started in 2021 order to track what began as efforts from states to curb the so-

called CRT divisive concepts in the classroom at K-12 and higher education level. And that's how this really started. But after a couple of years, there were efforts to shift into a more indirect attacks.

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on the topics that could be discussed in the classroom. so That first bucket, I'll say, of efforts, we call these educational gag words. So these are direct restrictions on the topics that can be discussed or taught or included in the classroom.

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And then the second bucket, you know the overarching phrase that we've used to refer to these is just indirect censorship. But really what these do is they undermine the pillars that uphold academic freedom and the freedom of students to learn. and ensure that institutions are able to preserve the environment and space for intellectual inquiry. And so these are those categories like tenure and these systems of shared governance.

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There is the, you know, the rights of faculty to inform the curricular decisions, you know, what classes should be required for a certain major.

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And so What we saw after those first couple of years was an increase in attacks from this indirect side.

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And that has been really probably the most significant shift, but it's also important to see just the change in what is being targeted.

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So it started out, as I mentioned, with this attacks on critical race theory, so-called, of course, like we know that there was the effects of these was far beyond that. And it's also over time evolved to restrict discussions on gender, sexual orientation and gender and identity. And of course, all of this is also tied in into how folks want American history or, you know, so you know societal systems to be discussed.

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And there has been a more concentrated efforts to really restrict the way those are connected, you know, discussions of race to what are our systems here in the U.S. or internationally even.

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Then besides that, i would say that there has also been an important trend that I think we have to acknowledge, which is more and more model legislation showing up from think tanks.

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and being adopted by states. And that, or even, i will say, it's not always that they are word for word enacted into law. Sometimes they are, but even just the plethora bills that are introduced with the exact same language is really shocking, especially when They're often introduced by

folks who have this idea, usually in principle, or at least historically have had this idea that, you know, states should all be their own state and should have their own systems, or rather they should have their own

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laws and regulations that are specifically made for their community. And these are states often that try to hold that line of, you know, the difference of what should be the state's purview versus the the federal government purview. But, you know, with this trend toward more model legislation, it is interesting to see you know, there's tension in that given that we're essentially adopting the same language that is being pushed on this national scale.

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that's really interesting. I haven't thought of it that way, right? I mean, because it's all kind of a they send it out as a package and it's tied up in a bow. And I imagine that states can, you know, tinker and in the joint, so to speak. One of the things I feel like I am making assumptions about sort of red, blue and purple states. And, you know, my guess is that more of these types of bills that are sort of what I would call legislative intervention into like kind of autonomy of the university are passing and meeting being met with success in red states. But I really feel like I should be checking that with you to, you know, have you give me a credibility check on whether that's accurate or not.

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Yes. So it is accurate. As I mentioned, we have been tracking these efforts, as you mentioned, through the index of educational gag orders and other restrictions. And these bills are almost exclusively introduced by Republican legislators.

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And as far as the success of bills passing and actually becoming law, that exclusively has happened so far. in states that are either controlled by a Republican legislature and a Republican governor, or where a Republican legislature has the veto override ability if the governor were to veto. And so it really does mostly follow that line.

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So we've talked a little bit about, like you said, the kind of different buckets that legislation are sort of can be put into. How about this most recent session, i guess it's ongoing. Are you seeing anything that's sort of different emerging? Or is it really more of the same? i don't know if it's impacted, you know, states are sort of taking a break because there's so much happening on the federal level, or if things are being impacted by, you know, upcoming midterms, I would just love to get your thoughts on that.

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Sure. So it is interesting. There are fewer bills that were introduced this session and an even more significant drop in bills that actually passed this session so far. So just to give you a little bit of a frame of reference, the number of bills that we saw targeting higher education last year was And that was an enormous increase from the year before. So

we were really preparing this year to see essentially that same kind of number. And when I say that there has been a drop, it's a drop to maybe around 50 to 60. We're kind of still in our preliminary space.

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But even that is an incredible increase if you look at three years ago. So just to kind of keep us in context with what is the true norm versus the norm right now. and I will say that yeah there's a number of reasons this can happen. There is that federal focus, as you mentioned. It's also sometimes just a matter of this is the second year of legislative terms, obviously. So where legislators had introduced bills last year, they didn't pass. They might not try again this year. But also it's important to realize that what often happens is if the state had the willpower to pass this kind of legislation, they most of them did last year.

