
TRANSNATIONAL CAMPUS BORDERLANDS

KHALED A. BEYDOUN* & SHELDON A. EVANS**

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* Khaled A. Beydoun, Associate Professor of Law, Arizona State University Sandra Day O'Connor School of Law.

** Sheldon A. Evans, Professor of Law, Washington University in St. Louis School of Law.

Today, we stand for the values that have made American higher education a beacon for the world.

—Alan M. Garber, President of Harvard University¹

INTRODUCTION

The political boundaries of the American campus extend far beyond its terrestrial limits. Campus “borderlands” reach further, particularly in a world where the footprints of American higher education are cultural, virtual, and existential.² This is particularly the case for elite research universities. Although physically rooted in American cities such as New Haven, New York, Berkeley, and Boston, these institutions operate as transnational actors. Their engagements, influence, and institutional identity are *global*.

At the very top levels of the institutional hierarchy, American higher education extends across domestic boundaries. While the so-called “war on higher education” marks an existential crossroads for all American colleges and universities, elite transnational institutions face distinct perils.³ For them, the executive attack on race-consciousness, political dissent, freedom of speech, and academic freedom does not merely threaten their educational mandate on a domestic level, but on a global scale.

While scholars have examined the current reckoning in American higher education through a purely domestic lens, this Essay expands the scope to consider its international impacts. As we explain more fully in our piece, *Campus Borderlands*, the executive onslaught on American higher education is

¹ Press Release, Alan M. Garber, President, Harv. Univ., Upholding Our Values, Defending Our University (Apr. 21, 2025) [hereinafter Harvard Press Release], <https://www.harvard.edu/president/news/2025/upholding-our-values-defending-our-university> [https://perma.cc/GTX5-8637].

² We adopt this framing from Gloria Anzaldúa’s seminal work on borderlands. See generally GLORIA ANZALDÚA, BORDERLANDS/LA FRONTERA: THE NEW MESTIZA (1987) (theorizing “borderlands” as hybrid, liminal spaces formed at intersection of cultures and identities).

³ This Article calls the Trump Administration’s onslaught on colleges and universities the “war on higher education,” a framing used by scholars within and beyond legal academe. See Athena Mutua, Jonathan Feingold, Angela Harris, Emily Houh & Matthew Patrick Shaw, *The War on Higher Education*, 72 UCLA L. REV. DISCOURSE 2, 18-19 (2024) (highlighting extent of “multifaceted campaign” driving war on higher education); Jonathan Feingold & Veena Dubal, *Trump Is Revealing Our Higher Ed Crisis*, ACADEME MAG. (Spring 2025), <https://www.aaup.org/academe/issues/spring-2025/trump-revealing-our-higher-ed-crisis> [https://perma.cc/ZBF9-HRQK] (arguing recent executive actions constitute coordinated assault on higher education); Robert Cropf, *Declaring War on Universities: Why It Matters and Where It Leads*, FULCRUM (July 14, 2025), <https://thefulcrum.us/civic-engagement-education/trump-war-on-universities> [https://perma.cc/47ZR-CRNN] (characterizing political efforts targeting universities as “war” on higher education); see also JASON STANLEY, ERASING HISTORY: HOW FASCISTS REWRITE THE PAST TO CONTROL THE FUTURE 81-88 (2024) (discussing authoritarian attacks on educational institutions as way of amassing power).

an effort to remake the identity and mandate of the liberal university in the image of the Trump Administration's white Christian nationalist vision.⁴ This vision is not only antithetical but actively hostile to the inclusive, cosmopolitan and transnational oriented missions of elite American colleges and universities.⁵

The Trump Administration's war on higher education seeks to reshape America's research institutions, redirecting them from their transnational missions toward an "America First" model.⁶ Yet the transnational character of these institutions—long central to their function as instruments of American soft power—remains understudied and undertheorized in legal and political scholarship. Elite universities have historically invited the world's best talent to teach and learn here in the United States, in turn exporting American values through students and scholars who return home to their countries of origin.

This Essay builds on our work and focuses on the elite American research university as a unique educational actor that transcends domestic bounds. Thus, the stakes of policing campus borderlands and the people within them highlight the broader transnational implications of the protracted war on higher education.

