

# How Should Colleges Select Students?: Justice, Toleration, and University Admissions

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## ABSTRACT

*As undergraduate education becomes a key formative experience for a larger percentage of the population, it is imperative that political philosophers consider the role of universities in bringing about a more just society. In this paper, we contribute to this task by assessing which university admissions policies are compatible with justice and conducive to the epistemic and civic missions of the university. Scholars agree that universities require a tolerant campus culture, but concrete proposals have focused on interventions at the level of faculty and administrators. The empirical literature, however, shows that students are more influenced by reputational consequences among their peers. We therefore argue that universities should also attend to the selection of the student body. We consider and reject a popular proposal that colleges should select students with underrepresented moral and political beliefs to increase viewpoint diversity. Instead, we propose directly weighing students' tolerance and open-mindedness in the admission process.*

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I. INTRODUCTION

In the 1940s, only 4.6% of the U.S. population over 25 had completed at least four years of college. By 2022, that percentage had increased to 37.7%.<sup>1</sup> It is probable that by the end of the century more than half of the U.S. population will have a college degree. As undergraduate education becomes a key formative experience for a larger percentage of the population in the U.S. and globally, it is imperative that political philosophers attend to the role of universities in bringing about a more just society. In this paper, we contribute to this task by assessing which kinds of university admissions policies are compatible with the role that universities should play in a liberal democratic society.

There is widespread agreement among political, educational, and legal theorists that the primary mission of the university is the production and dissemination of knowledge—what is often referred to as the “epistemic mission” of the university.<sup>2</sup> By funding, facilitating, and disseminating new discoveries, universities also contribute to bringing about a more just society. Researchers and teachers help articulate the principles of justice that should guide the legal and political systems of a just society, design institutions that can better distribute the enormous surplus generated by the modern economy, and develop technologies that can help more people lead longer, more fulfilling lives. They also teach an increasing number of students the skills, knowledge, and capacities required to

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1. U. S. CENSUS BUREAU, CPS HISTORICAL TIME SERIES TABLES, TABLE A-2 (2023), <https://www.census.gov/data/tables/time-series/demo/educational-attainment/cps-historical-time-series.html> [<https://perma.cc/5VPA-VS8Q>].

2. Robert M. Simpson, *The Relation Between Academic Freedom and Free Speech*, 130 No. 3 ETHICS 287, 316 (2020); SIGAL R. BEN-PORATH, *FREE SPEECH ON CAMPUS* 31 (University of Pennsylvania Press 2017); KEITH E. WHITTINGTON, *SPEAK FREELY: WHY UNIVERSITIES MUST DEFEND FREE SPEECH* 19 (Princeton University Press 2019); ERWIN CHERMERINSKY AND HOWARD GILLMAN, *FREE SPEECH ON CAMPUS* 154-55 (Yale University Press 2017).



contribute to the efforts of bringing about a more just society – what is often referred to as the “civic mission” of the university.<sup>3</sup>

At the same time, universities are themselves institutions that should be subject to principles of justice. A university education, particularly an education from a selective institution, provides individuals with a path toward positions of power and prestige within society. For a student whose family income is in the bottom fifth quintile of the population, being admitted to a selective college can make the difference between a life with a high degree of social mobility and one with constrained horizons. The ability of universities to provide opportunities for upward social mobility, especially for students from disadvantaged backgrounds, has been well-documented by economists of education.<sup>4</sup> The composition of the student body is, therefore, an important aspect of social justice.

Moreover, universities are in large part responsible for training future democratic elites who will be responsible for implementing the policies collectively decided upon by the political community and for influencing the public discourse on key public issues. Elizabeth Anderson, for example, has shown how universities might use their admissions policies to ensure that the democratic elites selected will be able to successfully discharge these democratic responsibilities.<sup>5</sup> Our account in this paper also focuses on admissions policies and their moral and political consequences. We specifically focus on admissions policies aimed at creating a tolerant campus culture and their implications for justice in a liberal society.

The last decade has seen a proliferation of books about toleration and freedom of speech on campus. Fueled by a concern that current generations of students may be less committed to the value of toleration than past generations, these largely involve attempts to rearticulate the value of free inquiry for the mission of the university. When it comes to specific proposals, however, we argue that this literature overestimates the role of faculty and administrators in shaping the campus culture through top-down interventions regarding the curriculum, the range of speakers invited, and the codes of conduct selected. By drawing on the empirical literature on college education, we show that students are more strongly influenced by their peers than by faculty and administrators. This leads to our focus on college admissions policies.

In this paper, we explore the possibility of selecting students that are tolerant and open-minded. Selective U.S. universities already deploy a multi-faceted

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3. Chemerinsky, *supra* note 2 at 159; Whittington, *supra* note 2 at 93–94; Ben-Porath, *supra* note 2; Harry Brighouse, *Civic Education and Speech in the College Classroom*, 22 GEO. J.L. & PUB. POL’Y – (2024).

4. Raj Chetty et al, *Income Segregation and Intergenerational Mobility Across Colleges in the United States*, 135 Q. J. ECON. 1567 (2020). For statistics by college, *see also* The New York Times, *Economic Diversity and Student Outcomes at America’s Colleges and Universities: Find Your College*, N.Y. TIMES (last visited March 3, 2024), <https://nytimes.com/interactive/projects/college-mobility/> [<https://perma.cc/33Q4-GKDM>].

5. Elizabeth Anderson, *Fair Opportunity in Education: A Democratic Equality Perspective*, 117 ETHICS 595 (2007).



admissions policy that looks beyond high school GPA and SAT/ACT test scores. Faced with concerns about the degree of tolerance on college campuses, we argue that universities should be able to consider students' commitment to toleration and open-mindedness, but that certain ways to do this might violate important principles of fairness and equality or might otherwise jeopardize both the epistemic and civic missions of the university. Choosing a just admissions policy requires attending to both normative and empirical considerations. Therefore, our paper brings together multiple strands of literature in political philosophy, economics of education, and sociology to assess the soundness and desirability of different admissions policies that can increase tolerance and open-mindedness on college campuses.

We do not, however, argue that universities should focus exclusively on admissions policies for achieving a tolerant campus culture. Indeed, training instructional faculty how to run classroom discussions, especially on politically and ideologically sensitive issues,<sup>6</sup> or providing guidance to university administrators on how to distinguish between benign claims of harm and wrongful acts that might require institutional responses,<sup>7</sup> might also improve the status quo. And in certain contexts, these may even be enough. However, in general, creating a tolerant culture will require a diverse, multi-pronged strategy and, in this paper, we make the case for an additional dimension through which tolerance can be fostered.

