

NATIONAL REVIEW

Political Discrimination as Civil-Rights Struggle

Eric Kaufmann

June 24, 2021

When a sample of nearly 1,500 female Ivy League students was asked whether they would date a Trump supporter, only 6 percent said yes (after excluding the small minority of the sample who support him). So finds a survey of 20,000 university students that the Foundation for Individual Rights in Education (FIRE) conducted in 2020. While people are free to discriminate however they wish in dating, this attitude bleeds into problematic spheres such as hiring and social toleration.

This reveals the predilection among many young elite Americans for progressive authoritarianism, a belief system that justifies infringing rights to equal treatment or free speech in the name of the emotional “safety” of historically marginalized race, gender, and sexuality groups. In this left-modernist worldview, conservatives’ resistance to racial, gender, and sexual progressivism mark them as moral deviants. As Millennials take power, this generational earthquake is set to shake the foundations of the cultural elite to its core, leading to pervasive discrimination against, and censorship of, conservative views.

Apart from the military and police, which have little cultural influence, the only important elite institution that conservatives have a chance of controlling is elected government. As J. D. Vance, Michael Lind, and Richard Hanania suggest, conservatives will have to overcome their squeamishness about government to have any chance of holding back the woke domination of American institutions. To counteract the rising threat that progressive authoritarianism poses to freedom of expression and conscience, conservative policy-makers will need to lose their 1980s libertarian blinders and embrace government-led, civil-liberties-focused intervention in the elite institutions of society. If conservatives persist with utopian fantasies about creating a new ecosystem of universities, schools, corporate cultures, and technological platforms while believing that cuts to university budgets will win the culture war, they will only hasten the rise of progressive authoritarianism.

The results of the FIRE survey are worse even than attitudes in Northern Ireland, where people in “mixed” Protestant–Catholic relationships often have to move elsewhere in Britain or to a suitably tolerant neighborhood before they can live comfortably. Ivy League men are also highly

discriminatory, with just 23 percent of non-Trump-supporting students willing to date a Trump supporter.

The elite includes not just Ivy League graduates, so let's consider the wider undergraduate-student population. Overall, 26 percent of American students back Trump, falling to 10 percent in the Ivy League. Trump supporters excluded, fully 87 percent of all female college students wouldn't date a Trump supporter. Figure 1 shows the pattern by party identification (among those who don't back Trump). Even among non-Trumpist Republicans, just 58 percent of women would date a Trump supporter.

This has very little to do with a general reluctance to go on dates with political partisans. While the FIRE survey didn't ask about dating a Democrat, Pew broached this question to single Americans in 2019. Among all female college graduates under age 30, 91 percent said they would date a Clinton supporter but just 17 percent said they would date a Trump supporter. Among their male counterparts, 90 percent would date a Clinton supporter but only 33 percent would date a Trump supporter. Spencer Case argues that those who politically discriminate are acting in precisely the same manner as those who justify prejudice against Muslims or Jews.

While Trump supporters get the short end of the dating stick, it's nonetheless evident that political homogamy (choosing a mate with similar characteristics to one's own) is on the rise in the U.S. and other Western democracies. According to a review of the literature by Shanto Iyengar and colleagues, a recent U.S. study of the dating website eHarmony found that before 2016, just 25 percent of women and 17 percent of men listed their partisan preference on their profiles. After 2016, this jumped to 68 percent for women and 47 percent for men. Such signaling has been found to be just as effective as socioeconomic status in eliciting responses from like-minded people on dating sites.

A 2020 report found a rising trend toward assortative mating: The number of politically mixed couples was 30 percent in 2016, falling to just 19 percent by 2019. After the 2016 election, one in ten couples ended a romantic relationship because of political views. Another study cited by Iyengar that used voter-registration data showed that 81 percent of American couples are politically united, and this is mostly because of mate selection, not because those in couples influence each other. Given the steady 40-year rise in polarization, we should expect these trends to increase as the momentum of a less polarized era declines with the aging of older generations.

The problem of "affective polarization" has been well documented, in which people react negatively to those of the opposing political tribe, and this animosity spills over from politics into everyday social relationships. But what if polarization has an asymmetric effect on power in society? What if the elite is becoming a politically endogamous tribe that dominates positions of power in society, reserving them for those with the correct political pedigree?