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And so that is another thing that that we can kind of help us understand why there's been this drop. But that being said, what is notable to me this year, this is the first year where we have seen laws enacted on tenure that go quite so far as they do.

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so We have seen bills introduced over the last several years, some requiring the abolishment of tenure. We've seen bills that you know try to mess with you know who can review tenure portfolios.

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But many of those didn't pass. And the ones that did pass were often a little milder than actually abolishing ten tenure. Tenures. This year, however, we had two states, Alabama and Tennessee, who passed bills that while technically they kept tenure, what they did is they created this requirement for decisions around disciplinary actions, regardless of whether you're tenured.

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They created this disciplinary process to be entirely controlled by administrators and often just a single administrator. And that is an effect, it give that's abolishing tenure in effect. So even if it would allow a university to say, oh, you have tenure, you don't necessarily have in those states anymore, the protections and the guarantee of your academic freedom out and protection from that political interference. and especially in a climate right now where administrators are under so much pressure from politicians and, you know, other other outside factors, giving these administrators the power to simply remove a faculty member for almost any reason. We've never seen that become law, and now we're seeing it in in two states.

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Right. So it kind of reminds me a little bit of some of the legislation that's also been introduced where they're saying, no, no, you can still have faculty senate. It's just going to be an advisory senate, right? So like, no, no, we're not really changing anything. So here it's like, no, no, no, we're still going to have disciplinary hearings and you're still going to have due process, but it's not going to be sort of your peers.

Right. That are going to be, you know, thinking about and deciding, you know, what's appropriate. It's going to be these administrators, which, like you said, unless you're someone who knows a little bit more about academic freedom, you know, people might not realize like how detrimental this is to what's happening. Absolutely. Absolutely.

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You know, so all of this is, you know, going on. And I'm wondering if you can talk a little bit about some of the things that people are doing to kind of resist, whether that, I mean, you know, students or faculty organizations or groups like yours who are challenging these measures and what strategies you've seen that have been effective in either, you know, before the law is passed or even after when we're talking about the sort of implementation. because sometimes it can be sort some of the wording that can be used. I would say it would be subject subjective and open to interpretation.

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Yes, you are absolutely correct that there is a lot of vagueness in a lot of the language that is passed. And I'll just note really quickly that that is one of the major reasons that these bills are so dangerous is because administrators are left trying to guess what politicians might mean and they often overcomply, etc.

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But yeah, we have seen you know just a lot of resistance that has been building energy over the last couple of years. it is i think it's important to emphasize as I talk about this that so much depends on your particular state, so much depends on the legislative makeup.

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Each state is really unique in what is going to work for the various places. We have seen really so much energy from students in particular and faculty as well, but I think that students often are the more sympathetic population that legislators care about more. And i say this, you know, I hate to say this because we should care about faculty. Legislators should care about faculty. You know, they are so integral to students' education and, you know, without them, there's no university, right? So I do think, you know, faculty have also done so much organizing, etc. But I think I want to focus on the students because I think that one of the interesting lessons that we have learned over the last couple of years is like you kind of mentioned earlier, not everyone knows about academic freedom and why it's important and what it is and how it's upheld. So I think those of us who are more involved or who are more immersed in this space,

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It's an easy thing for us to talk about. But to anybody else, it sounds very academic, perhaps a little elitist. And they, you know, legislators in the general population don't necessarily listen to those kinds of arguments. But when you're centering students, there is, ah i think, more success in convincing folks to care. So I will say, you know, there's a couple states in particular where we've seen just really incredible organizing programs.

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from students in Ohio, for instance, when they were first introducing what they ended up enacting as Senate Bill 1 last year, that was just sweeping attacks on higher education, multiple different you know buckets that they were they were going after there. Students held mock funerals. And we're actually seeing this same thing happen in Texas right now with all of the really, honestly, tragic policies that are being adopted by the boards there. Students are doing something similar here, holding these mock funerals and wakes for academic freedom.

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And I think seeing the amount of effort and the energy that students who put in to these kinds of protests. I do think it's really important in raising the profile and helping folks understand why it matters. Because, you know, students shouldn't have to be doing this. They should be able to sit in their class and have the discussions they need to have. They should be able to do their homework and not be spending the time trying to defend their basic right to learn. And we also have seen success in Iowa, where, you know, in 2024, 2025, some of the strictest bills that we've seen, you know, anti-DEI measures and these kinds of attacks did pass. But there was a slew of other measures

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introduced this year in Iowa that, you know, would have required the university to sign the federal compact from the Trump administration that was proposed. Bills that would have further eroded tenure and further eroded classroom, or I guess further restricted classroom instruction.