This Essay proceeds in two Parts. Part I surveys the transnational mission of American higher education, mapping its global ascent alongside the nation's emergence as an international hegemon. Next, Part II examines the Trump Administration's effort to upend that global mission through an ensemble of executive orders that seek to constrict universities' international reach and contort their institutional identities in accordance with the restrictive contours of the America First model.

⁴ See Khaled A. Beydoun & Sheldon Evans, *Campus Borderlands* 5 (Feb. 13, 2026) (unpublished manuscript) (on file with authors) (positing "executive lawfare" transforms universities into borderlands where race, religion, dissent, and security are policed to redefine American identity).

⁵ The global status and reach of these universities are principal reasons why they have become targets of the Trump Administration. See Michael C. Bender, Alan Blinder & Jonathan Swan, *How Universities Are Responding to Trump*, N.Y. TIMES (Apr. 14, 2025), <https://www.nytimes.com/2025/04/14/us/politics/trump-pressure-universities.html> (describing Trump Administration's deliberate targeting of elite universities).

⁶ See Ken Cucchinelli, *Department of Homeland Security*, in MANDATE FOR LEADERSHIP: THE CONSERVATIVE PROMISE 133, 141 (Paul Dans & Steven Groves eds., 2023) [hereinafter PROJECT 2025] (reflecting effort to subordinate student- and exchange-visa programs to Project 2025's immigration agenda); Lindsay M. Burke, *Department of Education*, in PROJECT 2025, *supra* (setting out Project 2025's proposed reorientation of federal education policy and governance); see also Jessica Blake, *How Trump's Early Actions Compare to Project 2025, Other Blueprints*, INSIDE HIGHER ED (Apr. 15, 2025), <https://www.insidehighered.com/news/government/politics-elections/2025/04/15/how-trumps-early-actions-compare-project-2025> (reporting many early Trump-administration higher-education actions closely tracked Project 2025 and related conservative policy blueprints).

I. HIGHER EDUCATION TRANSNATIONALISM

American higher education is a global institution that seeks to accomplish both domestic and international missions centered on cultivating a transnational campus community. Although individual colleges and universities differ in their approach to these missions,⁷ research institutions have long prioritized the domestic benefits of recruiting talent while also balancing their international influence.

This melding of domestic and international influence can be contextualized through the scholarship describing borderlands. Physical borders between nations are not the only areas that separate, divide, and confer national and cultural identity. As Gloria Anzaldúa wrote, these borders and their surrounding borderlands are liminal spaces that both forge and separate national, social, and cultural identities.⁸ The modern college and university fit this motif, particularly within a globalized world where elite American higher education stands as the benchmark. While Mike Rose's analysis focuses on domestic inequities in public education rather than on the transnational dimensions of higher education, his framing of the classroom—as a space for integration, inclusion, and novel identity formation—manifests the mission of the global American college and university.⁹

Educational borderlands have always intersected with the broader domestic missions of American higher education. Even before the United States emerged as a global hegemon, attracting foreign academic talent provided tremendous scientific benefits to the nation. Luminaries such as Albert Einstein came to America in the 1930s while fleeing Nazi oppression in Europe.¹⁰ Other refugee scholars, such as Hans Bethe, Leo Szilard, James Franck, Edward Teller, taught

⁷ Institutions that are designated as “R1” and “R2” tend to lean more heavily into transnational identities, whereas many smaller state or liberal arts schools have a more targeted educational mission that focuses more on serving local or regional communities. See Press Release, Carnegie Classification of Insts. of Higher Educ., Carnegie Classifications Release 2025 Research Activity Designations, Debut Updated Methodology (Feb. 13, 2025), <https://carnegieclassifications.acenet.edu/news/carnegie-classifications-release-2025-research-activity-designations-debut-updated-methodology> [<https://perma.cc/XL38-MUZF>] (describing universities categorized into R1 and R2 institutions); *Institutions Hosting the Most Scholars*, OPEN DOORS, <https://opendoorsdata.org/data/international-scholars/institutions-hosting-the-most-scholars> [<https://perma.cc/7ZRK-8XP5>] (last visited Apr. 13, 2026) (showing leading educational institutions by number of international scholars).

⁸ See ANZALDÚA, *supra* note 2, at 31, 74.