The progressive notion that racism equals "prejudice plus power" makes no conceptual sense because prejudice and power are uncorrelated measures that don't belong under the same label. Nevertheless, the adage does capture something important: Prejudiced groups with power have more ability to shape the life chances of out-groups than do prejudiced groups without power. In a world where institutions are increasingly dominated by the cultural Left, progressive prejudices

have a powerful effect on the fate of conservatives and other political minorities who fail to conform to ideological dictates.

This emerging form of ideological social closure is spawning a looming crisis that will supercharge populism and polarization. There are at least three reasons to believe this.

First, as conservatism comes to be defined by cultural attitudes rather than wealth, anti-conservative bias among the privileged young people being recruited into these institutions is growing. On many measures, and in many studies, political prejudice runs in both directions. Yet in high-status environments, the angle tilts against conservatives. Noah Carl shows that in British and American elite circles, liberals are more politically prejudiced in their social preferences than conservatives. Bobby Duffy shows that those who are liberal on culture-war issues find it much harder to befriend those on the other side than vice versa. Cultural progressivism is increasingly emerging as a status marker, which is one reason why, as Bari Weiss reports, elite private schools are hotbeds of left-modernist (“woke”) intolerance, as are elite universities and liberal-arts colleges such as Smith. This status differential may help explain why nearly 40 percent of the relatively highly educated U.K. voters who wanted to remain in the European Union wouldn’t want a child of theirs to marry a Leave voter, whereas just 11 percent of the comparatively less educated Leave voters felt the same way about their child marrying a Remainer. Likewise, we saw that Trump supporters are considerably more politically tolerant than Clinton voters when it comes to dating.

Political prejudice against the Right has a powerful effect in institutions where people’s beliefs are transparent in the workplace and there is a significant political skew. In a recent report on academic freedom in the U.S., the U.K., and Canada for the Center for the Study of Partisanship and Ideology, I found that 40 percent of American academics would not hire a known Trump supporter, and 33 percent of British academics would avoid hiring a known Brexit supporter. When it comes to refereeing papers, grant bids, and promotion applications, my own work and that of others indicates that the likelihood of an academic’s discriminating against an openly conservative submission is as high as 45 percent. On a four-person panel, that makes discrimination a near certainty.

Second, the political composition of elite institutions is shifting leftward. In the 1960s there were only one and a half journalists and academics on the left for every one on the right. Today that ratio is between four to one and six to one, and considerably higher among political journalists and social-science and humanities academics. In a report on academia for the Manhattan Institute, I noted that left-leaning social-science and humanities academics now outnumber those on the right in Britain by nine to one, and in the U.S. by 14 to one. Work by Mitchell Langbert using voter-registration data for the top liberal-arts colleges and universities (for five disciplines) also shows lopsided ratios. At Harvard, for instance, a recent inquiry reported a \$250-to-\$1 Democrat-to-Republican donation ratio among the staff. Meanwhile, a network analysis of political journalists on Twitter finds them to be overwhelmingly left-wing. Those in the creative professions are now members of a political monoculture.

Adam Bonica finds a similar trend, using political-donation data among top doctors and lawyers as well as billionaires beginning around 1990. No wonder large donors are trending increasingly

Democratic for the first time since records began. We can also see this in the political age profile of the professions. In a large British sample, the left-to-right ratio is 2.5 times as high among the youngest college-educated employees as it is among the oldest. While barely 30 percent of Ph.D. holders in the U.K. workforce over the age of 60 support political correctness, nearly 70 percent of those under 40 do.

Third, political discrimination is matched by a growing taste for cancel culture among educated people under 30. I found that academics under 35 were twice as likely as their counterparts over 50 to support firing controversial academics who report politically incorrect findings on gender, empire, or diversity. Ph.D. students were three times as intolerant as academics over 50. The elite of tomorrow take the political monoculturalism of prestigious institutions for granted. Many in the youngest elite generation, raised in relative political homogeneity, no longer understand the need to tolerate criticism of what have become sacred progressive values. As a result, they are becoming increasingly authoritarian. Extremism is often a feature of monocultural spaces, argue Cass Sunstein and John Ellis, because dissent gives way to extremist affirmations of common values.

Wherever the culture of campus, dominated by the young and educated, predominates, progressive intolerance and political discrimination against conservatives are in the ascendant. In a July 2020 Cato Institute survey I analyzed, 62 percent of under-35s with an advanced degree said that a business executive who donated to Trump's campaign should be fired, while just 16 percent of similarly educated over-50s said the same. When a Harvard-Harris poll asked in 2017 whether it should be possible to fire people for expressing views that "tend to reinforce gender stereotypes" (as in the case of James Damore at Google), 41 percent of 18-to-24s thought it should be legal to fire such a person, compared with 15 percent of those over 65.

