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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.

00:21.94

Bettina Apthekar

There was a passion in what was being said affirming this, 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. The start of this new academic year brings the start of campus voter registration drives and get-out-the-vote efforts for November's midterm elections.

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Since the passage of the 1998 Higher Education Act, colleges and universities across the country have had a legal obligation to make a good-faith effort to distribute voter registration forms.

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But beyond legal requirements, over the past few decades, many higher education institutions have also engaged in extensive efforts to encourage students to vote in local, state, and federal elections.

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In recent years, however, higher education's role in voter engagement has become fraught and politicized. State and federal regulations are making it increasingly difficult for college students to cast their ballots, which has led to a broader chilling effect on nonpartisan campus voting initiatives.

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Yet college student voting and youth voting rights in general have not always been a partisan issue. In fact, the 26th Amendment, which lowered the voting age to 18 across the country, was ratified in 1971 in just 100 days with nearly unanimous bipartisan support in Congress and across the states.

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So what happened? How has youth voting gone from an issue with broad support to a partisan football? Why are colleges and universities facing

a confusing and contradictory web of rules and regulations this fall? And can history show us a path forward?

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Over the next few months, the Center will be doing a series, podcasts, and webinars on the topic of student voting, helping educators and administrators understand what is happening, why, and what to do about it, both leading up to the midterm elections and then looking ahead to the next presidential election.

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We kick off this series today by exploring the history of youth voting rights and what that history can tell us about how we got here with special guests Jonathan Becker and Yael Bromberg.

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But before we dive in, let's turn to Class Notes, a look at what's making headlines. On August 3rd, Education Secretary Linda McMahon issued an open letter to colleges and universities asking them to publicly respond to a set of questions intended to increase transparency and help restore trust in higher education.

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This call to action asks university presidents and governing boards to provide concrete plans addressing seven subject areas, including free speech, open inquiry, and intellectual pluralism.

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The Association of American Universities consulted with admin officials and provided feedback on the document before its release. While some higher education leaders have welcomed the opportunity for institutions to address concerns about public trust, groups including PEN America and the Alliance for Higher Education are questioning the administration's intentions and warning institutions about the potential repercussions of responding.

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They argue that the letter pressures colleges and universities to make changes that threaten higher ed's core values. A federal district court dismissed a lawsuit filed by the Trump administration against Harvard University, alleging that Harvard had violated Title VI by remaining deliberately indifferent to a level of hostility that interfered with Jewish students' ability to learn.

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The government sought to recover billions of dollars in federal funding that had previously been awarded to Harvard as a remedy. This dismissal is a significant defeat for the Trump administration, which previously lost to Harvard in a separate case about funding.

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The American Association of University Professors filed a lawsuit against Texas A&M University officials and the system's Board of Regents to block a policy that limits discussion of race or gender ideology in class,

unless the course and relevant materials are approved in advance by the institution's president.

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The policy implemented last November resulted in a system-wide course review and the cancellation of several classes. This lawsuit is similar to one that AAUP filed in July against Texas Tech University System to challenge a similar policy. The two suits could have implications far beyond Texas, since they may bring questions about academic freedom before the Fifth Circuit, which has yet to rule on how the government may regulate what faculty teach at public universities.

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Now back to today's guests. Today, we are lucky to be joined by Jonathan Becker and Yael Bromberg. Jonathan is Acting President, Professor of Political Studies, and Director of the Center for Civic Engagement at Bard College.

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His writing covers a broad array of topics, including liberal education, civic engagement, voting rights, and media and politics, both in the United States and abroad. Yael is a national expert on voting rights and an adjunct professor of law at American University Washington College of Law.

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Her research and teaching focuses on democracy law, constitutional law, and the evolution of rights with an emphasis on the 26th Amendment. Together, they are the co-editors of the 2026 book, Youth Voting Rights, Civil Rights, the 26th Amendment, and the Fight for American Democracy on College Campuses.

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Welcome, Jonathan and Yael.

Yael Bromberg

Thank you for having us. It's an honor to be here.

Jonathan Becker

Great to be here. Thank you.

All right. So to start, I like to ask guests about their journeys.

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So why don't we start with that? Maybe each of you could share how you became interested in studying um not just voting rights, but the history of youth voting rights in the U.S.?

So for me, it was experience at the end of the Cold War, through the fall the Berlin Wall. I was a volunteer teacher in Kiev, Ukraine, where I returned from. I was there last week, and an amazing experience.

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But I came to upstate New York to work at Barrett College. And having promoted democracy abroad, I discovered that our students here were systematically denied the right to vote locally.

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And that happened in 1997 when I first arrived. And over the next 25 years, I was involved in a variety of battles to promote and defend student voting rights from first getting them the right to vote and then securing a polling place on college campuses and then working to get New York State to pass the law, which gives colleges the right to have a polling place on campus if they have 300 or more registered voters. So for me, it was a 25-year journey. Yael was a big part of that journey because she defended us in the polling place cases when she worked for the Andrew Goodman Foundation.

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And so it's grounded in experience and I would say shock at what was going on in the local communities here in a blue state, in a predominantly white institution in the Hudson Valley. like This is why I like to ask people their stories, because I don't think anyone would have guessed where yours began and how the two of yours intersected. OK, so yeah, Al, your turn.

