

## **Statement of Columbia Alumni for Academic Freedom on the Settlement Agreement between the Trump Administration and Columbia University**

The Trump Administration's abuses have placed Columbia University leadership in an agonizing position, pitting the welfare of Columbia's faculty, staff, and students – and the fate of critical research projects – against considerations of institutional independence, academic freedom, constitutional democracy and rule of law. We recognize that, in reaching a settlement, University leadership acted in what they believed to be Columbia's best interest. To castigate a victim of extortion for making a bargain feels unsympathetic and unfair.

But it seems impossible to avoid the conclusion that Columbia's decision to enter into the settlement was a grievous mistake. It was a surrender to an unprecedented and extralegal campaign of governmental extortion.

We are not confident that the settlement will provide the negotiated peace that is its ostensible justification. An Administration so ready to use blatantly unconstitutional means in pursuit of flagrantly unconstitutional ends cannot be trusted to adhere to any settlement. And one of the agreement's federal signatories (the Secretary of Education) has described the agreement as effecting an enforceable mandate to change the University's policies and alter the content and viewpoints of campus speech. The Administration obviously (and predictably) sees the settlement as giving them additional leverage to control Columbia's academic and extracurricular life and to implement its own preferred terms of inquiry and debate in the name of "viewpoint diversity." The various disclaimers in the agreement are little protection against an Administration that operates by power, not law—and indeed revels in flouting legal restraints and shattering norms of fair process and regularity.

But even if the agreement is honored, it comes at an enormous cost in institutional independence and stature – and it will embolden and enable further governmental lawlessness and depredations against other schools and people. Columbia's surrendering to official intimidation of this kind -- and allowing the Administration to claim vindication of its decision to launch this disgraceful campaign in the first place -- will make it more difficult for other universities and the myriad other institutions and people who are and will be targets of similar ruinous threats to resist such extortion. The dilemma between individual interest and duties to foundational norms and broader society has been a brutal reality in authoritarian societies throughout history and across the globe. For a leading institution of American society to meekly surrender to such blatant illegality and to betray and imperil its core mission and values is a profoundly dispiriting and potentially significant defeat in the struggle to preserve a free society.

Resisting governmental abuses entails risk and hardship. Columbia's decision to concede in the midst of Trump's nationwide campaign against every institution and voice perceived as insufficiently allegiant to the Administration failed to honor the paramount interest in standing up to patent, systematic wrongdoing.

As profoundly disappointing as this week's announcement is, it is the responsibility of those who care about Columbia, and about other universities and basic democratic norms under threat, not to sit by and lament, but to stand up. We urge Columbia alumni to become more involved in University life, to push back against further incursions on constitutional freedoms at Columbia and elsewhere, and identify and pursue changes in the University and the Nation that will ensure that this week's events not be repeated so that Columbia's proud standing and independence may be restored.

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