

Testimony of Christopher Nichols, Ph.D.
Before the Senate Workforce and Higher Education Committee
Senator Jerry Cirino, Chair
April 19, 2023

Chair Cirino, Vice Chair Rulli, Ranking Member Ingram, and Members of the Workforce and Higher Education Committee:

My name is Christopher Nichols, and I am a professor of history and national security studies, and Woody Hayes Chair in National Security Studies, at The Ohio State University. I was recently recruited to come to Ohio State after ten years teaching on the west coast at another major land grant university and another several years teaching and working at a range of public and private universities and colleges. I do not represent The Ohio State University, but rather am submitting my testimony as a private citizen in opposition to Senate Bill 83.

Controversial Issues, Beliefs, Policies

As a modern United States historian and scholar of American foreign relations my work in the classroom virtually every week engages potentially “controversial beliefs or policies,” including historical events, sources, and scholarship related to diversity, equity, and inclusion, electoral politics, foreign policy, and more. In my expert opinion, it is impossible to teach U.S. history without tackling such topical areas and themes directly through rigorous historical primary and secondary source analysis. If assignments related to these topics make students uncomfortable I work hard with them to understand why, but, as I see it, my primary job as a teacher and a scholar is to confront all the realities of history—to teach the good, the bad, and the ugly of the U.S. past and foreign relations, wherever that may lead, and to foster an inclusive environment in doing so, where students can learn without any topic or idea being off limits and come to their own conclusions. I seek to develop students’ analytical skills so that they do not shy away from controversial issues (including beliefs and policies) but confront them head-on with reason, facts, and generosity, which will serve them well in all future career paths.

Required Course/Readings

As a scholar and engaged member of the community, including at the previous higher education institutions at which I worked, I helped to develop, lead, and participate in nonpartisan civics education and community conversations. These efforts were informed by the best insights of academic scholarship and centered around the history and conception of citizenship. In that light, as a U.S. historian, teacher, and civics education practitioner, I testify very explicitly that SB 83’s required course with a specified set of a few documents to read and analyze should not be passed by the state legislature.

I make this argument not because I oppose teaching any of the proposed documents (or related topics). Far from it. Rather, I strongly oppose this particular effort for two main reasons: First, in my view any new required curriculum is best led, designed, and taught by area experts; Second, in most early U.S. history courses, across the two main lower-division U.S. history survey classes (up to 1865, since 1865) that are offered across Ohio colleges and universities, as well as in a range of political science classes, most, if not all, of those documents are already assigned.

I am all for teaching more history with close attention to primary sources and historical documents. Researching, understanding, teaching, and writing American history is my passion, my calling, and my life's work. But instead of mandating the course or precise documents, please leave those selections and approaches up to credentialed area experts.

From Readings to Issues, The Bill's Contradictions

The bill's instruction to teach "five" (of the 85) Federalist Papers is a case-in-point of how this list of required readings is inadequate and at odds with the broader framework of the bill. The proposed "class" lacks sufficient justification, clear approaches to learning outcomes, or a thematic through-line to constitute a robust historical and civics curriculum. The contradictions endemic across the bill's requirements are exemplified by the fact that it mandates the teaching of Martin Luther King Jr's "Letter from a Birmingham Jail" but then, by curtailing the teaching of "controversial" beliefs or policies, it makes it impossible for students to analyze the systemic racism King describes memorably. As King said, "injustice anywhere is a threat to justice everywhere" in his diagnosis of how oppressive power structures perpetuate an unequal, unjust status quo, and in advocating "powerful 'action' antidotes to combat the disease of segregation."

On Indoctrination, the Classroom, and Intellectual Diversity

I also want to address head-on an assertion by SB 83 proponents that has been made in public as a primary rationale for the bill, though it does not appear in the text of the bill: indoctrination.

I would not have come to The Ohio State University – or any other university or college for that matter – if it were a place known for indoctrinating and forcing views on students, faculty, staff, or others. I can say clearly and definitively that there is little to no indoctrination going on at Ohio State or in my experience anywhere else that I have taught. I am—and my colleagues are, to a person—committed to freedom of expression and thought. We seek and promote this already in the classroom and across campus. I have never once encountered an "ideological litmus test" in over two decades of working and teaching, hiring, promoting, reviewing, and evaluating, at multiple large institutions of higher education in Ohio and across the United States.