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So for me, specifically on the youth voting rights, I myself was a very active student organizer when I was in college doing a range of campaigns, including relating to voting rights, and went on to study and focus in constitutional law and constitutional litigation on a range of issues regarding con law, including voting rights and election law.

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And I had continued to work with youth movements because I was anchored in them myself and through generations and generations of them.

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And I found myself teaching at Georgetown Law in the Civil Rights Clinic and realizing I was teaching voting rights and realizing that the case books don't talk about the 26th Amendment.

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And I just intuitively knew from my direct also experience that with my earlier peer group and over the generations, that this was something that we really needed to tap into. And I was fortunate to be up the street from the Library of Congress. So I was able to go and really do a deep dive in the archives related to the 26th Amendment specifically.

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and you know, Jonathan talks about his experiences. He can talk to you more about the global work that he's doing with connecting higher education and defending democracy globally.

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For me, I myself immigrated to the United States. I was a naturalized citizen. And the experiences of the fraughtness of the promise of

democracy and human rights abroad naturally made me inclined to this range of issues relating specifically to the rights afforded to us under the Constitution.

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Terrific. Well, there certainly isn't going to be a lack of things to talk about. And I think I'm going to piggyback on what you were just talking about, about the 26th Amendment, which was, many people don't know, ratified in 1971. It lowered the voting age from 21 to 18 and outlawed age discrimination and access to the ballot.

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The slogan, old enough to fight, old enough to vote, referred to the fact that men could be drafted but could not cast a ballot. When looking at some of your writing about the 26th Amendment, I was surprised to learn that it passed through Congress with almost unanimous bipartisan support and that similarly, states across the country were eager to ratify the amendment.

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And I was shocked to learn that it was the fastest amendment ratified in U.S. history. Today, though, things are different. Voting rights has become a partisan issue. What do you think caused that flip, particularly when it comes to the youth vote?

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So it's a big question. And I think that the story of the history of the partisanship or cross-partisan bipartisanship of the 26th Amendment is often overlooked.

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This was, as you said, Michelle, the quickest amendment to be ratified in U.S. history, the most recent voting rights amendment to be ratified only 55 years ago. That means that the people that were in the room when it happened are still alive and with us today.

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And it's a unique amendment from that perspective. And it was championed. It was championed by Senator Barry Goldwater. It was championed really across the aisle. Then you also had these anthropologists like Margaret Mead testifying on the floor of Congress to support the measure.

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And it was supported and championed in Appalachia. It wasn't just coming from the East Coast or the or the urban centers, right? This was truly a all-America, all-hands-on-deck movement. So your question is, what happened?

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And the 26th Amendment was ratified in 1971, and we saw a plethora of litigation around it to protect its promise in the 1970s. State high courts, federal high courts, up to even the U.S. Supreme Court in the summary affirmance in 1979 were And then the 80s and the ninety s largely quiet. The litigation was largely quiet.

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It was only after the Obama election when we saw this the swath of voter ID laws start to be introduced across the country that 26th Amendment litigation began to enter directly into the fold.

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So this is really what I call an unfulfilled promise, right? There is so much here. It not only lowered the voting age from 21 to 18, but But critically, it prevents the denial and abridgment of the right to vote on account of age.

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And what has happened to the political dynamics of it, like we've forgotten that voting rights is for all of us. When there are voter rights infringements imposed, whether it's access to voter ID, access to vote by mail, access to safe, sound and accessible polling locations, that actually affects all of us.

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And I think the history, even if we examine of the amendments of the Voting Rights Act and how we've stepped away from them. So the VRA was amended five times, signed into law by Republican presidents.

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largely unanimous passages, including in the Senate as recently as 2006 by G.W. Bush. And yet we can't get the the VRA itself amended to update the preclearance formula as just one example.

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right And so, you know, we've seen this really kind of downward slope moving from these protections that were restored during the nation's second reconstruction. And now it's a question of, and what, and now, and how.

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I would just add that Yale's in my book comes from a course in which we did case studies because we partnered with three historically black colleges and universities, Tuskegee University, Prairie View, Annette University, and North Carolina A&T State University.

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And what we talk about in the course is two major trends. One of them is about racism and the deprivation of African-Americans of the right to vote. And the other one is about political power.

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And I think the 1971 decision and the passage of the 26th Amendment reflected both the moods of the time and a culmination of what EIL described in the second reconstruction.

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And also at certain point, a calculus on the part of some politicians that young people are going to get the right to vote and it's better to

get on that train than not be on that train. And I think one of the things we've seen since then, both locally and sometimes nationally, is people making a different calculus as to where the political advantage is.

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mean, you take someone like Greg Abbott. You know, Greg Abbott, when he was, I believe, as Attorney General of Texas, was a huge advocate of student voters at Prairie View and at the university. Now, you know, twenty and two decades, two and a half decades later, as governor of Texas, he's taken a very different approach.

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And I think that reflects this, like, crude calculus of political advantage. And that helps animate decisions throughout American history, but including with youth voters.