⁹ See MIKE ROSE, *LIVES ON THE BOUNDARY: A MOVING ACCOUNT OF THE STRUGGLES AND ACHIEVEMENTS OF AMERICA'S UNDERPREPARED*, at xi (1989) (“*Lives on the Boundary* concerns language and human connection, literacy and culture, and it focuses on those who have trouble reading and writing in the schools and the workplace.”).

¹⁰ See Andrew Grant, *The Scientific Exodus from Nazi Germany*, PHYSICS TODAY (Sep. 26, 2018), <https://physicstoday.aip.org/news/the-scientific-exodus-from-nazi-germany> [<https://perma.cc/ZKU5-P8K2>] (noting immigration of hundreds of scientists, including Albert Einstein, to United States).

at American universities during the World War II era and proved instrumental to the success of the Manhattan Project.¹¹

As America engaged in global diplomacy in the Cold War, attracting academic talent became a governmental priority.¹² The 1965 Immigration and Nationality Act helped advance this goal by expanding avenues for scholars of extraordinary research ability and excellence to come to the United States.¹³ Immigrant professors helped solidify American leadership in fields ranging from aerospace innovation during the space race¹⁴ to developing neoliberal economic models that continue to influence global policy to this day.¹⁵ In fact, roughly 40% of U.S.-based Nobel laureates studying in chemistry, medicine, and physics since 2000 were immigrants.¹⁶ More recently, immigrant scientists' contributions have extended to research that was central to the rapid development of the COVID-19 vaccine.¹⁷ Beyond the science, technology, engineering, and mathematics fields, foreign-born professors are well represented in legal studies, ethnic studies, the arts, and university leadership.¹⁸

¹¹ See *id.*

¹² See Philip G. Altbach & Patti McGill Peterson, *Higher Education as a Projection of America's Soft Power*, in *SOFT POWER SUPERPOWERS: CULTURAL AND NATIONAL ASSETS OF JAPAN AND THE UNITED STATES* 37, 39 (Watanabe Yasushi & David L. McConnell eds., 2008) (arguing that the goal of the Cold War transnational education strategy was to "contribut[e] to a positive American image worldwide").

¹³ See Immigration and Nationality Act of 1965, Pub. L. No. 89-236, § 203(a)(3), 79 Stat. 911, 913 (current version at 8 U.S.C. 1153(b)(2)) (eliminating race-based national origins quotas and reshaping United States immigration policy to facilitate greater migration of highly skilled professionals).

¹⁴ See, e.g., Ian Thomsen, *The Untold Story of How Two Northeastern Professors Analyzed Moon Rocks for NASA a Half-Century Ago*, NE. GLOB. NEWS MAG. (Apr. 25, 2024), <https://news.northeastern.edu/2024/04/25/magazine/nasa-moon-rocks> [<https://perma.cc/B24M-2H5F>] (telling story of British immigrant professors Robert Lowndes and Clive Perry).

¹⁵ See, e.g., Steven G. Medema, *Ronald Coase's Contributions and Major Themes*, 2 HIST. ECON. IDEAS 15, 15-16 (1994) (detailing Professor Ronald Coase's immigration to the United States and his lasting impact on field of economics); Peter J. Boettke & Christopher J. Coyne, *Friedrich A. Hayek (1899-1992)*, in 42 FREEMAN 300, 300-02 (1992) (describing analogous journey and impacts of Professor Friedrich Hayek).

¹⁶ See NAT'L FOUND. FOR AM. POL'Y, IMMIGRANTS AND NOBEL PRIZES: 1901-2023, at 1 (2023), <https://nfap.com/wp-content/uploads/2023/10/Immigrants-and-Nobel-Prizes-1901-to-2023.NFAP-Policy-Brief.October-2023.pdf> [<https://perma.cc/58JF-9KDL>] (finding 45 of 112 "Nobel Prizes won by Americans in chemistry, medicine and physics since 2000" were awarded to immigrants).

¹⁷ See, e.g., Gina Kolata, *Long Overlooked, Kati Kariko Helped Shield the World from the Coronavirus*, N.Y. TIMES (Oct. 2, 2023), <https://www.nytimes.com/2021/04/08/health/coronavirus-mrna-kariko.html> (telling story of Professor Katalin Kariko's migration and medical research that was integral to development of COVID-19 vaccine).