The argument proceeds in six sections. Section 2 notes the academic consensus that a tolerant campus culture and an openness to engaging with individuals with different backgrounds and beliefs are necessary for the epistemic mission of the university. Section 3 then argues that, given the importance of peer effects, universities aiming to foster a more tolerant campus climate must go beyond a focus on what professors and administrators can teach students and attend to the selection of the student body itself. Section 4 then considers and rejects a popular proposal that colleges should select students with underrepresented moral and political beliefs to increase viewpoint diversity on campus to create a more tolerant campus culture. Section 5 then proposes directly weighing students' degree of tolerance, as assessed through essays and extracurricular activities. Section 6 considers objections to this proposal, including concerns about 'gaming' the admissions process, about favoring already privileged students, and about diluting the importance of other relevant admissions criteria. Section 7 concludes by noting the enduring challenges in creating a tolerant campus environment.

## II. TOLERATION, FREEDOM OF SPEECH, AND THE IMPORTANCE OF PEERS

Not a week goes by without a new report, op-ed, article, or book about speech on college campuses, particularly in the U.S. and the UK. Many of these authors worry that college students have become less tolerant than previous generations

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6. Brighouse, *supra* note 3.

7. Ben-Porath, *supra* note 2.



and less willing to engage with those who hold different moral and political beliefs. If true,<sup>8</sup> the increase in intolerance and its consequent chilling effect on speech and free inquiry would jeopardize the epistemic and civic missions of the university and therefore the university's contributions to building a more just society.

There is a consensus that an inclusive and tolerant campus culture is essential for allowing universities to fulfill their mission.<sup>9</sup> In response to the perceived crisis of toleration, scholars have proposed a variety of solutions to foster a more tolerant campus climate and to increase students' appreciation for free speech. Greg Lukianoff and Jonathan Haidt, for example, emphasize adopting the Chicago Statement,<sup>10</sup> eliminating or liberalizing campus speech codes,<sup>11</sup> refraining from commenting on ongoing speech controversies,<sup>12</sup> and punishing "hecklers".<sup>13</sup> Keith Whittington extends the list of robust free speech protections to include the following: resisting demands to have "trigger warnings" on course materials,<sup>14</sup> allowing all student groups "safe spaces" on campus without making the whole campus safe from intellectual debate,<sup>15</sup> not employing vague speech codes that provide too much discretion to university administrators to punish speech,<sup>16</sup> shutting down protests that aim to be disruptive or obstructive without facilitating debate,<sup>17</sup> not rescinding invitations from student groups to outside speakers and not discriminating based on the ideas espoused by student groups,<sup>18</sup> protecting the speech rights of faculty,<sup>19</sup> and hiring more conservative faculty.<sup>20</sup> A similar list can be found in Chemerinsky and Gillman's *Free Speech on Campus*.<sup>21</sup> Harry Brighouse suggests instructional faculty should be incentivized to enroll in

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8. It is unclear to what extent the concern about a free speech crisis on college campuses is justified. As Brighouse points out, we lack systematic longitudinal studies of students' attitudes toward classroom speech (or quad speech for that matter). Brighouse, *supra* note 3. For arguments that college students are becoming more rather than less tolerant, see Jeffrey Adam Sachs, *The "Campus Free Speech Crisis" Is a Myth. Here Are the Facts*, WASH. POST. (Mar. 16, 2018 at 5:00 AM), <https://www.washingtonpost.com/news/monkey-cage/wp/2018/03/16/the-campus-free-speech-crisis-is-a-myth-here-are-the-facts/> [https://perma.cc/R7XV-YXHR]; Matthew Yglesias, *Everything We Think About the Political Correctness Debate Is Wrong*, VOX.COM (Mar. 12, 2018, 8:00 AM), <https://www.vox.com/policy-and-politics/2018/3/12/17100496/political-correctness-data> [https://perma.cc/QCH7-MSWK]. In this paper, we are agnostic about comparisons between current generations of college students and past generations. Our arguments apply to fostering a tolerant campus culture independent of whether there is a current crisis.

9. Ben-Porath, *supra* note 2; Whittington, *supra* note 2; Chemerinsky, *supra* note 2 at 65, 159.

10. GREG LUKIANOFF & JONATHAN HAIDT, *THE CODDLING OF THE AMERICAN MIND: HOW GOOD INTENTIONS AND BAD IDEAS ARE SETTING UP A GENERATION FOR FAILURE* 255 (2018).

11. *Id.* at 256.

12. *Id.* at 256–57.

13. *Id.* at 257.

14. Whittington, *supra* note 2 at 57–66.

15. *Id.* at 66–76.

16. *Id.* at 77–93.

17. *Id.* at 94–115.

18. *Id.* at 116–40.

19. *Id.* at 141–60.

20. *Id.* at 161–79.

21. Chemerinsky, *supra* note 2 at 113–50.



professional development programs that teach them how to run effective classroom discussions about sensitive moral and political issues<sup>22</sup> and recommends that university leaders should facilitate “more inclusive and engaging events which bring conservative and religious perspectives onto campus in fora in which real engagement is fostered.”<sup>23</sup> And Ben-Porath emphasizes that both professors and university leaders should approach claims of harm from students with compassion rather than with comments about legal and constitutional restrictions.<sup>24</sup>

These proposals all emphasize the role of university professors and administrators in shaping student behavior and values in ways consistent with free speech and tolerance. In this paper, we argue that the conversation around speech policies on college campuses overestimates the extent to which university presidents, administrators, and professors influence students’ degree of tolerance or their comfort with controversial views. Although more empirical research is needed, the literature summarized in the rest of this section confirms a common intuition that teenagers care more about fitting in with peer groups than they do about the opinions of their elders. In other words, when it comes to creating a tolerant campus culture, the scholarly conversation has paid too little attention to social dynamics on college campuses. Once one has a clearer understanding of the latter, one can prescribe more effective ways to increase toleration.

Surveys of student attitudes regarding free speech on campus reveal that at least some students consistently report self-censoring during class conversations and during conversations with peers. A 2021 survey of 37,104 college students from multiple universities asked students, “[o]n your campus, how often have you felt that you could not express your opinion on a subject because of how students, a professor, or the administration would respond?” Only 17% of students responded “never.” Of the 83% that had self-censored at least once, 21% of students reported doing so “very often” or “fairly often”, 32% reported doing it “occasionally”, and 30% reported doing it “rarely.”<sup>25</sup> A 2019 survey of over 1,000 students at the University of North Carolina, Chapel Hill, asked students: “Finally, in the class, about how many times did you keep an opinion related to class to yourself because you were worried about the potential consequences of expressing that opinion?” The survey found that 24.1% of (self-reported) liberal students, 48.7% of moderate students, and 67.9% of conservative students reported censoring at least once.<sup>26</sup> A 2022 survey of 10,000+ students registered at one of the 13 campuses of the University of Wisconsin system found that 56.8% of respondents wanted to express their views about a controversial topic in class but decided not to. Of (self-reported) Democrat participants, 49.7% reported

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22. Brighthouse, *supra* note 3.

23. *Id.*

24. Ben-Porath, *supra* note 2.

25. College Pulse et al, *College Free Speech Rankings* 77 (2021), <https://www.thefire.org/sites/default/files/2021/09/24110044/2021-CFSR-Report-v2.pdf> [<https://perma.cc/X2JC-5G82>].