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I'll also add is one of the interesting things with regard to this constitutional right is that it is unique, right? The protection of age-based protections is a universal trait, right? When you think about the other constitutional protections, race, gender, et cetera, but age is something that everyone experiences and God willing, everyone ages from, right? And so from that perspective, look,

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26% of youth, according to the Harvard Youth Poll, identify as Republican. There are young Republicans as well as Democrats. And so when this is the same, when you attack voting rights, including age-based voting rights, you're attacking them across the aisle.

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I mean, so many great points. First, I think stepping away from the VRA is a very generous way of saying it. And I like the allusion to a train, you know, and so one might say it's going in a different direction or maybe that it's off the tracks. But I think your point about not just sort of the immutability of age, but the fact that every person shares it is a point that I think is not emphasized enough.

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So I'm going to dive a little bit in to talking about college students and voting. And, you know, there's been a lot of discussion over the last, I mean, not just past few months, but past few years about how it's harder in many places for college students to vote than it has been in recent years with changing rules and restrictions, causing confusion, particularly on campuses.

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And for many of us, this seems like something new that's popping up. But the history of civil rights and of college voting rights in particular tells a different story. And I'm wondering if you could share a little bit about that story, about attempts that have been made in the past to restrict college student voting rights and maybe what we can learn from those to apply in in the current moment.

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There's a range of modalities in which young voters specifically are targeted. And the 26th Amendment helps to establish a framework for understanding them so that they're not interpreted as one-off scenarios, right? This is part of a systemic lens.

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And so they really, it truly ranges. It's needing to be to offer additional proofs to establish voter registration, challenges to the ability to just register to vote from your college campus to begin with and then to offer those additional proofs.

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The lack of ability to establish a form of voter identification. In some states, you can't use a student ID. In some states, you can.

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In Texas, for example, you cannot vote with a student ID, but you can with a handgun license. The same in Tennessee. Added to that in Tennessee, you can be a faculty member and vote with your faculty-issued identification, but not the student ID issued from the same institution.

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So the list kind of goes on and on in terms of the way in which this presents. Also, with regard to access to polling locations, I conducted a study of the ways in which restrictions to polling locations impacts youth turnout.

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When you have a polling place on campus on election day, it correlates with a boost of 5.3 percentage points. When you have it on campus for both election day and early voting, when early voting is available in the state,

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It correlates with a boost in seven almost 7.4 percentage points. These are really significant margins. They impact election outcomes. And Jonathan and I teach an undergraduate course, kind of a national collaborative undergraduate course, the lessons of which end up baked into the book that we just published.

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And, you know, we compared, for example, a student voter registration form questionnaire that was distributed to students in the 1970s in Texas to Prairie View A&M students, a historically black college and university there.

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And we compared that. And then we took, we were actually in the South. And I don't remember which of the civil rights museums we were in. it may have been Bryan Stevenson's. But we saw the Jim Crow questionnaire that had been posed on Black Americans, you know, at the time.

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And they were not dissimilar, right? They were not dissimilar questionnaires. And Jonathan can tell you about what the students faced at Bard College decades later, a similar voting rights questionnaire to establish whether or not you are a legitimate residence of your campus in order to be able to vote.

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And this was the case that went up to the Supreme Court in 1979, which said that in no uncertain terms that young people have the right to vote from their college residence should they choose to. Why? Right. Because it feels counterintuitive to want to limit voting access for anyone. Right.

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And I don't mean to sound naive, but, you know, for lawmakers and our election officials pushing for these restrictions, like what are their core arguments? You know, are they only just political in nature in terms of the power, Jonathan, that you referred to before? And, you know, have these arguments changed over time and whatever else you wanted to add before?

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Now, I would say some of the mechanisms have changed over time. Some are the same, as Yael said. you know Some of the mechanisms are using questionnaires, questioning people's residency. The questionnaire that was used in Annandale and Hudson, Dutchess County, New York in 1999 was it very similar to the one used in the mid-1970s in Waller County, Texas.

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And in spite of a Supreme Court decision, which emerged from the questionnaire that occurred Prairie View A&M, And here, if you look in the debates over the 26th Amendment, you see that there was concern about an aggregation of a community, a college community, tipping local politics. So a lot of this does derive from local politics.

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And I would say, especially we track very carefully in our book points when there's particular political competition or when the balance of power might change, when the county legislature in Dutchess County might change, or when a school board in Tuskegee, Alabama might change.

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So people are quite open about it. I mean, the election commissioner in Dutchess County, Eric Haidt, who's still the election commissioner, when we tried to get a polling place on our college campus where 70% of the people in the district resided and which is accessible by walking, he said, I don't want to super enfranchise one group of voters, which means make it easy for them to vote.

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He would have rather than vote in a polling place which is inaccessible by public transport and which was not handicap accessible. And the extremity of this was even during the COVID election, there was a

scenario in which the choice between a small church where even the church officials said, we think it's dangerous to vote here,

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Or Bard College, where this huge multipurpose room, we had a biologist, Felicia Keesing, do a study which said it is five at least five times more safe to vote here than it is at the other place. Even then, he insisted it take place in the church. So political competition,

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drives much of what is going on. And in our other case studies, quite frankly, race, right? Tuskegee, Alabama, this is before the 26th Amendment, but the Alabama County legislators, they decided to gerrymander 410 of 420 Black voters out of the city of Tuskegee, including the entire Tuskegee Institute, all for political all because they were concerned that blacks would get a majority in the city governance. So we see this over and over race and political advantage, and people are quite transparent about it. I mean, the same official in Dutchess County, Eric, eight even after we went to lawsuit, he proposed moving the polling site in a part of Bard. It would be at Bard, but was in our alumni center, which is somebody nobody goes to because it's across a road where people drive 55 miles an hour, and there's no crosswalk and no lighting.