¹⁸ See, e.g., RAJKA BHANDARI, MELQUIN RAMOS & MIRIAM FELDBLUM, PRESIDENTS' ALL. ON HIGHER EDUC. & IMMIGR., HOW IMMIGRANT-ORIGIN LEADERS CONTRIBUTE TO U.S. COLLEGES AND UNIVERSITIES 4-8 (2024), <https://www.higheredimmigrationportal.org/wp-con>

Today, nearly one-quarter of university and college professors in the United States are foreign-born, and many of them have become naturalized citizens.¹⁹

This is no accident. The American higher education system has served as the premier site of academic talent in the world for over a century.²⁰ This is true, in part, because American higher education has marshalled the requisite resources to support our immigrant professors. Put simply, America can offer foreign-born professors the resources to perform their research at the highest level and the benefits of academic freedom that shield them from more repressive or controlling regimes in their home countries.²¹

The growing admission of foreign students buttresses the domestic mission of our research universities. Apart from the financial benefit that many foreign students bring,²² U.S. institutions of higher education benefit from these admissions because they help “to provide international and cross-cultural perspectives for their students and to enhance their curricula.”²³ This practice has become an important part of campus culture across the country. As many as three-quarters of American student cohorts in higher education report having meaningful interactions with international students or professors.²⁴ Of the tens of thousands of postdoctoral students studying in the United States, nearly two-thirds are international scholars.²⁵

tent/uploads/2024/08/Pres-Alliance-Immigrant-Origin-Leaders-Report-Final.pdf [https://perma.cc/YC6K-3FZG] (reporting on diversity of university leadership).

¹⁹ See YUKIKO FURUYA, MOHAMMAD ISMAIL NOORADDINI, WENJING WANG & MICHELE WASLIN, GEORGE MASON INST. FOR IMMIGR. RSCH., A PORTRAIT OF FOREIGN-BORN TEACHERS IN THE UNITED STATES 1 (2019), https://d101vc9winf8ln.cloudfront.net/documents/29869/original/Teacher_Paper_FINAL_WebVersion_012219.pdf?1548268969 [https://perma.cc/7KKP-VYDK] (finding 22% of post-secondary teachers are foreign born and 41% of them are naturalized citizens).

²⁰ See Altbach & Peterson, *supra* note 12, at 39 (referring to U.S. higher education system as “gold standard” and as model many universities around world seek to emulate).

²¹ See *id.* at 40 (discussing dynamics of researchers and professors being attracted to work in United States).

²² See Omar Duwaji, *High Fees Paid by International Students Help US Universities Balance Their Books*, WORLD (Mar. 28, 2024), <https://theworld.org/stories/2024/03/28/high-fees-paid-international-students-help-us-universities-balance-their-books> [https://perma.cc/699Q-SXZM] (explaining 80% of international students pay full-fare tuition that subsidizes costs for U.S. students).

²³ Phillip G. Altbach & Jane Knight, *The Internationalization of Higher Education: Motivations and Realities*, 11 J. STUD. INT’L EDUC. 290, 293 (2007).

²⁴ See Jiali Luo & David Jamieson-Drake, *Examining the Educational Benefits of Interacting with International Students*, 3 J. INT’L STUDENTS 85, 86-88 (2013) (collating research from several fields studying educational and cultural benefits of foreign students in American higher education classrooms).

²⁵ See Andrea Widener, *Science in the US Is Built on Immigrants. Will They Keep Coming?*, CHEM. & ENG’G NEWS (Mar. 4, 2019), <https://cen.acs.org/careers/diversity/Science-US-built-immigrants-keep/97/i9> [https://perma.cc/7XJS-PERS].

The benefits of these cultural-exchange learning environments are many. Research in international education and pedagogy shows that engagement with international students lead to better educational outcomes for everyone in the classroom.²⁶ Foreign-born students expose native-born students to different cultures and approaches to social problems, which leads to mutually beneficial exchanges of ideas and the building of international professional networks.²⁷ It is these very exposures that help native-born students build “a competitive advantage” in a global marketplace that increasingly relies on interconnected cross-cultural competency and sensitivity.²⁸ Research has also shown that students who have meaningful interactions with foreign peers are more likely to be open to diverse perspectives, to challenge and analyze their own worldview, to enjoy higher academic achievement, and to acquire leadership skills.²⁹