26. Jennifer Larson et al, *Free Expression and Constructive Dialogue at UNC Chapel Hill* 27, 55 (Mar. 2, 2020), <https://fecdsurveyreport.web.unc.edu/> [<https://perma.cc/323W-UAQW>].



to have refrained from expressing their views on controversial topics (with 20.6% reporting doing so often or very often). In contrast, 67.1% of (self-reported) Republicans reported doing so (with 47.5% reporting engaging in this behavior often or very often).<sup>27</sup>

These results indicate the presence of self-censorship at least on some U.S. campuses. The UNC survey also investigates the causes of self-censorship among students. According to the survey, 31.8% of conservative students (who reported self-censoring most often) worried about receiving a lower grade from their professor at least several times a semester, but by far the largest concern was the negative perception from their peers. For instance, 29.2% of conservative students reported worrying about other students posting negative comments about them on social media based on comments they made in class, 74.3% of conservative students were concerned about their peers' negative opinions at least several times per semester and only 12.8% reported never worrying about it.<sup>28</sup> The same pattern emerges from the UW-system survey. Of those students who refrained from expressing their views about a perceived controversial topic, 41% "worried they would get a lower grade because of their views," and 46% "worried the instructor would dismiss their views as offensive." But 58% "worried other students would dismiss their views as offensive," and 61% "worried other students would disagree with them," the most common reason for withholding views on perceived controversial topics. Only 25.3% of very liberal students who refrained from expressing their views reported to be worried about other students dismissing them, whereas 77.7% of very conservative students did so. Finally, 6,092 respondents reported expressing "views on a controversial topic to other students while in a campus space outside the classroom," out of which 171 reported experiencing "institutional consequence[s]" and 1,071 reported experiencing "social consequence[s]".<sup>29</sup>

Survey evidence showing that students self-censor due to concerns about their standing and reputation among their peers is just one important piece of evidence about the effect of peers in college. Attending college has important consequences for students' social and political attitudes.<sup>30</sup> Although these effects are well-documented and extensively studied, there is little evidence that faculty shape students' sociopolitical beliefs, particularly compared to the evidence that peer effects matter. Mariani and Hewitt, for example, find that faculty political

27. April Bleske-Rechek et al, *UW System Student Views on Freedom of Speech: Summary of Responses* 63 (Feb. 1, 2023), <https://www.wisconsin.edu/civil-dialogue/download/SurveyReport20230201.pdf> [https://perma.cc/J4ML-6QTL].

28. Larson, *supra* note 26 at 25–26, 73.

29. Bleske-Rechek, *supra* note 27 at 66, 70.

30. Jana M. Hanson et al, *Do Liberal Arts Colleges Make Students More Liberal? Some Initial Evidence*, 64 HIGHER EDUC. 355 (2012); ERNEST T. PASCARELLA AND PATRICK T. TERENCE, *HOW COLLEGE AFFECTS STUDENTS: FINDINGS AND INSIGHTS FROM TWENTY YEARS OF RESEARCH* (Jossey-Bass Publishers 1991); Eric L. Dey, *Undergraduate Political Attitudes: An Examination of Peer, Faculty, and Social Influences*, 37 RSCH. HIGHER EDUC. 535 (1996); Colin Campbell and Jonathan Horowitz, *Does College Influence Sociopolitical Attitudes?* 89 SOCIO. EDUCATION 40 (2016).



attitudes have no causal influence on student political attitudes.<sup>31</sup> Pascarella and Terenzini find that student peers have a stronger influence than faculty.<sup>32</sup> Strother et al. find that students' political attitudes converge toward their randomly assigned freshman year roommates' political preferences.<sup>33</sup> Mendelberg, McCabe, and Thal find that students attending colleges with a high concentration of affluent students become socialized into adopting more economically conservative political views.<sup>34</sup> These effects are strongest for the students who spend more than 20 hours a week socializing and who participate in the universities' fraternities and sororities, confirming the importance of peer groups for the transmission of political opinions and norms regarding financial gain.

Despite the above evidence on peer effects on college students' beliefs and attitudes, few discussions of campus speech attend to the extensive empirical literature on student socialization and the effects of faculty, administrators, and peers on student beliefs and attitudes. Our paper holds that we cannot hope to create a more tolerant campus culture without understanding the key influences on college student beliefs, attitudes, and commitment to tolerance.

### III. THE NEED FOR (AT LEAST SOME) SELECTION

The evidence summarized so far suggests that, if colleges want to create a more tolerant campus climate conducive to free speech, free inquiry, and the fulfillment of the mission of the university, then they must contend with the importance of social groups and norms for shaping student attitudes. This idea has a long pedigree that precedes existing discussions of campus speech. John Stuart Mill had already noted the importance of looking beyond formal, legal rules toward the mechanisms of social conformity.<sup>35</sup> He argued that between "judicial punishment" and "social stigma", the latter would prove to be much more powerful in restraining the free circulation of ideas.<sup>36</sup> He noted that Socrates was executed in Athens and Christians were fed to the lions in Rome, but their message spread successfully across the centuries.<sup>37</sup> By contrast, he argues that the quiet condemnation of public opinion in England effectively restrained people from sharing ideas that they feared would lead to a bad reputation.<sup>38</sup>

Translating this intuition back into the context of contemporary college campuses, the claim would be that formal punishments embedded within campus

31. Mack D. Mariani and Gordon J. Hewitt, *Indoctrination U.? Faculty Ideology and Changes in Student Political Orientation*, 41 PS: POL. SCI. & POLS. 773, 777–79 (2008).

32. Pascarella, *supra* note 30 at 308–09, 313.

33. Logan Strother et al, *College Roommates Have a Modest but Significant Influence on Each Other's Political Ideology*, 118 PROCS. NAT'L ACAD. SCIENCES (2021).

34. Tali Mendelberg et al, *College Socialization and the Economic Views of Affluent Americans*, 61 AM. J. POL. SCI. 606, 612–22 (2017).

35. JOHN STUART MILL, ON LIBERTY 98–101 (David Bromwich and George Kateb eds., Yale University Press 2003).

36. *Id.* at 100.

37. *Id.*

38. *Id.* at 100–01.



speech codes, administrative procedures reprimanding students for improper speech, or faculty penalties in the form of lower grades are less powerful in influencing students' beliefs than the negative judgments of their peers. Universities should leverage the social mechanisms of censorship and influence as a necessary (even if not sufficient) component of their approach toward creating a tolerant campus culture in which free inquiry can proceed unimpeded.