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And so literally, they would rather endanger students' lives than allow them an easy access to vote. So that's extremely unfortunate. And for us, right, as educators, the lesson of someone in their first time voting to be there to be difficult or impossible is simply outrageous and unacceptable. And that's one of the things that's animated our work.

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I literally wrote down to that is, this is outrageous, was what I put, and also so incredibly disappointing. It really should shock everyone's conscience. Well, it's an important point, if I may, that many of the restrictions, I think one of the changes we're seeing is historically, a lot of the restrictions were very locally derived, right?

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It was a tax assessor, right, who oversees elections or an election commissioner in one particular place that takes a specific view. One of the changes we're seeing now is decisions on the part of states increasingly, you know, with things like voter ID laws or making it, you know, a gun permit is acceptable, but a state-issued college identified identification card isn't. So it's this elevation, much of which I'm from the narrative of the big lie about the 2020 election, which animates so much, so many of the decisions that are being made and in various places right now.

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And of course, we're seeing the federal reaction on that, which we'll talk about ah probably in a moment. But just to give other contemporary examples, in North Carolina, currently, there we're seeing a continuation of rollbacks on the availability of on-campus polling locations.

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And this is current news, including with regard to North Carolina A&T University, which is the largest HBCU in the country, which what, 10, 12 years ago, had a congressional gerrymander right down the center of the campus.

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And now they're removing the availability for on-campus polling locations there and across North Carolina. This is currently up for review. from the State Board of Elections, which has really been taken over by partisan puppets, essentially. And there's a lot of contention going on there.

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And the numbers the numbers, again, are astonishing. In Indiana, they had a student ID used as acceptable voter ID for 20 years. They rolled back the provision, impacting just at IU Bloomington alone, 50,000 students. That, by the way, has been the courts put a stop to that.

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In Florida, the secretary of state put a statewide ban on the availability of polling locations on campuses during the early voting period. Again, we put a stop to that with 26th Amendment recent jurisprudence.

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But these have significant impact on voter outcomes. And so it's no wonder That young people feel like their local, state and federal representatives are not advocating for their interests.

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And the reason is, is because the laws are put into place to prevent representatives that are directly elected by the people. That's really very troubling. And we're going to get in a few minutes to what colleges and universities, you know, can be doing and what others can be doing.

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But I want to spend just a little bit more time sort of untangling some of the arguments that are now made against nonpartisan voter engagement at colleges and universities.

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I think some people make this argument that like students shouldn't get any special treatment, right? That like voting is an adult responsibility, right? And if students can't figure out how to cross that four-lane highway without a light or take a bus off campus, you know, then, you know, we shouldn't be holding their hands.

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They are arguing that there's a big difference between protecting students' right to vote and actively facilitating voting. And I'm wondering if you can speak to why voter registration and turnout should be an institutional priority for colleges and university outside of their

sort of legal obligations and talk a little bit about that. And then we can move into how effective universities have been in the past and then today.

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I mean, I would say it's important to understand that the entire history of higher education in the United States has seen a virtuous link between higher education, democracy, and engaged citizenship.

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And there is more no more important democratic right than the right to vote. So if we believe that is so, and that has existed since before the founding of the republic,

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then it strikes me as absolutely logical that as educators, colleges and universities would play a role in this. We want to recognize or we should recognize that the United States is a laggard in youth voting. We're laggard in voting as a whole, but a laggard in youth voting globally.

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We should recognize that there are unique challenges because of our complex system of voter registration or absentee voting. I mean, some states, you have to have a witness from your state sign a ballot. In some cases, you need a notary public. to indicate what that you're ah a voter. So in the first time, if we are educators, we're approach approaching this from an educational perspective, and we understand that people who vote when they're young, vote throughout their lives, we should, from an educational perspective, want to facilitate this.

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I often say... American colleges and universities should not be neutral on democracy. And so that is the approach that we've taken at Bard College. And a number of institutions have taken this. But it is unfortunate. I'll say two things. One of them is, you know, some institutions have taken a very passive approach to this.

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Some might have institutions have seen virtue in the struggle, which I disagree with. Those who have supported it, you know, I've talked to folk near Liberty University, they're supporting their students voting, right, just as Bard College does. So it's not just a simply partisan issue.

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But if we are educators and if we are modeling behavior of students, one of the things I say is we try as an institution to model the same behavior that we would hope for our students. So when we litigated for a polling place,

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Two senior administrators, including the former president, were named litigants in that lawsuit because we wanted to say, you should defend your rights. you know And again, for me, as somebody who spent half of their life abroad, the idea that, you know, we should be promoting

democracy abroad and coming home and some administration, you know, some local official in Dutchess County is systematically denying students the right to vote is, as you said before, outrageous. I think we're educators. This is part of an education democracy as part of American higher education.