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And students and faculty there were able to organize and against both these bills and policies proposed by the Board of Regents. And While it hasn't been a uniform success, the policies that were adopted by the Board of Regents are a lot milder than the original versions. And it seems like there was also a lot of behind the scenes conversations that potentially helped ha that make that happen. So I kind of give these different examples as, you know, there's a lot of that public facing, raising the profile, making sure people are aware and care.

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And then there's also some of the behind the scenes work that happens that, you know, I will say, like, from a national perspective, I don't always know exactly how they got there. But that's why it's important, I think, to really know your state, know the organizations in your state and be able to learn from each other in that way.

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Thank you so much. I think those are all a lot of great examples and i think highlight a couple of things. It makes me think of that quote, you know, all politics are local, right? This idea that so much of it has to do with like where you're based, what your university system is like. I also think that, you know, what you're talking about, I think is in some ways,

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you know, what at the center we encounter all the time, right? when And it's sort of how our our work, I think, is synergistic. So like, we're not an advocacy organization. But, you know, I recently went and did a workshop on academic freedom for a bunch of faculty, and they did not know some of the fundamental differences between speech protected under the First Amendment and academic freedom. And You know, and it becomes very hard to expect that people are going to like defend something that they don't fully understand. And so I think that like it's both obviously working at the level that you're working at, but also continuing as so many places are are doing to try to just like lay the groundwork for like some basic understandings. And I guess the third thing is, I think I'm i'm really happy you mentioned about sort of who, yeah not that the students are more sympathetic, but like they're more effective, you said, like sort of in this in this moment about this legislation, because I do think that like part of it, right, is knowing who's going to be able to make the most persuasive argument. And we have some fellows that did some work on this about how the university isn't so adept at changing its arguments depending on who their audience is. you know And it sounds like what you're saying is that like students know how to pull the levers potentially in a way that has a different impact. And I think that's important for people to know and it's kind of inspiring.

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It really is. i mean, i I will say as someone who's working in this space and so much of my job is seeing everything happen and it's tough, right? Especially on the, it's tough for people who are directly affected and it's also just tough to watch everything that's happening in our country. And then I'm in these meetings and these, you know, calls where we hear about everything that the students are doing and it's so re-energizing and it really is such a good reminder of like, why are we doing this? Why are any of us you know, trying to defend higher education and it's because of the students. And I also just really quickly, as you were talking about that, I'd love to add that it's not only that they are more effective, but also often that they have greater protections. to stand up and speak. And I think that that is an important and a bit of an unfortunate reality of this current moment that a lot of faculty administrators are very scared and unfortunately for good reason. And many, you know, despite protections that ostensibly they should have,

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you know, have suffered very real consequences in their employment. And that is, you know, the kind of stakes that many students, not all students, of course, you know, we need to understand that, of course, there's, there's,

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varying experiences happening for students as well. But most students have much greater leeway to be critical of administrative policies, of the legislature, and it is a much higher, you know, students are paying to go to these institutions and, you know, it's a much higher bar to go after students, I think, and on a personal level. so So that gives them that freedom, I think. I think that absolutely makes sense. I mean, this is, we've been talking, you know, just you and I haven't been talking,

but I've just been talking with others a lot about the chilling effect. Like in my presentations now, I show big iceberg, right? Because the reality is that even if the courts hold the line, or even if the legislation doesn't get passed, or if it gets diluted, like you were talking about, I think in Iowa, you know, the chilling is still happening. And I think it's a really interesting point that in some ways, in different situations, I think students might feel more chilled. But what you're saying is like,

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coming to like public a comment, they may they maybe feel like a more empowered in a way that somebody who is for sure an adjunct or even people that have tenure. So I think that's really interesting. Another question I have is also sort of about the legislative process. And it seems to me, and again, you'll correct me if I'm wrong, is like oftentimes how quickly these bills can move through the legislature. And oftentimes it doesn't seem like there's a lot of public awareness. And so I'm wondering, especially for the students and faculty, and administrators who are listeners to this podcast, you know, are there things they can be doing to stay more aware of legislative developments before they're going for a vote? Are there things that you can suggest to people in terms of like how to stay informed before it's on like the cover of the Chronicle when likely i don't want to say it's too late, but probably it's on the cover of the Chronicle because like something has happened.