This idea finds some degree of support among those who wish to promote a culture of campus free speech. Whittington, for example, argues that "[l]iberal tolerance and civil deliberation are foundational to the campus community as they are to the political community, and ultimately depend on the sentiment of community members."<sup>39</sup> A similar claim about the importance of campus culture beyond formal rules appears in Chemerinsky and Gillman: "Free speech and academic freedom can be undermined not only by official censorship and punishment but also by members of the academic community who are intolerant of ideas with which they disagree."<sup>40</sup> Despite these acknowledgements, however, both Whittington and Chemerinsky and Gillman offer concrete policy proposals focused on shaping the campus culture through the actions of faculty and administrators rather than by addressing the attitudes of students and peer effects.<sup>41</sup>

By contrast with these indirect methods of influencing student attitudes and beliefs through administrators and faculty, we argue that universities should attend directly to the composition of the student body and to students' commitment to toleration and open-mindedness. This might not only succeed in creating a climate favorable to free speech and free inquiry on its own, but it could succeed at doing so even under circumstances where the administration or faculty do not share these values. Students are concerned with their social standing among their peers and likely to conform their behavior and attitudes to match those of the campus majority. Within intolerant campus communities, students will feel significant pressure to conform to the moral and political beliefs of the majority. Within tolerant campus communities, we would expect these pressures to be lower or non-existent. On the contrary, we might expect reputational benefits for students who excel in tolerance.

However, just because selecting a student body that is already committed to tolerance can create a tolerant campus culture does not mean that universities should adopt such an admissions policy. Different approaches to selecting for tolerance may violate norms of fairness, undermine other university goals (including the overall commitment to excellence in research and teaching), or violate the rights of students. For all these reasons, the rest of the paper is concerned with the question of whether universities should select students on the basis of their

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39. Whittington, *supra* note 2 at xiii.

40. Chemerinsky, *supra* note 2 at 69–70.

41. We discuss a proposal dealing with the student body from Lukianoff and Haidt in section 3 below.



tolerant character and, if so, under what conditions such a selection mechanism would be morally acceptable.

#### IV. HOW (NOT) TO SELECT FOR TOLERANCE: VIEWPOINT DIVERSITY

Having argued that universities should pursue an admissions policy that selects students who are tolerant as a complement to other interventions that focus on educating tolerance to an already formed student body, this section turns to possible ways one might achieve this. We begin by considering a few possibilities for selecting students based on their substantive moral and political beliefs grouped around the heading of “viewpoint diversity”. We believe that showing why these proposals fail is an important step toward designing a satisfactory admissions policy that is sensitive to toleration and open-mindedness.

An admissions policy that considers “viewpoint diversity” has recently been defended by Lukianoff and Haidt:

“We suggest that universities add “viewpoint diversity” to their diversity statements and strategies. This does not require equal or proportional representation of political views among the faculty or students, and it does not require that all viewpoints be represented, but it does commit the university to avoiding political uniformity and orthodoxy.”<sup>42</sup>

Similar calls for universities to consider “viewpoint diversity” among their selection criteria have appeared in popular media, although these calls often focus on diversifying faculty rather than students. A recent *Inside HigherEd* piece argues that, “conservative thought is significantly underrepresented among faculty.”<sup>43</sup> A recent letter to the *Wall Street Journal* argues that “[t]hose applying for employment at the university (professors, adjuncts, and administrators) who identify as non-Democrats should be the first in line to be hired until the imbalance is rectified.”<sup>44</sup>

Although calls for “viewpoint diversity” have become more common and are advocated by organizations such as Heterodox Academy,<sup>45</sup> it is difficult to find a precise proposal of what viewpoint diversity would entail at the level of student admissions. In the following, we consider two possibilities, and we argue that each approach encounters significant and insurmountable problems. We begin by constructing the best possible version of each approach by attending to feasibility

42. *Id.* at 258.

43. Christopher Frieman, *In Defense of Viewpoint Diversity*, INSIDE HIGHER EDUC. (2018), <https://www.insidehighered.com/views/2018/10/08/why-its-vital-academe-have-more-viewpoint-diversity-opinion/> [<https://perma.cc/6AVS-4HXS>].

44. Michael W. Kenworthy, *Bring Viewpoint Diversity to the Universities*, WALL STREET J. (May 13, 2021), <https://www.wsj.com/articles/bring-viewpoint-diversity-to-the-universities-11620925601> [<https://perma.cc/V88Q-WCXX>].

45. Musa al-Gharbi, “*Viewpoint Diversity*” Is About Much More Than Politics, HETERODOX ACAD. (Apr. 29, 2019) <https://heterodoxacademy.org/blog/viewpoint-diversity-transcends-politics/> [<https://perma.cc/DK9C-DBHA>].



and congruity with the proposal's intentions. We then proceed to consider two types of objections: first, regarding the proposal's success in selecting a more tolerant student body (and therefore in promoting the epistemic mission of the university), and second, regarding the justice of distributing access to universities based on the criterion proposed.

#### A. *Selecting Based on Partisan Political Affiliation*

One way to select students based on viewpoint diversity is to focus on students' partisan political preferences. Under such a policy, colleges whose student populations lean more than 50% Democrat or Republican (or whatever other threshold advocates propose) should prioritize admitting students with a different political affiliation.

One problem with such proposals is that students applying for admission to college are often too young to have voted in any election. College students generally apply in their final year of high school at the age of 17 or 18 and often have to wait years until they are eligible to vote in an election. However, one could avoid this problem by instead asking students about which party ideology they most closely identify with or by using a questionnaire to allow students to determine their partisan political affiliation. The Pew Research Center, for example, offers a "political typology" quiz that asks 16 questions about a range of moral and political beliefs to produce a 9-fold classification of voters into four Democratic-leaning groups, four Republican-leaning, and one Independent-group of Stressed Sideliners.<sup>46</sup>

Even if the problem of gauging students' partisan political affiliation could be resolved, however, there remain unsurmountable challenges with the proposal of selecting students for admission to university based on partisan political affiliation.

First, we worry that selecting students based on partisanship would be ineffective at creating a tolerant and open-minded student body. Not only is there no necessary positive relationship between partisan political affiliation and degree of tolerance or open-mindedness, but there are reasons to believe that the two are negatively connected. Political scientists have documented a significant rise in affective polarization within the U.S. electorate, which is, "the tendency of people identifying as Republicans or Democrats to view opposing partisans negatively and co-partisans positively."<sup>47</sup> The stronger someone's partisan affiliation, the more likely they are to hold negative views of their political opponents and to display less tolerance toward the other side.<sup>48</sup> While one might hope that a

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46. *Beyond Red vs. Blue: The Political Typology*, PEW RSCH. CTR. (Nov. 9, 2021), <https://www.pewresearch.org/politics/2021/11/09/beyond-red-vs-blue-the-political-typology-2/> [<https://perma.cc/YU8E-23MA>].

47. Shanto Iyengar & Sean J. Westwood, *Fear and Loathing across Party Lines: New Evidence on Group Polarization*, 59 AM. J. POL. SCI. 690, 691 (2015); Shanto Iyengar et al, *Affect, Not Ideology: A Social Identity Perspective on Polarization*, 76 PUB. OP. Q. 405 (2012).

48. Iyengar, *supra* note 47 at 696–97.



campus evenly divided between Democrats and Republicans would be a great setting for productive cross-partisan conversations, it is likely, given current trends, that such a campus would lead to more conflict and greater efforts to use formal and informal mechanisms to impose sanctions on one's political opponents. In other words, a student body selected based on partisanship may produce two intolerant campus communities rather than a single tolerant one.