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Therefore, we should do this. And it's unambiguous to me. And the studies show that voting is habit forming. So if you engage young people, right, just like we give a permit to 16 year olds and then a driver license, it's always hard for somebody as a first time anything to learn how to do it in any scenario, downloading an app and using an app, right?

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And especially with voter registration and figuring out, you know, some of these students are out of state students, right? So then they have to figure out how to get their vote by mail, how to get it prioritized in their campus mailbox, how to get a stamp,

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how to send that back, how to make sure that the application was received, the ballot came back, and then the ballot was received and actually voted for. Oftentimes by the times that they catch up to it, to what's going on, because they assume that this is a process that is standardized, regulated, and going to work for them.

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And then they are really shocked to learn when their ballots or their applications don't get to where they're supposed to go and they're not counted on time. And I think that this dichotomy about is it super enfranchisement? Is it really a rollback? Is it a maintenance of the status quo like in Indiana where they had the student ID available for 20 years? Right. This is kind of getting us caught up in I think it's a false dichotomy that there was 11 recent litigation, ah current litigation pending before the Fourth Circuit, but recent litigation in the Fifth and Seventh Circuits around the availability of vote by mail. And specifically there, you can vote by mail without an excuse if you're over 65. But if you're under 65 years old, you have to offer an excuse.

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And if we said that for any other kind constitutionally protected class of voters, we would say this is prima facie violation. We don't even have to prove the facts. We don't have to prove the statistics. This is just on its face, violative, ah pursuant to a constitutionally protected classification.

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But what did the Fifth and the Seventh Circuits hold? Unfortunately, they offered this convoluted analysis of originalism, and they said that in 1971, when the 26th Amendment was ratified, vote by mail was not a standard method of voting, and therefore access to vote by mail for young people is not protected by the 26th Amendment, which is absolutely insane when you look at the numbers, especially after COVID, of increased reliance and use

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across age cohorts, but including among young people, of vote by mail. And I think it really gets us away from the original purpose of the 26th Amendment. And if you'll let me, I'll read a very short line from the legislative history.

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This was history that was in the Senate report that accompanied the 26th Amendment as it passed through Congress and then went to the requisite 38 states for ratification.

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And they found forcing young voters to undertake special burdens, obtaining absentee ballots or traveling to one centralized location in each city, for example, in order to exercise their right to vote might well serve to dissuade them from participating in the election.

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This result and the election procedures that create it are at least inconsistent with the purpose of the Voting Rights Act, which sought to encourage greater political participation on the part of the young.

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And such segregation might even amount to a denial of their 14th Amendment right to equal protection of the laws in the exercise of the franchise. So why is that language interesting to me?

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We are not talking about a rollback. And we're not talking about, you know, a concept of discrimination where we're treating one class differently than the others.

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They acknowledge the 14th Amendment aspect of it, yes, but they're talking about encouraging greater political participation. It is not, in other words, it is not only an anti-discrimination framework, it is an affirmative expansion of the right to vote.

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So a couple of things. I think we need to put that on a T-shirt, right? And bumper stickers, because I think like so few people know that part of the narrative, right? Which is now the counter narrative to this idea that we've been talking about, that somehow this is a special privilege, that, you know, the youth vote needs like special attention in terms of regulation. And so I'm really happy that you shared that. I mean, I'm a lawyer nerd, so I'm really happy that you shared like that specific language.

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And Jonathan, you kind of already spoke to what I was going to go to next, which was this question of, you know, is it the role of universities to take a public stand on voting? And you have made it very clear by saying universities shouldn't be neutral on democracy, which I

think is so important, especially right now with the continued use of reliance on, you know, taking being institutionally neutral or institutionally restrained and then in many ways using that as a guise to not do some of the things that universities should be doing.

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And so with that, I kind of want to walk, go into like the more practical notes of like what have colleges and universities done? I mean, obviously, Bard has done so much in the past that's worked both to protect the right to vote, but also to boost turnout.

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And what can the people listening now who are in the throes of this as the midterms approach maybe learn from the past counterparts, whether it's the stories that you focused on in your book or otherwise?

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I'm really proud that we're we Our first-year students are already here. And when they arrived, before they got their dorm room keys, they were required to stop by a place where they had to discuss voter registration, right?

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And some of them were voting absentee, and we offered facilitation. Some of them registered to vote. it was It's a very important moment. So I think elevating that is really an important thing. And it centers...

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what institutions find is important. you know we're required by the Higher Education Act, the authorization of it, to make a good faith effort to make voter registration materials available to students. And that is one of the things that that we do. But institutions can do it more or less seriously.

36:51.70

I want to cite another slogan, which was made by my former congressman, Abner Mikva, which is that democracy is a verb, right? And The message of our book, which I think is really important and we talk about this, is not that voting and democracy are synonymous, but that citizens and especially students have agency and can deploy the tools of democracy to promote equity and advance democratic freedoms in the hope for a better future. That's actually um literally what our second to last sentence of the book.

37:21.34

And by that, we Bard and many other institutions empower young people to, on a peer-to-peer basis, talk to other people about voting, right?