Are there are exceedingly rare examples of some faculty, staff, or others going too far in their statements or actions? Yes. Is that common? No. It is not at all common in my twenty-years of higher ed experience or those of many I know across academic fields. In short, these rare moments of faculty or staff overreach have been overblown and sensationalized by the press or provocateurs, often for political reasons and/or to generate clicks or sell papers. In fact, such infrequent speech bias issues as do arise, in my view, tend to be handled capably and internally by university leaders and administrators, often out of public view. In my opinion, uncommon, uncharacteristic events against free speech provide an exceedingly poor reason or rationale for passing sweeping, transformational legislation. This is backed up by years of empirical research regarding what scholars call the "indoctrination myth." Research strongly supports the insight that from pedagogy to hiring political, religious, and other biases play a remarkably small role in the actions of faculty and staff in higher education. [See: E. Burmila, "Liberal Bias in the College Classroom: A Review of the Evidence (or Lack Thereof)" *PS: Political Science & Politics*, 54(3) (2021), 598-602.]

As Cornell University Historian Glenn Altschuler and Hamilton College President David Wippman explain, "All education involves imparting information "from someone's point of view." It is not indoctrination, for example, for a biology professor to teach evolution while

rejecting creationism. Nor is it indoctrination to cite Jim Crow laws, segregation of schools and public transportation, grandfather clauses for voting, and the complicity of public officials in violent acts of intimidation against Black [people] as evidence of systemic racism in the post-Civil War South.” [On the meaning of “point of view” bias, see: Glenn Altschuler and David Wippman, “The myth of ‘woke’ indoctrination of students,” *The Hill*, April 9, 2023]

As an historian who specializes in teaching and researching the domestic and foreign policies of the Gilded Age and Progressive Era, the (1880-1920) period which witnessed the development and deepening of legal and extra-legal segregation policies and practices, I’d like to add that it will be exceedingly hard to square teaching that history with proposed “intellectual diversity rubrics” that include the bill’s prohibitions against “controversial beliefs” such as “electoral politics,” “diversity, equity, and inclusion,” “marriage,” “abortion,” and “immigration policy.”

As someone who has taught thousands of students over many years, I also know that students see the contemporary relevance of topics such as Jim Crow and eugenics laws at the turn of the twentieth century. These are essential parts of the complex rise of modern America in foreign relations and domestic politics, in business, law, and society, in reform and regulation, in centralized state power, and in questions of citizenship and crisis. Suffice it to say, students tend to be open to learning about these developments and this history. It is, after all, what has profoundly shaped the world we all live in and the challenges we confront today.

Furthermore, though I have not witnessed or heard of any examples in the state of Ohio of “inculcat[ing] any social, political, or religious point[s] of view” (as the bill aims to prohibit), I also cannot fathom how one could successfully “indoctrinate” today’s students. On a wide range of difficult historical and other topics that I teach and know well, at their best, today’s students are skeptical, they are hard to persuade, and they do their own research. At their worst, they barely do the assignments, they do not pay much attention, and we struggle to get them to dive deeply into readings, lectures, and discussions in the classes we work so hard to make successful. So, in my view, we should trust college-aged students. We should not treat students like they cannot decide and learn for themselves. We should protect faculty and staff and their academic freedom. I urge you to vote no on this bill, and instead trust faculty to teach based on what they are trained and credentialed to do and trust students to learn and come to their own conclusions without intervention by the state.

On Campus Events, Freedom of Speech, and Intellectual Diversity

As a faculty member involved with numerous events on and around campus, I find there to be a real intellectual diversity of speech and of perspectives. There is relatively little to be concerned about OSU's efforts to bring in a wide array of voices and beliefs in events, in classes, and in other areas of community life. Most of us involved in organizing campus events try our best to have an array of perspectives and do so in utterly nonpartisan ways—but it is very important to emphasize that the VAST majority of events on campus are not ones in which there is a case for concern with bias or a need for “multiple, divergent, and opposing perspectives” as laid out in the bill. Most campus events are discussions of new and in-progress scholarship, ranging from topics on ancient Rome to black holes, from metaethics and microcredit to mRNA. In short, the great majority of events on campus are concerned with academics and not “political” per se. If you spend much time on campus and at events, as I do, you will realize how rare it is that there is a flare up about “intellectual diversity”—usually when that happens those events involve outside sensationalists, often with direct political and personal agendas, who are less interested in

presenting ideas and in intellectual discussion and debate than in publicity. We do not need sweeping legislation to diversify speech to address an issue that virtually does not exist on Ohio's campuses, particularly as history has shown that free speech is such a problematic area to legislate and adjudicate.

Harms of the Prohibition Against Chinese Partnerships

As a U.S. foreign relations and national security expert I strongly reject the effort to disallow higher education activities with China. In the vague language of the bill this seems to include—or might apply to—an astonishingly wide range of international exchanges and partnerships. There is no doubt relations between the U.S. and China are strained. In my opinion to enhance relations we should be encouraging more exchange and interchange; science and business collaboration; more students and scholars crossing borders. More overall engagement can and has been shown historically to lead to stronger ties through personal understanding as well as shared incentives. Research on conflict risk reduction also suggests that increasing trade connections and commercial interdependence reduces the probability of military conflict. In contrast, studies have shown that particular types of cultural antagonism—from immigration restriction to prohibitions against films or technologies to, say, banning study abroad—generally amplifies conflict. That is what I fear might be the result of the proposed injunction against “any academic relationship with an academic institution” in China or affiliated with the nation. This prohibition will hurt the state of Ohio in a number of ways.