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I mean, there's multiple levels to this. um First, you are absolutely correct that often these bills are, you know, going through the legislative process so quickly. Some of that is the nature of certain states just have really short legislative sessions. And some of that is absolutely a tactic to avoid public awareness. So there there's a couple different thoughts I have here. one is just setting up your you know you're organizing and your community before there's actually a problem. Now, of course, for so many people, we're already at that point. But I say this, you know, before before there's a bill that you know you're watching, you know, being plugged into the local organizations, whether that's student groups, you know, faculty groups,

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You know, other local organizations, most states have, you know, a variety of education, defense, local state focused organizations that, you know, might have newsletters, might just in general, trying to make contact with those folks. And part of that is, as you mentioned, it's really hard to keep up to date with what's happening in the legislature at the capitals.

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And no one person, when they're dealing with their regular life, or rather I should say it's going to be very difficult for someone who is just keeping up with their regular life to be really plugged in to what's happening. But you know by making those connections and forming that community, you got to share the the weight and the burden of that, I think.

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So, you know, folks can take different turns of monitoring legislative websites and those kinds of things. And then, of course, you know, organizations that are are focused on these at the local level can help raise that awareness.

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The other aspect would be knowing, I suppose, learning about your legislative process before you know that you're going to object to something. So, you know, that might be knowing what points you might be able to submit public testimony, knowing at what points a bill might be able to be amended or stalled, and knowing who makes those decisions is really important.

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So oftentimes, whether or not a bill goes on an agenda is up to a committee chair. And of course, there's a lot of work behind the scenes from leadership and, you know, just the politics at play there.

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But especially at the local level, you know, I think some folks would really be surprised just how much individual power really remains for individual committee chairs and folks like that that really do actually have the ability to stall certain pieces of legislation despite other pressures. So I think that is something else that I think folks can do to to prepare ahead of time. And just knowing that You know, you can contact your representatives offices at any time. You can tell them you're concerned about this happening at any time. And hopefully they can pay attention even when there's there's not necessarily a specific bill that's doing this.

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I love that answer. And I kind of feel like in some ways you've answered the question that we usually ask at the end, which is something that every person can do as an action. And I think i think it's great because this is actually, you know, sometimes it's it's a little hard, but I feel like this is something specific, which is like you can go on to like your state's like legislative website and you can look at the calendar. And then we are going to have the index of educational gag orders and other legislation that you can then look at for your state. And so I do feel like you're giving people some of the building blocks for how to become informed what aarin to be thinking ahead. So we sort of, we went there and now I'm going to go back a little bit because one of the things I i do want to talk about, and I think this is a question both about legislation, but also just sort of Penn's response generally. i I feel like we have to

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touch on sort of this narrative that I think has become more and more relied upon about how there is, you know, quote unquote, political indoctrination happening at universities. And, you know, that's one of the reasons that's used that that folks rely on for why it's so important for legislators to take matters into their own hands, right? Because the

the universities aren't aren't doing a good job. And I'm wondering if you could talk a little bit about how Penn kind of responds to that kind of line, basically to to that like set of arguments as you're thinking about, you're writing about or advocating against legislation. and Like what role does that particular like narrative play?

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Thank you. I mean, this is a great question. So thank you for for raising it. I think it's really important on a couple levels. First, just acknowledge that intellectual diversity as a concept is a worthwhile goal for a university. And what has happened, however, one is somewhat a product of disinformation spreading by, you know,

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I would say folks who have you know long-term agendas about what ideas they actually favor. And intellectual diversity has really become this rhetorical tool that you know proponents of censorship are using as a misnomer for what they're actually doing. So what happens often is you know you can say that bill does whatever you want to say it does. And in reality, when you actually look at the text of the measures that are passed by the legislature or being considered by the legislature, there's different things that they do. Some of them actually, you know, some of them will say this is for preserving culture of free inquiry. But then the actual text is saying you can't talk about these specific ideas. So really, it's unfortunately become a device for twisting the reality of what the pieces of legislation are actually doing. And the other part of this that's important to recognize is what happens when you have state mandated

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intellectual diversity and how, you know, is it possible for the ah legislature, you know, they're elected, they're they have a lot of political, both political influence and also pressures on on them to represent specific ideas that they feel, you know, either their electorate or people who are putting political pressure on them, you know, they might, they feel pressured to favor certain ideas and certain values And so this is not a system that is conducive to true intellectual diversity and true free inquiry. Because

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when you have a state law, there is a certain amount of legislative oversight that goes with it. There is an understanding that you know there is the legislature can decide, hey, are you implementing this law the way that we want you to or not?