The mission to cultivate a transnational campus community certainly carries many domestic benefits, but also international ones that have shaped America’s place as a global superpower.³⁰ The ability of higher education to admit foreign students and professors, who repatriate to their home countries after receiving education on American-style academics and culture, is an important strategy to spread political values abroad.³¹ Foreign students who study in the United States learn American approaches and methodologies, often focusing on American data and problems, which shape lifelong perspectives on their future work and

²⁶ See Luo & Jamieson-Drake, *supra* note 24, at 99 (“The findings indicate that international interaction was consistently and positively correlated with college outcomes”); Janette Ryan, ‘Asian’ Learners or ‘Internationalised’ Learners? Taking Advantage of International Cultural Academic Flows, 33 E. ASIA 9, 15-21 (2016) (discussing cultural and educational benefits of interaction with East Asian students, including decreased prejudice and increased cross-cultural understanding).

²⁷ See Luo & Jamieson-Drake, *supra* note 24, at 87 (examining studies finding international interaction between students led to new perspectives, increased empathy and competence, and development of international friendships).

²⁸ See *id.* (“[W]ith increased cultural sensitivities and skills needed to work effectively with people from different backgrounds, domestic students could well have ‘a competitive advantage’ in the marketplace in an increasingly interconnected, globalized world.”).

²⁹ See *id.* at 86-87, 96 (discussing study results finding “greater openness to diverse perspectives and a willingness to challenge their own beliefs,” and “acquisition of general education, leadership skills, and intellectual development”).

³⁰ See Donald R. Winkler, *The Costs and Benefits of Foreign Students in United States Higher Education*, 4 J. PUB. POL’Y 115, 128-29 (1984) (conceptualizing admissions of foreign students as indirect foreign aid program).

³¹ See Priya Gauttam, Bawa Singh, Sandeep Singh, Shankar Lal Bika & Raghavendra P. Tiwari, *Education as a Soft Power Resource: A Systematic Review*, HELIYON, Jan. 15, 2024, at 1, 15 (“In global politics, states are using dynamic education diplomacy to defend and advance their own national interests. . . . [T]here are associated foreign policy goals behind the scholarship and educational exchange programs offered by various countries to international students.”).

worldviews.³² It is quite common for foreign students to return home eager to alter their own country's institutions towards a more American approach.³³ English has become the dominant language of science and scholarly research around the world.³⁴ Becoming the global leader in higher education and research was a part of U.S. strategy to secure its place as a superpower. Consequently, we should understand that higher education in the United States is an underappreciated foreign policy institution that works hand in hand with domestic immigration policy to exercise soft-power diplomacy.

There are also benefits when foreign students go on to become foreign leaders and business executives, who then become important contacts for promoting U.S. political and business interests abroad.³⁵ According to a soft-power index maintained by the Higher Education Policy Institute, American higher education is the most politically influential among the education systems of other developed nations, with seventy current world leaders having received higher education instruction in the United States.³⁶ In 2012, the Department of Homeland Security boasted that nearly three hundred current and former world leaders had participated in American higher education programs.³⁷ Kings, princesses, and prime ministers have benefited from our higher education system. And while Ivy League research institutions are popular destinations, other excellent schools such as the University of Michigan, the University of Wisconsin, George Washington University, and Louisiana State University commonly serve as educational hubs for these future leaders.³⁸

There is indeed an imperial nature to this exertion of soft power from developed nations. For example, the United Kingdom pioneered a colonial education system whereby the brightest subjects of the empire could gain access to study in England.³⁹ This can be conceptualized as yet another imperial form

³² See Altbach & Peterson, *supra* note 12, at 42.

³³ See *id.* at 43.

³⁴ See *id.* at 39.

³⁵ See *id.* (describing American use of higher education as element of colonial policy and Cold War ideological struggle).

³⁶ See Nick Hillman, *HEPI Soft-Power Index 2024: The US Pulls Further Away, While the UK Stands Still and France Slips Back*, HIGHER EDUC. POL'Y INST. (Oct. 10, 2024), <https://www.hepi.ac.uk/reports/the-us-pulls-further-away-in-the-latest-soft-power-index-while-the-uk-stands-still-and-france-slips-back> [<https://perma.cc/TE74-H76H>].

³⁷ See *World Leaders Study in the United States*, U.S. DEP'T OF HOMELAND SEC. (Nov. 8, 2012), <https://studyinthestates.dhs.gov/2012/11/world-leaders-study-united-states> [<https://perma.cc/999E-HWPH>].