One way in which the proposed China ban would hurt Ohio is by eliminating or otherwise limiting potentially ground-breaking medical, science, and industrial partnerships for new drug and treatment development, technology innovation and collaboration, engineering and computer science breakthroughs, scientific data collection and information sharing, as well as inhibiting and undermining a wide array of collective research, teaching, and engagement across the sciences, social sciences, and liberal arts. If research and development activities suffer, where will they go? Other states perhaps, or other countries? Neither is a good result for Ohio. China is the U.S.'s third largest trade partner, after all.

Another potential harm is to the prestige of the state of Ohio and Ohio higher education. The state is nationally and internationally-renowned for producing high quality graduates and cutting-edge technological innovation. Consider, for instance, Intel's enormous new investments in the state. This is hardly the time for digging moats and pulling up drawbridges to make the state of Ohio appear disinterested in advancing top research, teaching, training of the next generation(s), and innovation for a globally-interconnected world. It is unclear what positive results, if any, such a ban might achieve. In contrast, many negatives and costs are immediately clear.

Cultural Ties Reduce Conflict Risk, Support Democracy

International Relations and foreign policy scholarship clarifies another dimension of the case against this portion of the bill. Cultural connections (such as study abroad and varied educational opportunities, including intellectual and academic collaborations) along with commercial ones minimize conflict and have potential maximize and enhance overall national relations. As scholar Carol Atkinson has shown, U.S.-hosted exchange programs exemplify some of the best of American higher education and U.S. democracy, as such they can “play an important role in the diffusion of liberal values and practices across the borders of authoritarian states.” So instead of a ban let's support more engagement with China in culture and commerce, I urge you to consider building up student and academic exchanges. [Carol Atkinson, “Does Soft Power Matter? A

Comparative Analysis of Student Exchange Programs, 1980–2006,” *Foreign Policy Analysis*, January 2010, Vol. 6, No. 1 (JANUARY 2010), pp. 1-22; Chang, H., & Kastner, S. Economic Interdependence and Conflict. *Oxford Research Encyclopedia of Politics*. Retrieved 16 Apr. 2023; Hans Köchler, “Unity in Diversity: The Integrative Approach to Intercultural Relations,” *United Nations Chronicle* September 2012, No. 3 Vol. XLIX 2012]

I also want to categorically reject some of the public speech on SB 83 related to anti-Chinese sentiment. In an era in which we’ve tragically witnessed rising anti-Asian hate crimes, this sort of anti-China push comes at exactly the wrong moment, when we all should be fighting forces of hate and disunion. What is more, this effort, when understood in international relations and diplomatic terms, may embolden and enable Chinese efforts against the U.S. However well-intended, this effort might be it can easily be construed and cast as racist and xenophobic (as it involves sanctions against only one country and group). To the extent to which Chinese politicians and their agents seek to exploit and enhance tensions with the U.S., including in propaganda efforts, this bill plays right into their hands; it provides evidence of anti-Chinese bias, in an important and influential U.S. state and, because it is targeted not in more traditional realms of nation state conflict, like business or politics, but rather in the more seemingly benign, positive areas of education, students, teachers, and students, it can be made to look all the worse. Thus, the prohibition against partnerships with Chinese institutions seems to me to problematic in at least four ways: 1. it places high economic burdens on Ohio higher educational institutions already invested in international collaboration; 2. it harms potentially ground-breaking collaborations; 3. it undercuts meaningful bi-lateral cultural engagement; 4. it can be weaponized against Ohio and the U.S. by those who might want to foment greater U.S.-China tensions.

Damage Already Being Done by SB 83

Finally, I want to conclude by saying that damage is already being done by this inflammatory bill and the sensationalist politics it has set in motion. Just last week we lost the highest ranked PhD graduate student admitted to our program, whom we were very much trying to recruit into our diplomatic history field, and to whom OSU had offered a top level fellowship for graduate studies. In making his decision this admitted, highly recruited student mentioned SB 83 and what he perceived and worried about as possible hostility, coercion, and constraints being imposed by the state legislature on academic and personal freedom and higher education in Ohio as a significant part of his decision not to attend OSU, despite it being his preferred program.

I conclude by simply underscoring the numerous likely negative unintended consequences of this bill, some of which I have laid out here and others that I did not have time to enumerate but that I am confident that others have and will be pointing out to this esteemed committee and body.

I ask you to please consider my testimony and vote NO on this potentially and already harmful bill. Thank you for the opportunity to testify. I am happy to answer any questions that you may have.

Yours sincerely,
-Christopher Nichols