Moreover, selecting for party affiliation would incentivize partisanship among the large proportion of the young who do not hold strong partisan views. Young people often have inchoate or insufficiently developed political beliefs and rarely come in with strong views in favor of one party. A university admissions policy that rewards partisanship will incentivize students to seek out partisan content and partisan political activities. Given the high degree of polarization within the current electorate, a negative side-effect of the policy would be an increase in partisanship and its attendant harms. Considering the importance of college admissions criteria for K-12 education, this approach to viewpoint diversity could create a less tolerant and open-minded pool of candidates over time, exacerbating the problem.

The previous concerns about "viewpoint diversity" are contingent upon the empirical facts about youth, partisanship, and the relationship between partisanship, open-mindedness, and tolerance. Although we find the evidence compelling, there is a different moral reason to be skeptical of the proposal. Even if one could use students' political affiliations to create a tolerant campus culture, there are fairness-based considerations when it comes to distributing admission to universities and the lifelong opportunities that come along with it.

The proposal implies that in cases where two students have similar academic qualifications and both could meet the threshold for admission the university should offer admission to the student whose partisan political identity is (i) under-represented and (ii) held strongly enough to be a clear feature of their application. At a majority of highly selective institutions such as the Ivy+, that would mean that universities would have to prioritize students who identify as potential Republican voters and who demonstrate a consistent attachment to the Republican party. In turn, it would reduce admissions opportunities for students who identify as Democrats or Independents and for students who either do not have a strong interest in politics or whose views do not fit neatly into the partisan categories—including the many overseas students who seek educational opportunities in the U.S.

In justifying the policy to the students who were denied admission, the university would have to reference the students' political preferences or their political activities. One way to assess whether such a criterion is fair and compatible with the distribution of opportunities in a just society is to ask whether free and equal citizens might reasonably be expected to endorse it. This is a version of Rawls' liberal principle of legitimacy: "our exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light



of principles and ideals acceptable to their common human reason.”<sup>49</sup> Within a liberal society, free and equal citizens are entitled to form their own comprehensive conception of the good that would include substantive ideas about morality and politics. However, to be reasonable, such citizens would also have to accept that others may come to form different comprehensive conceptions of the good and that constitutional rules should refrain from imposing one group’s comprehensive view on another. By choosing a set of rules that makes access to universities (and therefore to positions of power and influence) dependent on supporting one political party rather than another among a range of reasonable choices, universities would be unable to justify them to reasonable students whose moral and political beliefs do not align with those prioritized by the admissions committee.

The fact that selecting students based on political affiliation is incompatible with liberal principles should come as little surprise even to readers who disagree with Rawlsian political philosophy. Liberal societies rightly reject any tests of ideological conformity as a pre-requisite for access to positions of power and influence. Given that a college degree has become an unofficial requirement for a range of well-remunerated professions, as well as an important source of upward social mobility, introducing an ideological test as an admission requirement would put talented students who would most benefit from the opportunities afforded by a university education in the untenable position of *either* abandoning deeply held moral and political beliefs *or* misrepresenting their privately held moral and political beliefs in order to avoid exclusion from selective universities. This seems unfair to those students under any circumstances and especially egregious in a liberal society that prides itself on allowing maximum scope for individuals to determine their own comprehensive conception of the good and to make up their own minds about politics.

A final concern about this “viewpoint diversity” proposal is that it may further impede the ability of universities to pursue their epistemic mission by turning them into centers of partisan political contestation. A university that prioritizes partisan political affiliation as a criterion for selecting students opens itself up to outside interference by political parties and other partisan organizations. Political actors will have an incentive to fight over the specific quotas in place at different colleges, particularly state universities whose budgets are controlled by the state legislature. This new admission policy would turn the admissions process into a form of pork barrel spending to one’s constituents, jeopardizing the university’s mission further.

### *B. Selecting Based on Specific Moral and Political Beliefs*

The discussion above considered one popular way to pursue “viewpoint diversity” as the diversity of partisan political beliefs. One alternative that avoids some of the issues described above is to select students based on specific moral and political beliefs that are underrepresented on college campuses. There are several

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49. JOHN RAWLS, *POLITICAL LIBERALISM* 137 (1993).



ways to do this. Colleges could survey the beliefs of already admitted students on a set list of controversial moral and political topics. One suspects the list would include beliefs about gender equality, LGBTQI+ rights, affirmative action, immigration policy, U.S. foreign policy, the role of religion in politics, gun rights, the death penalty, abortion, animal rights, etc. They could then assess which moral and political views receive the least support among the existing student population and prioritize admitting students who hold these views. Colleges could use these responses to construct a “heterodoxy index” for each potential student seeking admission. Such an index could measure students’ distance from the average moral and political views on campus. One could decide whether to measure distance equally across all topics or whether to weigh certain topics more heavily. Using a heterodoxy index would allow universities to quantify how different a student’s views are from those of their peers on campus.

One concern about this policy that did not emerge when discussing selection based on partisanship is that the list of surveyed moral and political beliefs will seem arbitrary and influenced by partisan interests. Assuming that one could devise a broadly acceptable list of moral and political views that are underrepresented on a particular campus, we believe that the admissions policy would continue to suffer from some of the selection limitations based on partisanship policy.

Selecting students with very different moral and political beliefs does not necessarily select tolerant and open-minded students. There are two sources of concern. First, one might worry that increasing the range of moral and political beliefs on campus does not automatically generate a more inclusive or tolerant campus culture. It could also result in more conflicts across different student groups. Although there would likely be an increase in moral and political debates, there may also be a decline in the time dedicated to other important subjects and disciplines. This outcome could negatively affect the epistemic mission of the university. Second, the policy selects students with more extreme or more confident beliefs on moral and political issues. A militant atheist or a member of a radical religious community would be more likely to have underrepresented beliefs on a college campus than either the skeptical agnostic or the moderate believer. Similar dynamics would apply in any given domain, including immigration, gender norms, or LGBTQI+ politics. Therefore, students whose beliefs are moderate, who are more open to persuasion through argumentation and dialogue, or who are more epistemically humble would therefore be at a comparative disadvantage. Selecting the most confident advocates of a diverse range of (often extreme) beliefs is not a recipe for a tolerant campus society. Although more empirical evidence is needed to establish the effects on campus culture, the literature on toleration more frequently references epistemic humility, skepticism, and moderation than its opposites as correlates and predictors of tolerant behavior.

A final instrumental problem with selecting for extreme or confidently held beliefs is that it motivates students to develop such beliefs even if they were not otherwise so inclined. As in the case of incentivizing partisanship among the



young, this policy would have important consequences for K-12 education and, over time, influence the pool of candidates that universities select from.