37:31.86

We don't care who people vote for, but we think participating in the democratic process is really important. And what's been amazing about this book is we as we've gone on book tour is we've met generations of students who were involved in the voting effort who are now judges in Alaska and lawyers in New York and working for advocacy organizations

that this experience of engaging with this complex system of voting, which is unique to the United States. The voter registration process is incredibly complex for first time voters, especially those who might live out of state.

38:05.24

This process has shaped their academic careers and their real careers outside of the academy. And that is really important to understand. So that that is one of the reasons why we center this so much in terms of the work we do.

38:18.78

And then just the final thing I say here, which I think is important is, you know, you go to commencement speeches and people are saying, you know, go out into the world and change things, right? and what we, again, try to do is to model behavior to say the institution as a civic actor,

38:33.85

can be involved in such activities. And in so doing, we're not just telling students what to do, we're modeling their own behavior and helping educate them to be engaged citizens, which is incredibly important at this time in our country.

38:47.85

You're walking your talk, which is really important. Was there anything you wanted to add, Yael? Well, I just I wanted to add that this is not something that's just pertinent to political science students, that engaging young people from institutions of higher education is applicable for everyone and it's for all of students in all disciplines.

39:11.32

Speaker

And here's the example of this, right? When you engage students in the democratic process, it is a problem-solving process.

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The skills and focus that you develop, the collaborative skills, the analytical skills, the data-driven skills, whatever angle that particular project that's assigned for the student that they're engaged in,

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That is something that is transformative for them, not just as a political science student, but as a STEM student. Engage the STEM students in figuring out how to use smart technology tools to alert their peers about when their voter registration forms are rejected, just as one example of you know these types of projects.

39:56.89

And from that perspective, what are you training students? What are you teaching them? What is the pedagogical value? They are learning business skills. They are learning organizational development skills.

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They may be learning fundraising skills. They may be learning coalition building skills, project management, analysis, data analysis, quantitative statistical measurements, right?

40:20.18

So this is not simply... concepts and feel good isms, right? This is we are training our leaders of tomorrow. The way that we do that is by giving them the skills, the tools and the foundation to understand the problems of today and putting them in a position to solve those among their peers and other college constituents.

40:42.42

And that is not just a poli-sci focus. Again, that is, it's really cross-disciplinary. And that's why I believe this is so deeply anchored in the the purpose and the origin, and Jonathan can talk to this in more depth, of institutions of higher education in this country. They have always institutions, the development of higher education in this country tracks back to the role of institutions to build responsible citizens.

41:11.86

I wanted to add something if I can. So first of all, thank you so much, Yael, for pointing out it's not just political science students. You know, our art students are very much involved in the process. Our science students, as I said, during COVID, a science professor did a study of what was going on. And a couple of other things. One of them is in the book, and we talk about this a lot, each of the core university constituencies, students, faculty, and administration can play their role As importantly can outside actors, nonpartisan actors like Yael did when she was with the Andrew Goodman Foundation.

41:44.63

And as other organizations have done, which might be, you know, Common Cause or American Civil Liberties Union, we partner with the New York Civil Liberties Union. So these types of partnerships matter a lot.

41:56.31

And the other thing that I think is really important to say is I've talked to some of the people who have created difficulties for us. And I said, in our time spending fighting to give our students the right to vote, we could be educating them about the issues. And what I resent as an educator is the time that goes into the very basics of that. We invite people from all major political parties to come and teach at our institution. Our former, you know, Bard is known as the liberal institution.

42:23.10

Our former Republican congressman is coming here as a lecturer now whom I used to invite to my class to speak to them in the run-up to the election as we did the Democratic candidate. And he thought it was a smart thing to do because he thought, If I could convince a voter to vote for me, I might win the effect of two votes instead of one.

42:39.64

So we would rather be focusing on educating students about the issues rather than having them fight to just figure out how to exercise the most basic of democratic rights. And I think that if some of our political leaders actually showed leadership, that that would be a more common approach and to let the students make informed decisions.

42:59.38

Both of you are making such critical points. And I also wanted to go back to what Yael said that, you know, it's enough for me to know voting by itself, right, in and of itself is so important.

43:11.67

But if that's not enough for some people, which clearly it's not, I think you're making an argument that I don't hear often enough, which is like sort of the depth of the skill and how to apply it across groups.

43:24.07

disciplines and how it's not just the act of casting the ballot, but all of the things that go into that and how those are life skills. I think that is really important. And I also really resonated with what you said about civic habits.

43:39.45

And I will say, i mean, starting when my kids were really little, I took them to the polling place because that's what everyone said you do, right? It's this the same idea, Jonathan, of what you're saying, that like we show them the value of waiting in the line and going into the booth and, you know, talking about it from when probably they didn't really understand the connection.

44:00.89

And it kind of just reminds me that sometimes these principles feel, you know, abstract in terms of what can I do, but we all can, you know, help to educate other people, whether it's, you know, older generations or younger generations.

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And, you know, I think that sort of leads me to talking about a paradox that one of you sort of sort of mentioned, which is that so many young people feel Like their vote doesn't matter.

44:25.30

And yet so many of these legal battles are proving that politicians know just how powerful the concentrated student vote block is.

44:35.74

And I'm wondering if there's anything from history that maybe could help a skeptical student today who's thinking to themselves like, it's just not worth my effort.