Young people who are highly educated appear to be the least tolerant, reflecting other studies showing that political prejudice is greatest among the educated. When given an option to support or oppose various kinds of controversial speakers coming to campus, a majority of the 20,000 students sampled in the FIRE survey preferred safety over debate. Some 77 percent, for instance, would prevent a speaker who calls Black Lives Matter a hate group from speaking on campus, and 66 percent would no-platform someone who believes abortion should be completely illegal.

Some people claim that young people have always been illiberal. But in cases where we can conduct apples-to-apples comparisons over time, it's clear that young people have become less tolerant of speech that violates progressive norms on race, gender, and sexuality, and they often associate conservatives with these transgressions. One study asked students at Smith College in 2000 and 2016 whether "free speech should be granted to everyone regardless of how intolerant they are of other peoples." In 2000, 70 percent of students answered in the affirmative, but in 2016 just 47 percent did. The General Social Survey also shows a steady post-2012 decline in the share of liberals willing to allow a racist to speak, the first major change since records began in 1976.

When an intolerance of dissent is paired with political discrimination against conservatives by the progressive majority in white-collar workplaces, it's no wonder that professional Republicans live in fear. In the Cato study, 60 percent of degree-holding Trump voters under age 45 worried

about “losing your job or missing out on job opportunities if your political views became known.”

As progressive authoritarians become a larger share of the elite workforce, institutions are likely to grow more intolerant, and we should expect more activist-led purges of dissidents and demands for diversity bureaucrats of the kind that have rocked the New York Times. The one-two punch of political discrimination and cancel culture creates a climate of fear that repels conservatives and other political minorities from creative professions such as journalism, publishing, advertising, and academia, where political allegiances are manifest in people’s work and social relationships, reproducing a hostile political monoculture. As in authoritarian regimes, dissenters keep their views to themselves through preference falsification.

Illiberalism is often thought of in terms of governments against individuals, but we don’t live in a fascist or communist regime. Instead, the problem we face is a threat to liberty and equal treatment from the institutions of society that mediate between government and the individual. The solution is similar to that imposed on segregated universities of the South that were compelled by the federal government to desegregate, or to British state-run schools, where the government has intervened to prevent an Islamist takeover that, among other things, had led to sex segregation. It’s not that progressive illiberalism is as bad as segregation, but rather that the underlying principle of institutions violating individual rights, and of the government overruling them to protect such rights, is the same.

Governments in the past have reformed public institutions that were captured by ideologies such as Nazism or communism. In East Germany after 1989, for instance, universities temporarily lost their self-governing rights. Most of the Marxist professors in the humanities and social sciences had to reapply for their jobs and wound up not being rehired. The balance is a delicate one: Institutional autonomy is an important value, but when it collides with individual autonomy, the individual takes priority. Sadly, today it is the Left that has initiated the culture war, by seeking to change society through activist pressure and administrative capture in institutions, all while pretending that their acts are nonpolitical. As with the contestation over Supreme Court justices, classical liberals and conservatives have no choice but to engage in politics to defend against what would otherwise be a progressive drift in our institutions. Younger voters are considerably more intolerant than the over-40s, indicating that these problems will get worse, not better, in the future. Past experience also shows that restrictions do not disappear. Speech codes, for instance, which emerged in the late 1980s and were heavily criticized, remain in place at universities. The ultimate aim should be to achieve a norm of consensual neutrality — but this cannot take place when there is progressive institutional activism.

If public institutions such as universities, or de facto common carriers such as Google and Facebook, are acting illiberally by politically discriminating in how they apply community rules, government must step in to protect the liberty of the individuals within them. When such institutions are openly politicized and captured, democratically elected governments should be able to regulate their operations to ensure that they are not violating individuals’ rights to equal treatment or freedom of expression within the law that common carriers must obey. It’s worth adding that political discrimination, by forcing people to self-censor, restricts their freedom of

expression. Unsurprisingly, I find a strong association between people's willingness to politically discriminate against conservatives and their support for firing campaigns.

Can anything be done about the political intolerance and discrimination that is bleeding from campus into knowledge work more broadly? Yes, but only with a crusade for political civil rights based on three core policies.