Above, we primarily considered concerns about the effectiveness of the policy and its potential costs for the epistemic mission of the university (as well as potential negative spill-overs more broadly). However, our main argument against the proposed policy is that it represents an unjust method for distributing college admissions. Discriminating against students based on their moral and political beliefs introduces the same problem as discriminating against students based on their partisan affiliation. In providing an honest justification to a qualified student who receives a rejection letter instead of an acceptance, the university would have to say something like the following:

‘The application you submitted was equally strong to those of other students we accepted in terms of academic achievements, extracurricular activities, and other metrics we generally consider in the admissions process. Unfortunately, your substantive moral and political beliefs, while reasonable and fully acceptable within a liberal society, are not among those we are selecting in this year’s cohort. Your moral and political beliefs are too similar to those of other students we have already admitted in past years.’

We suspect that no university would send such letters to rejected applicants. This is because students and parents would likely find such a justification unacceptable as a criterion for distributing educational opportunities. In writing about the well-ordered society, Rawls proposes a “publicity principle.”<sup>50</sup> This principle has three levels, and it requires that the following information be publicly known and widely accepted by all (reasonable) citizens: (1) the principles of justice themselves, (2) the general beliefs supporting these principles of justice, and (3) the justification for the principles of justice. We believe that the proposed admissions policy could not be subjected to the full publicity principle because reasonable citizens made aware of the justifications given above would be unlikely to accept them.

Consider once again the case of a student from a low-income family who holds nuanced and thoughtful beliefs about moral and political issues. Assume that she could be described as a moderate liberal with high degrees of epistemic humility. Although she would otherwise qualify for admission to a university that could significantly increase her chances to achieve positions of power and influence in society, she has been rejected in favor of students whose beliefs were more heterodox (i.e. differed more from those of the students previously admitted, sometimes because these beliefs were more radical or more confidently held than hers). It is difficult to see how she might endorse the process as fair and justified. For comparison, we can easily imagine situations where she would endorse the procedure even if she did not gain admission herself. If admissions were offered

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50. *Id.* at 66–71.



to students with higher academic performance, more impressive extracurricular activities showing potential for leadership and high-level achievement, or better skills in written and oral expression, even the students who were denied admissions can accept the outcome of a fair procedure. Similarly, one could argue that students who lose out would still endorse an admissions policy that, when selecting among similarly qualified candidates, prioritizes the students who have encountered greater barriers on their way to achieving the same results (which may include poverty, illness, personal trauma, discrimination, etc.). Even if a particular student unreasonably refuses to accept any policy that does not grant her an advantage, we, as observers, can take an impartial perspective and argue that she should accept the outcome of procedures like the ones described above. In contrast, it is difficult to see how an impartial observer could endorse the “viewpoint diversity” proposal as fair given that it penalizes students for holding reasonable and thoughtful moral and political beliefs.

In this section, we had two primary concerns about using “viewpoint diversity” as an admissions criterion. First, we worried that selecting students based on their moral and political beliefs would not necessarily select students who are tolerant and open-minded. Not only that, but the policies may incentivize students with inchoate moral and political beliefs to strengthen and radicalize these views for the sake of gaining college admission. This could have the unintended consequence of increasing the degree of intolerance and closed-mindedness, further threatening the ability of universities to pursue their epistemic mission. In other words, the policy is ineffective. Even if selecting students for viewpoint diversity could advance the mission of the university, however, we argued that the proposal represents an unfair system for distributing college admissions and therefore an unjust way to distribute opportunities to achieve positions of power and influence within liberal democratic societies.

#### V. SELECTING FOR TOLERANT CHARACTER DIRECTLY

The admissions criteria discussed in section 4 above seek out specific moral and political views or partisan political affiliations to construct an ideologically diverse campus. The hope is that such an ideologically diverse campus will lead to more vigorous intellectual debate, contestation of any perceived orthodoxy, and the creation of a more tolerant and open-minded student body. Our arguments in the previous section suggest that these hopes might be unfounded. Instead of selecting for viewpoint diversity as a way of *potentially* producing a more tolerant and open-minded student body, we therefore propose to select for a tolerant and open-minded student body *directly*. Although no admissions process can guarantee an effective selection, we believe that explicitly incorporating tolerance and open-mindedness in university admission policies will (a) increase the likelihood of admitting a tolerant and open-minded student body and (b) have positive spill-over effects by incentivizing students to display tolerance and open-mindedness beyond the university admissions process. We also argue that



this proposal avoids the concerns about justice raised by the viewpoint diversity proposals. In the next section, we consider potential objections.

When it comes to college application essays, most universities in the United States accept the Common Application (or Common App). Over 900 colleges and universities in the United States accept this online application form. As part of the Common App, students submit a personal essay in response to one of the multiple prompts available. Some of these prompts ask students to reflect upon obstacles they have overcome on their way to applying to college, on their distinctive talents, passions, or abilities, and on people who have strongly influenced their development. The Common App often includes an essay that prompts students to demonstrate intellectual curiosity. An example from the 2021-2022 Common App includes: “Reflect on a time when you questioned or challenged a belief or idea. What prompted your thinking? What was the outcome?” Some universities require supplementary essays or provide their own prompts for students to answer. For example, Princeton University includes a Princeton supplement to the Common App that asks students to reflect upon their own experience discussing a difficult topic while signaling that the university values the ability to have “respectful dialogue about difficult issues.” We believe the Common App should include similar essay prompts that allow students to demonstrate tolerance and open-mindedness and that signal to students the importance of these characteristics for university education. Examples include:

#### A. Sample Prompt 1

‘Consider a controversial moral or political problem on which you hold especially strong views about the right thing to do. Imagine someone who holds a diametrically opposed view to yours. What would they argue is the right thing to do? What would be the strongest arguments they could provide in support of their position? What would be their most effective counterargument to your position?’

#### B. Sample Prompt 2

‘In order to succeed in college, students must sometimes challenge ideas or beliefs that they find familiar, important, or meaningful. This requires open-mindedness and a willingness to accept or even seek out such challenges. Write about a time when you showed this willingness. What did you learn from the experience? What was difficult about it?’

In addition to admissions essays, many colleges place a high emphasis on extracurriculars. These activities show how a student has spent their time and can offer a more complete picture of the applicant. Many students choose to highlight extracurriculars that fulfill one or more of the following functions: (i) display an unusual talent or skill that the student has (e.g., music, athletics, debate, art); (ii) show the student’s civic virtues and commitment to service (e.g., volunteering at an animal shelter, participating in community activities such as youth courts,



helping one's neighbors); and (iii) show leadership abilities and entrepreneurship (e.g., organizing events, running a small business venture, bringing attention to an important cause). In addition, we argue that universities should also look for extracurriculars that highlight students' commitment to tolerance and open-mindedness and advertise this possibility to students applying to college. Examples include:

- **Cross-partisan political conversations:** Universities should look for students who willingly seek out multiple perspectives on salient issues discussed in the public sphere. These students might start so-called 'purple' student organizations that seek to bring together supporters of different political parties to discuss an important issue. Or they might participate in community activities that intentionally seek multiple political perspectives and invite productive conversations across party lines.
- **Bridging the urban-rural divide:** Given the importance of urban-rural cleavages in the current political climate and the increasing physical and virtual separation between residents in these different areas, colleges should reward students who seek to bridge this divide. Examples include students from big cities who look for internship or service opportunities within small towns or remote rural areas, as well as students from small towns who seek opportunities within big cities.
- **Working with the elderly:** Most college applicants are young and have friends who are teenagers. They are likely to hold different moral and political beliefs than older generations. College admissions should reward students who seek out opportunities to interact with the elderly, whether that includes volunteering at retirement communities or finding other opportunities to meet people over 65.