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And when there is that pressure, the folks who are trying to implement these measures that are so called for intellectual diversity, they're not going to be in a space where they're actually free to cultivate the true culture of free expression and the true culture of intellectual diversity. They will instead be forced to think about what are the ideas that I think someone else thinks I'm not platforming enough.

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And they're in this space of being forced to almost stratify ideas into favored and disfavored ideas by the state. I want to jump in and just make sure that I'm getting what you're what you're saying. So you're both talking about, first of all, that the term intellectual diversity is very open-ended, correct? Yes.

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So what I might think is intellectually diverse, you might think is like very closed and conformist. So there's that issue. But then you're also talking about once it becomes state mandated, tell me if I've got this right, then people are going to start to second guess themselves, right? Like, okay, my state mandates that my courses are, you know, have viewpoint diversity, like how many viewpoints do I need? You know, is this enough of this viewpoint? And then of course, when we get back to what we talked about earlier, which is sort of the self-censorship is that I just want to make sure I'm tracking correctly.

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That's exactly it. Thank you for giving such a great summary of what I just said. Well, it's really complicated. And I think there's, like you said, it's very stratified because you're starting with this idea of intellectual diversity or viewpoint diversity as if everybody knows what that is. and And I think that's one of the challenges is that not everybody knows. If they all knew, then there wouldn't be books about what is viewpoint diversity, right? So I think that, you know, and again, me i could be wrong, but my guess is that probably most of the legislation doesn't really have a definition, right, of what of what viewpoint diversity is. And so I think that, like, we're highlighting back to one of the, like, threads that you're talking about, which is that, you know,

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At their core, these the ideas behind this legislation, you know at their best, are well-intentioned, and at their worst, they're pretexts for trying to control what's happening in the classroom. And I think that like where you know you've kind of taken us is, I want to know, I know you don't have your magic eight ball with you, but if you had your magic eight ball, I'm wondering as like you shake it up and look ahead, especially with the midterms, If you have any sense, if we're kind of in your mind going to see, you know, a change in either the things that are being focused on, like now the buzzword is accreditation. if we're going to see changes in in the focus of of the types of of legislation, or if you think there might be, don't want to say something to like look forward to, but like, yeah, what are you seeing on the horizon?

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That is such a good question. And I really wish I had all the answers here because a lot of my answer here is that I do think we're going to see a continuation of a lot of the same trends we've seen so far. And one of the things I do want to just make sure I mention here, because i think there's there's so many different things happening right now that I could talk about. But you mentioned earlier this effort that we've seen grow to make faculty senates advisory only. and This is one of those efforts that, again, like I think folks mostly, unless you're really involved in

a university, you really don't understand what that means and and why it's important. and so

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we are you know We first saw that i become law last year with Texas Senate Bill 37. And we are seeing Texas state boards or rather the Texas system boards really unfortunately using the power that has been consolidated in their hands over curriculum to censor and suppress ideas and you know remove whole areas of study from their campuses. And because the actual text of the language doesn't say you can't talk about the specific subject, I think it's a lot easier to, and unfortunately, to convince legislatures that they should pass this kind of bill.

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So I think that we are going to continue to see a lot more of that, as well as this accreditation space that you're talking about here. You know, accreditation, states have been attacking or trying to attack accreditation for the last several years, but we are seeing so much more momentum behind that right now. What with the federal government, as well as, you know, that recent... in the last, I guess, year now, maybe a little bit more, maybe a couple of years of, you know, states banding together to create their own accreditation agency.

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And I think we are going to continue to see these just the proliferation of bills that seem really innocuous to a person who does not know how universities function and the importance of faculty's role in setting curriculum because it allows the really the consolidation of power into the hands of a small number of folks with a lot of political pressure on them. And that's the governing boards or administrators. And so i do think we are going to see a lot of that, unfortunately. think

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I think This is completely unrelated to what I just said in a lot of ways. But there was also, I think it's important for people to know about this. There was also a bill this year in Utah that required professors provide students with a reasonable accommodation, in quotes, if the student had a religious objection or an objection of their own conscientious beliefs, for any academic assignment.