First, free-speech rights need to be protected to the fullest extent of the law. Employers should not be permitted to fire employees for legally protected speech unless the firing is justified by the core aims of the organization and authorized in an employee's contract. Clearly, speech restrictions are justifiable for CIA agents or the civil service, but not for Twitter employees. As per European law, and as adjudicated in the *Redfearn v. U.K.* (2012) case, lawmakers should take care to draft this legislation so, before employees can be dismissed, the employer must prove that their beliefs significantly compromise their ability to perform their jobs.

Second, employees should be given the same level of protection against political discrimination as they have against other forms of discrimination. Bias should be justifiable only for explicitly political organizations. Legislators and courts would need to define terms tightly, with enough leeway for the Democratic Party to discriminate against Republicans in hiring, but not enough to let elite institutions discriminate against those critical of affirmative action or diversity by requiring political loyalty tests such as diversity statements.

This also means that publicly funded organizations would be required to be politically neutral in their communications and operations except on matters directly pertinent to organizational aims. Private organizations should strive as much as possible to follow suit, even as they are free to do as they wish. This may require governments to amend the mission statements of places such as public universities away from "social justice" causes and prevent their administrators (though not professors, who have academic freedom) from putting out official ideological communications. This would also prevent private firms that transact business with the general public from defining their corporate aims in a manner that would permit them to discriminate politically. Only explicitly political or religious organizations would be exempt. Following the *Forstater* case in the U.K., beliefs not deemed "worthy of respect in a democratic society" would not be protected, though these are narrowly specified by the courts, which upheld Forstater's "gender-critical" beliefs as worthy of respect. Third, equity, diversity, and inclusion (EDI) policies should place political diversity on the same footing as race, gender, and other forms of diversity. If data are collected on race, religion, or gender, they can be collected on voting, party identification, and ideology as well. Policies to prevent bias against racial and gender minorities would have to include similar treatment for political minorities. If there are measures to increase the share of employees from underrepresented race and gender groups, the same should have to be undertaken for "underrepresented" political groups. Organizations could dial back all EDI initiatives to zero or ramp them up, but they could not prioritize race/gender EDI over political EDI. Since political discrimination and division are now an important source of bias and division in society, there is a powerful social rationale for this.

Government should take the lead in establishing these principles. Though opponents will decry the principles as authoritarian, they are in fact liberal. Unlike the acts of authoritarian leaders

such as Erdogan and Putin, who violate individual rights in an attempt to control the media or courts, these interventions seek to expand individual rights by applying existing laws protecting expressive and academic freedom against public institutions that prioritize progressive aims over individual rights and equal treatment. This method not only protects dissenters but removes chilling effects that lead them to self-censor.

In the U.K., a comprehensive academic-freedom bill empowering a director of academic freedom on the regulatory body, the Office for Students, to closely monitor and fine universities for academic-freedom violations was announced in the Queen's Speech on May 11. Its success, as with all such measures, will depend on getting the right people onto the relevant public-policy bodies, which Boris Johnson's Conservative government has been doing, unlike those of his predecessors. In the U.S., Republican state legislators have enacted legislation to ban "free-speech zones" (which restrict freedom of expression to narrowly defined areas) on campus and end schools' compulsory instruction in critical race theory, another positive start. But some are also proposing illiberal measures that inhibit college athletes from taking a knee during the national anthem or that define anti-Semitism in a more expansive way than is stipulated in law. And abolishing tenure is a threat to academic freedom and can harm vulnerable political minorities such as conservatives. A consistent approach is to ground all interventions in First Amendment and civil-rights principles.

Those on the right are a small and declining political minority in elite institutions, where they face an increasingly hostile environment. Any suggestion of regulation cuts against the libertarian impulse to defend the autonomy of organizations, but action taken by a democratic government, which is open to scrutiny in a way university committees or corporate boardrooms aren't, is the only defense against authoritarian institutions. There is little risk from a hostile government, since the current laissez-faire approach clears the way for organizational activists and administrators to restrict individual rights.

To wage this battle, those on the right, along with freedom-minded allies on the left, will have to use government and the law to limit institutional autonomy just enough to protect individual freedoms. They will need to ditch the deregulatory libertarianism that is paralyzing political action and permitting woke takeover. Unless this battle is joined, the power centers of the country will increasingly move toward campus-style intolerance, further entrenching the system of progressive conformity.