³⁸ See *id.* ("While top U.S. schools, such as members of the Ivy League and other prestigious universities, are a popular choice for students, many world leaders attended other schools around the country.").

³⁹ See Altbach & Peterson, *supra* note 12, at 38 ("Colonial administrators often saw higher education as a useful accompaniment to their work. The British were particularly adept at developing institutions on site and at sending promising students from the colonized regions back to England to study at British universities.").

of resource extraction from developing countries, where the best and brightest are incentivized and encouraged to pursue their education in developed countries. This results in a brain drain from developing nations that are deprived of the very intellectual talent they need to address problems at home.⁴⁰ But we should not forget that education is not only a way to exercise influence, but also a way to empower future leaders. Remember, those who engage in these diverse learning environments are *more* likely to challenge and analyze their own worldview,⁴¹ which may explain why social leaders such as Mohandas Gandhi used his British education as a way to challenge the status quo of British rule in India.⁴² American higher education is not imperialist indoctrination and propaganda, and not all world leaders educated in the United States are American loyalists. Indeed, American higher education, which promotes free thinking and the exchange of ideas, can exercise soft power to benefit the United States, but it can also serve as a catalyst for challenging the current global order.

American research institutions of higher education have nearly a century-long tradition of building and maintaining transnational cultures that yield benefits far beyond our shores. Foreign-born professors and students bring talent and ideas that shape and improve the research and learning environments of these institutions. Furthermore, higher education is one of this nation's most important avenues of exercising soft power around the globe in ways that benefit the rest of the world.

II. PEDAGOGY OF THE OPPRESSIVE

The dawn of American hegemony in the wake of World War II globalized the American system of higher education. This was particularly true for the nation's most prestigious institutions, which benefitted from America's geopolitical ascent by way of attracting the world's most promising minds and boasting cultures of academic freedom that spurred cutting-edge research and learning.⁴³ Top-tier research universities in the United States transformed from purely domestic institutions into global brands and bastions of multinational exchange, education, and innovation. In turn, the identity of these institutions began to shift from solely American to being global centers of learning whose reputations and reach superseded domestic boundaries.

⁴⁰ See Winkler, *supra* note 30, at 124-26 (theorizing the potential impacts of countries losing economic and intellectual benefits when their citizens leave for American education).

⁴¹ See *supra* text accompanying note 29 (discussing research findings on benefits of international-peer interaction).

⁴² See Altbach & Peterson, *supra* note 12, at 38-39.

⁴³ See Catia Batista et al., *Brain Drain or Brain Gain? Effects of High-Skilled International Emigration on Origin Countries*, SCIENCE, May 22, 2025, at 1, 1 (explaining how migration may work to "increase human capital stock in origin countries and produce downstream beneficial effects through remittances").

The transnational identity of these American universities took on greater depth during the civil rights era. The fall of de jure segregation,⁴⁴ followed by the dissolution of race-based immigration quotas on account of the Immigration and Nationality Act of 1965,⁴⁵ led to the matriculation of students, scholars, and researchers from once foreclosed regions of the world.⁴⁶ These changes made the likes of Harvard, Columbia, and UC Berkeley quintessentially *global* universities. This not only manifested in the eclectic demographics of the student body, but also in the faculty, university programming, and most poignantly, the internationalized missions of the institutions. The globalization of the American campus in the 1960s, spurred by progressive immigration policy, enriched the intellectual culture of elite universities, expanded students' worldviews, and inspired political activism.⁴⁷

However, the inclusionary cultures of elite American universities were not purely altruistic. As law scholar Mary Dudziak observed, domestic desegregation was a "Cold War imperative" to win the hearts and minds of Global South nations emerging from colonialism.⁴⁸ But there were more discrete interests to the university that accompanied this geopolitical dimension. Attracting the world's finest minds elevated the stature of the institution, and pulling students from the globe's most affluent and elite backgrounds enhanced its bottom line.⁴⁹ Even more than intellectual or economic benefit, elite American universities and their governmental interlocutors seized the neocolonial opportunity to inculcate crops of elite students, who would become global leaders, with American views, values, and sensibilities.⁵⁰

⁴⁴ See *Brown v. Board of Educ.*, 347 U.S. 483, 495 (1954) (striking down segregation within and beyond public education in United States on account of Fourteenth Amendment's Equal Protection Clause).

