

## POLITICAL THREATS TO HIGHER EDUCATION'S AUTONOMY

Increasingly, government intervention in higher education is constraining the freedom of inquiry and expression essential to liberal education and violating the principles of academic freedom and institutional autonomy.

A [white paper released by the AAUP](#) in May 2024 outlined recent efforts by right-wing and libertarian think tanks “to manufacture a culture-war backlash against educators and academic institutions.” These well-funded and well-networked efforts emerged in response to the political, social, and cultural gains made through the Black Lives Matter movement. They were supported by Executive Orders from President Donald Trump and a political vision to weaponize critical race theory.

Five types of legislation have emerged from these efforts. Together, these bills represent a cohesive effort “to explicitly shape the content of what is taught and discussed on college campuses.”

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### Anti-DEI Legislation

A [previous issue of \*The Essentials\*](#) outlined efforts to prohibit colleges and universities from having DEI offices and staff, ban mandatory DEI training, forbid diversity statements at colleges and universities, and outlaw identity-based preferences for hiring and admissions. Anti-DEI legislation has been introduced in more than half of all US states since 2023.

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### Educational Gag Orders

Educational “gag orders” have been introduced in nearly all US states, with 32 bills passing since 2021. Educational “gag orders” restrict instruction on concepts that have been characterized as divisive, including race, sex, sexual orientation, religion, political affiliation, social class, national origin, past racial injustice, and critical race theory.

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### Legislative Attempts to Weaken Tenure

Over the past three years, 22 bills to end or weaken tenure protections have been introduced in 14 states. Additional statutes specify potential disciplinary actions against faculty without noting that they must occur within a process that respects tenure.

Three bills undermining tenure have passed. These bills mandate comprehensive post-tenure review processes at state universities in Florida and allow for the dismissal of tenured faculty members in Texas.

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### Bills Weakening Accreditation

Legislatures have also sought to weaken accreditors, key protectors of tenure and institutional autonomy. Since 2021, 6 accreditation bills have been introduced in 3 states. Three bills in Florida and North Carolina have passed.

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### Bills Undermining Shared Governance

Additional legislation undermines faculty control over the curriculum, using the language of viewpoint diversity “to justify greater active intervention in shaping what gets taught on college campuses.” Bills in this category require diversity viewpoint surveys on campuses, create academic programs and centers that exist outside shared governance processes, and breach institutional autonomy. Since 2021, such bills have passed in Florida, Ohio, and Tennessee.

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Source: [Manufacturing Backlash: Right-Wing Think Tanks and Legislative Attacks on Higher Education, 2021-2023](#) by Isaac Kamola (American Association of University Professors, May 2024).