44:47.10

I'd say two things. First of all, I teach a class which is called All Politics of the Local. And students in that class intern with the local organizations. A whole bevy of decisions. In fact, many decisions which

are more important in students' day-to-day life are made on the local and state level. Our county legislatures, the next legislatures in New York, have a tremendous amount of power. You're voting literally for judges, for the sheriff, for other people who are making decisions on rental laws and things like that. So one of the messages we make is it's not just federal issues that matter.

45:20.83

There's a whole Series of cases that were also the young vote has mattered. Look at New York City right now. I mean, on our, on Bard College campus, when Kirsten Gillibrand, Kirsten Gillibrand, our senator, was running for Congress 20 years ago on election day, she was on the Bard campus at 4 you know trying to get people out in election she won by like 800 votes.

45:41.78

I mean, it can matter. In Tuskegee, where which is our partner in this course, their most recent mayoral election was tipped by, it was like six votes. And you know student votes matter. So there are specific cases where when it matters, but there's also a whole series of layers of government where it matters.

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And even when it doesn't matter in terms of impact, the act itself matters. And that's what we try to convey to people. So There's a variety of things, but you're right that, I mean, is it would be wrong for us to say and that it's only impediments which stop people from voting, structural impediments.

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We also talk about attitudinal challenges and this perception that my vote doesn't matter. I don't like getting the candidates or it's too difficult. And I think it's important for us to address those issues. And that's, again, why I said before, as an educator, it is frustrating that I'm not educating people about these issues so much as fighting for the very right to vote. And that that's an unfortunate situation.

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Yeah, I know you had something to say. I just think that we can look at the numbers, right? Like when you when you identify the numbers of people that are impacted by these voter impediments and you look at the electoral margins,

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It is very clear that these impediments are having the intended effect. And, you know, I mentioned the Florida statewide ban on availability of on-campus polling locations before, which we overturned in in August prior to an election year. So in the three months between August and November,

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12 campuses were able to bring a polling location on campus on Election Day, which generated 60,000 votes, those campuses. And if you could only imagine if there was a you know, complimentary organizing campaign or

education public education campaign, like, hey, now this is available, let's expand this measure, that would have had election outcome significantly.

47:37.21

Determinative outcomes in the Florida races, that was the where the Senate race ah electing Rick Scott was decided by 10,000 votes. The gubernatorial race electing Ron DeSantis was decided by 32,000 votes.

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So you could just imagine what it would look like if you could, for example, Say, we're not going to expand this to 12 campuses. We're going to expand this to 24 campuses. Now you're talking about 120,000 voters, right?

48:06.10

And it's not really just a question about the way in which they will vote. Young people are increasingly not identifying with any political party. They're increasingly independent or unaffiliated voters, but it is about engaging them in the process. Fulton County, Georgia, they were they were threatened with a rollback of on-campus polling locations affecting 90,000 students, many of which were from the famous HBCUs that are in Fulton County.

48:34.26

So when we're looking at these numbers, we know what was the result? Somebody knows offhand what the result was in North Carolina that that Trump went to interfere with. in the last election, right? Like these aren't these are small electoral numbers and it is a base of concentrated voters. And in no other scenario would you have 20,000, 10,000, 50,000 twenty thousand ten thousand fifty thousand voters of a specific type that are concentrated and you wouldn't think about, for example, not making voting accessible to them or making them rely on a shuttle to go off campus. You have a concentrated base of up to 50,000 voters and you're not finding a way to make voting accessible to them.

49:19.22

Now we're talking, we're getting away from this concept of super enfranchisement, right? Or even, you know, making, making them more politically engaged. And we're talking more focused on This is actually targeted voter suppression.

49:32.60

I was going to say super disenfranchisement. And as you say, look, we haven't touched on this yet, but I think it's really important that, you know, the Trump administration, you know, sending this dear colleague letter, right, to universities saying you can't spend federal work study money on nonpartisan voting activities.

49:49.62

And then the attack on NSLVE, right? So NSLVE, for those of who don't know, it's the National Survey of Learning, Voting, and Engagement. I think it is at Tufts University. I hope I have the acronym right.

50:00.57

But, you know, they were, they're under, they've basically been eviscerated. They can't do research right now because was claims that they violated ah privacy, which I do not believe to be true for a second. And so what did NSLVE do?

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It only told universities the percentage of students registered and the percentage of students who voted, right? So you could measure how your efforts impact part to civic participation.

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It is non-party. You don't know who they voted for. you don't know the party. You know nothing. Those are the two facts you gain from the survey, and they come under assault by the Trump administration. And Secretary of Education Linda McMahon says American colleges and universities should be focused on teaching, learning, and research, not influencing elections. This is in the press release related to the attack on NSLVE, right? And so,

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What that means is engaging with nonpartisan voting activities from the perspective of the Secretary of Education is influencing elections. And that is simply wrong. It is un-American at its core.

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And so that mixed in with these local efforts and other things that really casts a shadow on what on democracy in this country, you know, overall, and on youth participation as a whole.

51:15.38

And just the other thing I think is important to say is, you know, we encourage people working with high schools as well. you know, a lot of high school students turn 18. Bard runs 10 early colleges across the countries where students are finishing their last years of high school and doing college work at the same time.