Beyond the specific examples above, admissions committees should look at extracurricular activities where students intentionally seek out experiences that challenge their preexisting beliefs and test their capacity to tolerate and engage productively with people different from them or their families. However, unlike opportunities for service focused on how one can help members of less privileged groups, these types of extracurricular activities should focus more on what the students can learn from others and how they can respect their different perspectives.

The final component of the selection process that universities consider is letters of recommendation. These are usually supplied by high school teachers and school counselors who know the student's academic performance well but who can also speak more broadly to their talents, skills, accomplishments, and personality. Our final suggestion is to offer students the possibility to submit supplementary letters of recommendation from someone with whom the students have previously disagreed strongly about important moral and political issues. These might be letters from people that the students have worked closely with during their extracurricular activities described above.



Unlike the two viewpoint diversity proposals above, our proposal avoids worries about the justice of the admissions process. When the university uses a student's perceived toleration or open-mindedness as a tiebreaker between equally qualified students, the justification provided does not reference the student's substantive moral and political beliefs or their political preferences. The admissions committee can honestly report to rejected applicants that they were deficient (or less proficient) in a metric that is relevant to both individual academic performance and to the contributions that a student can make to a campus community. First, toleration and open-mindedness are generally viewed as a key component of individual academic success, since college students are expected to challenge established paradigms and confront new ideas and viewpoints in order to succeed in any discipline. Second, a university that emphasizes the role of tolerance contributes to its epistemic mission. Critical thinking—a core aspect of the *modus vivendi* of a university and part of its core mission—is an “exercise in self-reflection [that] can provoke a palpable sense of vulnerability.”<sup>51</sup> For members of the campus community to feel empowered to speak up and place themselves in a position of vulnerability in front of their peers, intolerant behavior intended to demean and belittle must be shunned.<sup>52</sup> A more tolerant and open-minded campus community will make for better classes, research seminars, and public lectures. Moreover, the empirical evidence summarized in sections 1 and 2 suggests that tolerant and open-minded students will positively influence their peers to display similar character traits or adopt similar beliefs and practices. Even if unsuccessful in converting others, their willingness to refrain from marginalizing students based either on immutable characteristics or on moral and political beliefs will reduce the anxieties that lead peers to self-censor or avoid conversations.

Overall, selecting students based on tolerance and open-mindedness appears to us on par in terms of fairness with selecting students based on academic performance, academic integrity, leadership potential, and ability to overcome significant obstacles. While there are some who might object to any of these criteria as currently applied, it is difficult to see how our proposal raises the same significant fairness concerns that emerge from selecting students based on substantive moral and political beliefs.

## VI. OBJECTIONS AND RESPONSES

This section considers three important objections to the proposal outlined in the previous section.

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51. Erin I. Kelly, *Modeling Justice in Higher Education*, in *THE AIMS OF HIGHER EDUCATION: PROBLEMS OF MORALITY AND JUSTICE* 135, 150–51 (Harry Brighouse and Michael S. McPherson eds., 2015).

52. See also Ben-Porath, *supra* note 2 at 50.



*A. Objection 1: 'Gaming' the Admissions Process*

*Selecting students based on tolerance and open-mindedness incentivizes "gaming" the admissions process by students whose parents, teachers, and counselors can help them send false signals of their tolerance.*

This is an important concern that applies to any admission procedure that aims to gauge student character traits that are impossible to know with certainty, particularly without long-term interactions and intimate knowledge of the student. Academic job interviews, for example, involve multiple days of meetings in an attempt to get a glimpse of a candidate's character, and even these are insufficient to offer a realistic portrait of an individual.

One concern is that students will simply lie about their degree of tolerance and open-mindedness to gain admission but then proceed to act in an intolerant manner once on campus. We propose a comprehensive admissions policy that leverages multiple signals, many of which are costly and require a long-term commitment to showing one's tolerance. For example, letters of recommendation usually reflect multiple years of knowing a particular student and vouching for their character. Extracurricular activities often take place over multiple months and sometimes years and require a significant time commitment. Any student willing to invest this much energy into a lie is likely to have enough of a commitment to tolerance to bear these activities. One can imagine that a student who strongly dislikes working with people who do not share her worldview would have a difficult time attending regular meetings of a group she did not agree with. Even if the students do, in fact, lie about all their evidence of a tolerant and open-minded character, one still hopes that the process of "going through the motions" and engaging with people one disagrees with on important moral and political issues will have an educational effect that will transform the student — particularly at a formative time in their life. In other words, students "faking" tolerance might become more tolerant in the long run.

At the same time, we should consider the positive externalities of having an admissions requirement that emphasizes tolerance and open-mindedness. First, the student must invest at least some effort to engage in mutually respectful conversations with members of an out-group or with people with whom she disagrees. These conversations can be beneficial to both parties. Second, the student will receive a strong signal of the importance of tolerance and open-mindedness for college success, which will disincentivize intolerant behavior in college and potentially beyond. Third, the admissions process of selective universities has spill-over effects for both K-12 education and admission to less selective colleges. As students, parents, and school counselors become aware that colleges value tolerance and open-mindedness, there will be more emphasis on these character traits in the K-12 education system and in the types of activities students choose to do. And students who develop these characteristics will continue to display them even if they end up attending less selective or not selective colleges.



Even if some students succeed in gaming the system, these would be important positive externalities.

Finally, any admissions process is bound to have some failures. The 2019 college admissions scandal involving William Singer has illustrated the lengths to which parents are willing to go to assist their children with entry into selective U.S. colleges.<sup>53</sup> We do not expect the tolerance and open-minded requirement to be any easier to game than existing requirements and we do not expect an increase in admissions-related cheating because of it.

### *B. Objection 2: Favoring Already Privileged Students*

*The policy privileges students who come from wealthy families, who can afford to engage in expensive extracurriculars that involve traveling far away to meet people with different moral and political beliefs, and who can afford to get tutoring and counseling on how to write the perfect essay about tolerance and open-mindedness.*

This is an important moral objection. However, it is not an objection to selecting students based on tolerance and open-mindedness per se. Instead, it is an objection to the current college admissions process. Michael Sandel's *The Tyranny of Merit* documents the many ways in which wealthy parents can tip the scales in favor of their privileged children, whether that means private tutoring to increase GPA and test scores on the SAT/ACT, extensive advice and feedback on college essays, and resources to engage in extracurriculars.<sup>54</sup> More prosaically, the students who come from middle-class and upper-class families can afford not to work during school and dedicate themselves to academics and extracurriculars. On the other hand, children from disadvantaged backgrounds often need to earn money or otherwise contribute their labor by caring for younger siblings, older relatives, or other family members who cannot afford expensive outside help. We agree that the substantial influence of wealth and other family resources on the college admissions process corrupts the process and unfairly restricts opportunities for less well-off children.