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And that might mean that they would give them alternative assignments. So just to say that there's these efforts that might seem reasonable to a lot of people that erode the importance of faculty's role in being able to say what is necessary and important for students to learn to gain expertise in their fields. And so I think we're going to continue to see a lot of that.

43:52.47

No, I think that Utah Bell is a great example. We actually had it in our class and our center digest last month. Right. And of course, it sounds good. Conscientious objectors. We've had conscientious objectors since, you know, about the war and about other things. And then when you start to think, I think a lot of these things are like so what I call the the

lawyer in me calls a slippery slope. It's like, oh, well, Laura, you don't, you have an objection to this issue. And then all of a sudden, it's like, well, wait, where, where does that stop? And, you know, again, what's that push pull between university and colleges being places where you have to learn things that maybe you don't agree with, or that maybe make you really uncomfortable. But I think that like really one of the themes of

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you know, what you're saying. And I think it's one of the challenges and maybe we can, you know, end on this is that part of the issue is like, how does one get people that aren't in the higher education world who don't have that opportunity, who may never have that opportunity to realize that this impacts everybody, right? And it impacts our democracy. And I think that's a really hard case to make. So, but I mean, I think it's, you know obviously Penn and you are doing this work like around the country. And I don't know if there's anything you kind of want to like add. I'm not going to ask you our last question again, because I think you gave people are really good pragmatic suggestions of how to get started. but I don't know if there's anything else that you want to add just overall about your work and what your experience doing this for the last bunch of years has been like.

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feel like so many thoughts always come to my head because there's so much I want to share with everyone. And, you know, there's so much happening right now and there's so much to do about it. Right. I would say, you know, unfortunately over the last few years,

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we're seeing a lot of evidence of what happens when you enact these kinds of laws. So as much as it is hard to explain to folks in principle why academic freedom matters, I do think that we are, you know, for, you know, perhaps fortunately for folks who need that evidence to say, hey, don't do this in my state. But of course, unfortunately for the the people who are being so directly impacted right now,

46:02.49

we have so much evidence that people can point to of the censorship that is happening and the dangers of that. So I think it's important for for people to, you know, we talked about learning about your own state, but also, you know, learning about what's happening in other people's states so that you can use that as proof And also, you know, join in solidarity with them and, you know, ensure that people don't feel alone.

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And the other thing that I would say, you know, I do feel often when I have these conversations, it can be really depressing because unfortunately, a lot of my predictions is that this is going to probably keep going like this for a little while. But I do think that it's important to remember that this is a long term situation that we're in. You know, we might not be winning every battle in defense of academic freedom right now, but a lot of the groundwork that has led to the but space that we're in right now has been going on for decades. And so we

are in the space right now where we should be recognizing that there is a lot of work for us to do and have hope for the groundwork and the energy that you can keep and create with your communities, you know, your community, whether that is your local community or the community at large and across the United States right now and also internationally.

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And just to remember the importance of your individual and collective voice, because as much as it seems really hard to engage and advocate in a time where it might feel like no one's listening,

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you One, more people are listening probably than you think, even if they're not acting the way that they they should be. And you are also you know setting that space for not letting people who are pretending that the things they're doing aren't an issue. You're ensuring that they don't get away with it.

48:03.12

You're saying like accountability. Yeah, exactly. hold you know our legislators and others accountable. And it also sounds like what you're saying is like we're playing the long game. Exactly. So there's not a lot of like, you know, instant gratification. But i I think that you have struck a really nice bounce between being realistic and, you know, being hopeful. And I will just add that we're going to include in our episode notes a number of the pen publications that can help inform people more generally about the framework.

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And it was like so nice to have this conversation with you. And I think it's also a good reminder, always as you know someone who is you know overseeing a center in a very blue state, you know that we, what we can be doing to think about folks that are not similarly positioned. And so I'm going to say thank you for that. And it was a real pleasure.

48:57.59

Thank you. Thank you so much for having me. That's a wrap. Thanks again to Laura Benitez for joining us this month and sharing her expertise. We look forward to hosting UC President Milliken as our June guest.

49:10.74

Speaker

In the meantime, good luck to all those wrapping up the academic year and congratulations to the class of 2026. Talk to you next time.