⁴⁵ Pub. L. No. 89-236, 79 Stat. 911 (codified as amended in scattered sections of 8 U.S.C.).

⁴⁶ See Vinod B. Agrawal & Donald R. Winkler, *Migration of Foreign Students to the United States*, 56 J. HIGHER EDUC. 509, 510-13 (1985) (describing post-1960s expansion of foreign student enrollment in U.S. universities following changes in immigration law and growth of secondary and higher education abroad).

⁴⁷ See generally ELLEN SCHRECKER, *THE LOST PROMISE: AMERICAN UNIVERSITIES IN THE 1960s* (2021) (exploring enduring impacts of societal and cultural events in 1960s on American higher education system).

⁴⁸ Mary L. Dudziak, *Desegregation as a Cold War Imperative*, 41 STAN. L. REV. 61, 110-11 (1988).

⁴⁹ See Duwaji, *supra* note 22.

⁵⁰ See Altbach & Peterson, *supra* note 12, at 41-43. This is illustrated by American university expansion within strategically coveted areas, including the Middle East and Asia, where higher education is also leveraged as an American foreign policy expedient. See KYLE A. LONG, *GLOBAL AMERICAN HIGHER EDUCATION: INTERNATIONAL CAMPUSES FOR COMPETITION OR COOPERATION?* 7-15 (2023), <https://uscpublicdiplomacy.org/sites/default/files/Global%20American%20Higher%20Education.pdf> [<https://perma.cc/U9D3-F4JC>] (noting American university campuses in places such as Qatar, Iraq, and South Korea as tools of soft power and influence).

A “liberal arts education,” as an American political export, also has the effect of changing social and political cultures abroad.⁵¹ As pioneering critical race theorist Derrick Bell observed, in relation to racial integration post-*Brown v. Board of Education*,⁵² the pedagogical, political, and economic interests of the elite American university “converged” with its new global mission and mandate.⁵³ American higher education, in this new world order, was as much political soft power as it was liberating pedagogy.⁵⁴ Elite universities, such as Harvard and Georgetown, emerged as training grounds for prospective government leaders of foreign nations inculcated with American cultural values and political sensibilities.

There was, however, a symbiotic benefit. For elite American universities intent on globalizing their footprint and brand, the moment also presented a strategic opportunity. This form of institutional opportunism—notwithstanding its critics—opened doors to world-class education for students, scholars, researchers, and leaders from diverse racial, religious, and political backgrounds. These students, in addition to receiving an elite education and the networks and mobility associated with it, were shaped into global citizens in the image of the American universities that forged them.⁵⁵

The Trump Administration seeks to close these doors. The ensemble of executive orders targeting higher education aims not only to domesticate American higher education, but also to disconnect it from the very hallmarks that define its inclusive, porous, and transnational identity. Bonded by an America First vision,⁵⁶ the barrage of executive orders targeting higher

⁵¹ See, e.g., Pericles Lewis, *Asia Invests in Liberal Arts: US Higher Education Expands Abroad*, 35 HARV. INT’L REV. 36, 36-37 (2019) (explaining liberal arts education encourages critical thinking, civic engagement, and democratic habits of discussion, reshaping students’ understanding of citizenship, leadership, and role in society).

⁵² 347 U.S. 483 (1954).

⁵³ See Derrick A. Bell, Jr., Comment, *Brown v. Board of Education and the Interest-Convergence Dilemma*, 93 HARV. L. REV. 518, 525 (1980) (arguing racial equality advances only when it converges with interests of white policymakers, whose support for *Brown* was shaped in part by domestic stability and Cold War imperatives).

⁵⁴ See Altbach & Peterson, *supra* note 12, at 39.

⁵⁵ See *supra* note 30-42 and accompanying text (discussing higher education’s soft-power function and role in shaping foreign elites). Education, both formative and higher, shapes citizenship. See *Pierce v. Soc’y of Sisters*, 268 U.S. 510, 534 (1925) (“[C]ertain studies plainly essential to good citizenship must be taught . . .”); see also *Meyer v. Nebraska*, 262 U.S. 390, 401 (1923) (asserting “us[ing] foreign words, follow[ing] foreign leaders, [and] mov[ing] in a foreign atmosphere” hinders development of “citizens of the most useful type” and threatens public safety).