51:30.26

And we think it's important that they're engaged in this as well. So it's not only university voters, it's the young people are the future of our democracy. And would we rather have engaged citizens or passive citizens who are not involved in in our democracy? And if you believe in civic participation, then you believe in young people. Doing Right. So two things. I'm so happy that you mentioned what's happening federally. I mean, I think and sometimes the chilling is the point, right, that even the possibility that you might lose federal funds, right, the fear of attracting the unwanted attention of the administration is enough.

52:11.38

So there's that piece. And then the second piece, um of course, I mean, we're focused on university students because our center focuses on higher education. But of course, it's, I would argue, often too siloed, right? Those are not connected pieces. But there are things happening. I know I'm in California, but I will just share. So my son just got his permit.

52:30.90

And when he signed up to do the permit application, there was a question that said, do you want to do early voter registration because you will be eligible for, you know, X election?

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So he's registered to vote. Right. And, you know, that was really I'd like to say he thought really deeply about it, but probably he was like, cool. Right. And that to me was like I was like excited. I was like, wow, that means that everybody who's getting their permit has the opportunity already to get that set up.

52:59.86

So we could keep talking for much longer, but I think we are coming towards the end. And like to end speech matters by offering our listeners tangible things to reflect or act upon. I think you've given a lot of suggestions already, but I want to give you just another opportunity, whether you're speaking to students or faculty or campus leaders or folks in higher education associations, what is a thing that they can do this semester to make sure to help ensure that college students can smoothly and easily um and effectively exercise their right to vote.

53:38.71

I would simply say that each constituency, students, faculty, and administrators have a role to play in this. The most effective work at getting students to vote is peer to peer.

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So administrators and faculty encouraging students to talk to other students about registration, check if you're registered, understand where you're polling places, understand the barriers to voting.

54:06.01

All of those things are the most important thing that we could do, which is, you know, all the barriers we could fight about at the end of the day, will young people who even have the capacity to vote like your son, you know, will they be encouraged to vote? So I think encouraging young people to talk to young people about the importance of this is the most important thing that could happen in order to encourage a broader electoral participation.

54:27.90

Yeah, I think that Jonathan and I, so we each recently had independent articles run in Liberal Education magazine, which is the main magazine published by the American Association of Colleges and Universities.

54:41.03

And we wrote them independently, but in each of them, we provide kind of some bullets of what institutions can do in advance of Election Day. And I think this streamlining the voter registration process and also, you know,

54:57.51

canceling classes on election day, like there's gotta be a cultural shift, right? And I think that part to the peer-to-peer that Jonathan mentions, there are examples at the HBCUs where they have these very vibrant marching bands and marches to the polls, right? And it's celebratory, there's music, everyone participates.

55:18.74

I think the more that we can lean into the cultural expectation as a norm that they're voting, But there are very concrete, more technical steps that institutions of higher education can and should be taking. Bringing them, pulling locations on campus, prioritizing election-related material in the campus mail, creating a notification system, helping students track.

55:42.43

Bard is very good at this. Actually, one of the chapters in our book is dedicated to this topic. What can institutions do? They should be helping the students track their election-related material. That's not handholding. That's just, let's create a notification system to make sure that you don't get you know lost in the cracks, basically.

56:01.08

Bringing polling locations on campus. Bard was particularly unique because I got to represent the nonpartisan student organization election at Bard, as well as the university professor and other faculties in the litigation. So the professor the president, university president, stepped forward to be a plaintiff in the litigation, which is extremely unique and talks about the culture at Bard.

56:24.28

But I think that what is more interesting about that is we have to normalize protecting democracy on institutions of higher education at all rungs of leadership, including the highest.

56:37.53

oh And I have to say, I'm so sorry because I knew I was going to forget it and I always do. But there is a federal bill that I helped to develop called the Youth Voting Rights Act, which offers multi-prongs of how we can fulfill the promise of the 26th Amendment.

56:52.41

And I am not so naive as to think that this is going to be passed anytime soon. But I do think that it provides a template that we can aspire to. And it also provides something that we can try to replicate on the state by state level, just like we're seeing state voting rights acts being passed.

57:11.00

I would like us to get to a point where we we're seeing state youth voting rights acts being passed. Can I say one last, last thing, which is our book, our book, which is you can buy, but the dirty secret is it's also free. It's an open educational resource.

57:26.46

So people can download it for free. And there's a couple of chapters devoted to these subjects, which we like nothing more than your listening audience to read. Absolutely. And I think I love that we are ending on both a practical and an aspirational note. I think democracy and how we execute are both of those things.

57:47.10

I am incredibly grateful to both of you for sharing your time and your knowledge. And I'm looking forward to having you back again when there's, you know, other things to talk about.

57:59.93

Thank you. It's our pleasure. Thank you so much. Thank you for inviting us. That's a wrap. Thank you so much to Jonathan Becker and Yael Bromberg for joining us. If you enjoy listening to Speech Matters, forward this episode to a colleague who cares about student voting and leave us a review.

58:17.88

On September 15th, we'll be hosting Ask Me Anything About Voting, a webinar featuring leaders and experts from GenVote, American Council on Education, and Students Learn, Students Vote. Registration will open next week.

58:31.74

Talk to you next time.