Although our paper does not directly address this problem, we believe that our emphasis on tolerance and open-mindedness has two helpful features. First, we can combine it with other reforms that facilitate the admission of students from lower-income families, including reforms to the college recruitment process, increases in financial aid, increased weight given to socio-economic factors, an admissions lottery beyond a particular threshold, etc. Second, some of our proposals should push against the privilege that wealthier families have when it

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53. U. S. Attorney's Office, District of Massachusetts, *Architect of Nationwide College Admissions Scheme Sentenced to More Than Three Years in Prison*, (Jan. 4, 2023), <https://www.justice.gov/usao-ma/pr/architect-nationwide-college-admissions-scheme-sentenced-more-three-years-prison> [https://perma.cc/VYW3-RZB8].

54. MICHAEL J. SANDEL, *THE TYRANNY OF MERIT: WHAT'S BECOME OF THE COMMON GOOD?* (Farrar, Straus and Giroux 2020).



comes to essays and extracurriculars. There are reasons to think that students who are poor, who are from rural areas, who are first generation college students, or who are minorities will have an advantage in writing these essays because they are more likely to come from communities with widespread disagreement about fundamental moral and political issues. Moreover, some of the extracurriculars that we suggest will provide students with opportunities to display tolerance and open-mindedness, such as interacting with the elderly or working with people from a different background, are things that some low-income students do already as contributions to their families and communities. By comparison, a college admissions process that prioritizes extracurriculars that involve volunteering or donating large amounts of time and money to communities far away from one's home is more likely to exclude low-income students.

*C. Objection 3: Diluting the importance of Other Relevant Admissions Criteria*

***Prioritizing tolerance necessarily means reducing the importance of other admissions criteria that are relevant to that student's future academic success. Moreover, there is a concern that this will favor students who wish to study humanities or political science over students who wish to study STEM or fields that engage in less moral and political reasoning.***

Any admissions policy faces inevitable trade-offs between the types of skills, talents, accomplishments, and character traits that they wish to cultivate and select for. However, we hope that the criteria we provided are broad enough to allow students specializing in a broad range of fields to successfully display their tolerance and open-mindedness.

Consider students who wish to study the natural sciences. There has been significant public debate regarding the COVID-19 pandemic, vaccines, masks, and the best policies to contain its spread and the negative consequences. One can easily imagine students using their scientific background to discuss these issues with citizens who might not share their training and who might have very different beliefs about these matters. This will require and showcase the students' tolerance and open-mindedness alongside their scientific understanding and ability to explain complex ideas using accessible concepts and language. Successfully engaging with the public on scientific issues of importance is an essential skill for anyone working within the natural sciences and planning to pursue careers in medicine, scientific research, or science reporting.

Or consider students interested in engineering or computer science. With the changing landscape of communication technology, rapid developments in AI, and the increase in computing power, ordinary citizens often have a hard time understanding the implications of their online behavior. At the same time, less exciting infrastructure built during the 20<sup>th</sup> century, such as the highway system, bridges, tunnels, and other key aspects of modern life, needs maintenance and rebuilding—a policy priority that few citizens think about or understand. Students who study engineering and computer science are well-positioned to



discuss these issues with people from a broad range of backgrounds and to understand how their concerns fit with those of fellow citizens who do not have the same interests or areas of expertise. There are numerous opportunities for these students to engage with people of different ages who have very different relationships with technology or to engage with individuals who do not have access to high-speed internet or other technological conveniences. These and many other interactions can serve as fodder for application essays or as extracurricular activities that students can describe in their application materials.

The examples above suggest that an emphasis on tolerance and open-mindedness does not unfairly burden students who are interested in STEM or who wish to study subjects that do not directly engage with morality or politics. Or at least we claim that our proposal does not add an additional burden to students with these interests, since many of the application materials require a high facility with writing and verbal communication that may still indirectly favor humanities majors.

## VII. CONCLUSION

Throughout our essay, we have argued that the voluminous literature on campus speech and on the growth of intolerance on college campuses has overemphasized the importance of what faculty and college administrators do. In contrast, we have argued that students will often be most strongly influenced by their peers, particularly those peers with whom they wish to be friends or form other close connections with. Drawing on empirical evidence from sociology, political science, education, and public policy, we find evidence for our contention that peer effect matters. A university that prizes its epistemic and civic missions may (at least in certain contexts) need to attend to the selection of its student body in order to foster a tolerant environment.

Our argument has not been that universities should not focus on educating for tolerance. Indeed, we find proposals that focus on the role of professors and administrators in educating the virtues of ‘deliberative responsibility’ and ‘intellectual humility’, made elsewhere in this special issue to be very valuable.<sup>55</sup> In some contexts, they may even be enough to create an ethos of tolerance and open-mindedness. However, there will be cases when they will not suffice. This paper argues that, in those cases, certain admission policies that directly measure prospective students’ tolerance are effective and morally justified.

The bulk of our essay described the main ways in which universities might use their admissions process to select a more tolerant and open-minded study body in order to produce such a tolerant environment. Some of these proposals, such as selecting students based on their party affiliation or on the moral and political beliefs, we found to be morally unacceptable, counterproductive, or incompatible with the mission of the university. We described and defended our proposal to

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55. Brighouse, *supra* note 3; Ben-Porath, *supra* note 2.



use the admissions process to select for tolerance and open-mindedness directly in sections 5 and 6. Although we are more confident in the moral and practical acceptability of this proposal compared to alternatives focused on viewpoint diversity, we are open to the possibility that universities may decide to prioritize other values over and above tolerance and open-mindedness. Some universities may decide that the trade-offs involved in the proposed admissions policy are too costly, particularly when it comes to sacrificing academic ability to prioritize desirable character traits.

Our goal in writing this essay was primarily constructive. Given the widespread agreement among scholars that a tolerant campus culture is necessary for the mission of the university, we discussed the most empirically informed and morally sound ways in which one might attempt to create such a culture. However, one can also read our essay critically as providing an impossibility proof. In other words, universities might face a dilemma between (i) selecting a tolerant and open-minded group of students or (ii) selecting the academically best-trained and most talented group of students. If both (i) and (ii) are necessary for the epistemic mission of the university and if there is no admissions policy that can simultaneously deliver (i) and (ii), then universities will find themselves at an impasse where there is no approach that can avoid compromising their key educational mission. Our hope is that we have opened the door to further discussions about the best way for universities to achieve their mission. Even if readers disagree with our conclusions about admissions policies, we believe that shifting the conversation from the increasingly partisan debate about campus speech codes and trigger warnings to the empirically informed discussion about peer effects and the role of student characteristics constitutes an important step forward in an important conversation about the future of universities and their role within political communities.