⁵⁶ “America first,” “American exceptionalism,” “Make America Great Again,” and other similar slogans drill these mythologies over and again, digging “memory holes” that bury the past and make way for indoctrination. See, e.g., Robert C. Rowland, *The Populist and Nationalist Roots of Trump’s Rhetoric*, 22 RHETORIC & PUB. AFFS. 343, 369-77 (2019) (arguing Trump fused nationalism, populism, status threat, and restorationist nostalgia).

education are restrictive with respect to race-consciousness, religious expression, political viewpoint, and sexual identity.⁵⁷ As outlined in *Campus Borderlands*, these orders seek to reshape American universities in the image of America First, then reclaim them as vehicles of white Christian nationalist ideation and education.⁵⁸ In turn, an existential standoff emerges between global American universities and the Trump Administration over the very identity of elite American higher education.

The restrictive policing of President Trump's executive orders has already made an impact. Students, scholars, and visitors from all over the world have chosen to not pursue opportunities within American universities, where international students on campuses have been violently targeted by state or vigilante actors, and more broadly, chilled from engaging in speech or activity that enhances their vulnerability.⁵⁹ While the standoff between elite American universities and the Trump Administration continues, marked most starkly by Harvard's pending lawsuit and negotiations,⁶⁰ the capitulation of universities such as Columbia, UC Berkeley, and more illustrates crucial retrenchment of the very "democratic imperative" that elevated these institutions into symbols of (aspirational) American democracy around the globe.⁶¹

The coming years will determine which vision wins out: inclusive global education or authoritarian indoctrination.⁶² The victor is yet unclear. However, what is clear is that the battlegrounds unfolding within elite university borderlands are the most determinative theaters of this raging war.

⁵⁷ See, e.g., Exec. Order No. 14150, 90 Fed. Reg. 8337 (Jan. 20, 2025) (mandating Department of State's policies reflect "an America First foreign policy").

⁵⁸ See Beydoun & Evans, *supra* note 4 (manuscript at 38-45).

⁵⁹ See Catherine Offord, *Overseas Universities See Opportunity in U.S. 'Brain Drain,'* SCIENCE (Mar. 17, 2025, at 17:05 ET), <https://www.science.org/content/article/overseas-universities-see-opportunity-u-s-brain-drain> ("[S]ome countries and their institutions are already looking to use the opportunity to attract new talent and reverse the steady migration of scientists to the U.S. in recent decades."); see also Beydoun & Evans, *supra* note 4 (manuscript at 47-49, 55-57) (discussing instances of international students being targeted by the government and others in ways that chill speech and deter action).

⁶⁰ See Harvard Press Release, *supra* note 1.

⁶¹ See Tony Gallagher, *The Democratic Imperative for Higher Education: Empowering Students to Become Active Citizens*, AM. ASS'N COLLS. & UNIVS. (Spring 2021), <https://www.aacu.org/liberaleducation/articles/the-democratic-imperative-for-higher-education> ("[T]he drive to defend democratic culture becomes even more important [in today's political climate], not to promote particularistic political positions but to defend and underpin the democratic process itself. In this crisis of democracy, it is an imperative for higher education to play its role.").

⁶² See Michael Ignatieff, *The Geopolitics of Academic Freedom: Universities, Democracy & the Authoritarian Challenge*, 153 DAEDALUS 194, 196-98 (2024) (arguing academic freedom functions as pillar of liberal democracy and populist pressures threaten universities' autonomy and counter-majoritarian role); see also Khaled A. Beydoun, *The New School Surveillance*, 2027 U. ILL. L. REV. (forthcoming).

CONCLUSION

Borders are set up to define the places that are safe and unsafe, to distinguish us from them.

—Gloria Anzaldúa⁶³

American colleges and universities are vehicles of soft power. The potency of that power increases and expands in relation to the prestige of the institution. The stakes are high for the entire constellation of American colleges and universities amid the rolling war on higher education, but uniquely perilous for the transnational borders and borderlands of elite research institutions.

This Essay extends *Campus Borderlands* into the understudied dimensions of how immigration and transnationalism intersect with the democratic model of higher education. We must be vigilant, because if President Trump succeeds in remaking higher education in his image, there is no telling what other American institutions he will disfigure next.

⁶³ ANZALDÚA, *supra* note 2, at 3.