

THE CHRONICLE OF HIGHER EDUCATION

Authoritarians Come for the Academy

Right wingers like Dan Patrick and Christopher Rufo seek to erode academic power.





THE REVIEW | OPINION

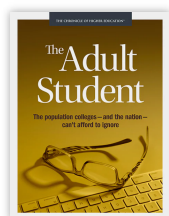
By *Jennifer Ruth*

AUGUST 14, 2023

In China in 2008, I told everyone I could — my colleagues and students at Wuhan University, the people staffing the “foreign-expert guesthouse” where I lived, taxi drivers — that America was a shameful mess. I’d elaborate: President George W. Bush had disastrously invaded Iraq and was setting the country back on the environment and on minority rights. My audience never took me that seriously. Smiling, they’d say America is great, superior to China. Sometimes, they warned me to be careful around subjects considered sensitive to the Chinese Communist Party. “Avoid the three T’s,” I was told (Taiwan, Tibet, Tiananmen). My interlocutors weren’t just being polite about my country. Rather, my insults were more like advertisements, proof that America’s freedom of speech is the real deal.

Two recent op-eds — one by Lt. Gov. Dan Patrick of Texas for the *Houston Chronicle*, and the other by Christopher F. Rufo for *The New York Times* — invoke democracy only to undermine it, arguing that political interference in public universities is justified.

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Patrick tries to rationalize his pettiness after a [professor was suspended](#) when the lieutenant governor called the system chancellor to complain that she had insulted him during a public lecture. “Everyone is accountable at some level to someone — whether it’s their customers, employer, employees, or shareholders. Professors should be no different.” Professors *are* accountable — to our colleagues and our institutions. We abide by professional codes of conduct and comply with the same rules HR offices impose everywhere. This does not mean that we are, or should be, directly accountable to politicians seeking to capitalize on the right-wing culture wars any more than an accountant or electrician should be. We have free-speech rights, too — something Patrick doesn’t understand any more than he understands academic freedom.

Rufo’s logic is slightly more complex: The people elect legislators, and thus legislators are entitled to shape what gets taught in universities. He explains:

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We must keep in mind that public universities are public institutions, governed by state legislatures and funded by taxpayers. Their institutional autonomy is a privilege granted by voters, not a right guaranteed by the Constitution. As such, legislators are well within their right to enact reforms and reorient their state universities toward the pursuit of scholarship, rather than activism, which I believe cannibalizes the academic mission. When universities have deviated from the wishes of the public, political intervention is not only lawful but also necessary to ensure democratic governance.

He is not wrong in some of his broader strokes. State legislatures have always enjoyed some degree of control over public universities — they determine budgets, for instance, and enforce compliance with state laws.

In the past three years, however, such control has crossed the line into interference. Republican politicians are proposing, and in some states passing, an extraordinary number of bills rewriting higher ed's rules. They are expanding legislative oversight, banning DEI offices, eliminating or weakening tenure, imposing gag orders, and attacking accreditation agencies. If they are “within their right” to do this, as Rufo says, then what makes their actions interference as opposed to, say, a concentrated version of business as usual? The answer is that the bills are unprecedentedly partisan. They have been introduced almost exclusively by Republicans and, when successful, passed into law without bipartisan support. This breaks with a history in which, after the McCarthy era, both parties generally understood that politicians shouldn't meddle aggressively in their universities' internal affairs.

Rufo himself acknowledges that “partisan politics” in higher education is not a good thing: Scholars should be “directed toward the pursuit of the highest good, rather than the immediate interests of partisan politics,” he writes. You might assume, then, that he is confident today's right-wing interference will simply perform a kind of reset, redirecting those of us teaching at state universities to that clearly identifiable and universally agreed-upon thing he calls “the highest good.” But no. Interviewing him, the libertarian journalist [John Stossel](#) said the DeSantis-Rufo approach “feels authoritarian.” He wondered whether Rufo worried that the next Florida governor “might require schools to teach things like ‘The 1619 Project.’” “Of course I worry about that,” Rufo answered, “but that's what democracy is for ... what politics is for.”

Stossel worries about the big-government implications of the state-intervention vision — the granular curricular changes every four years or so, the endless swapping out of civil servants, the grinding to a halt of knowledge as researchers' long-term projects stop and start contingent upon popular elections, the confusion in the classrooms as

teachers worry about complying with the latest cycle's partisan dictates. "I think politics is for letting us choose representatives who preside over *limited* government," he said, "one that protects us from fraud, force, and theft, but mostly leaves us alone."

It is democracy itself that I worry about. Democracies lose their legitimacy *as democracies* when politicians interfere directly with the running of colleges and universities. Until very recently, the idea that the state is not supposed to be in the business of telling us what to think — or what not to think — was sacrosanct among the freedom-loving cold warriors of the Republican Party for whom countries like China and Russia were cautionary tales. But these "[normie conservatives](#)," as the activist writer Rod Dreher calls them, are no longer in charge of their party.

In a [2021 column](#), Ross Douthat of *The New York Times* explained that Viktor Orbán's Hungary is now an aspirational ideal among conservatives, because his right-wing government's "interventions in Hungarian cultural life, the attacks on liberal academic centers, and the spending on [conservative ideological projects](#) are seen as examples of how political power might curb progressivism's influence." The day after Rufo's essay appeared in the *Times*, he [published a piece](#) presenting Hungary as "a model for a new conservatism that asserts national sovereignty and uses state power to support families, civil society, and national identity." Non-normie conservatives like Rufo argue that state power is necessary to correct for the left-wing censoriousness that has "captured" universities.

In this way of thinking, the state not only has a right but an obligation to intervene to ensure that universities stick to a traditional conception of what families should look like and uphold a heroic founding-fathers version of national identity. To enforce this vision, critical race theory must be banned and [gender-studies programs eliminated](#). But it's not "the state" that is intervening here so much as it is one political party using the state to act unilaterally.

There is a fundamental difference between censoriousness and censorship, and between the left-wing activism conservatives like Rufo decry and the right-wing authoritarianism they espouse. Anti-racist and LGBTQIA+ scholarship and activism have influenced state institutions from the outside and the inside, but they are not ideologies dictated by the state. Using political power to ban critical race theory and other forms of knowledge is, of course, authoritarian in its suppression of free speech. But that is only a part of the problem. Such maneuvers also destroy academic freedom. Much of the work under attack has earned the protection of academic freedom by having been vetted by peers within scholarly disciplines. Anti-CRT and “divisive concepts” legislation violates academic freedom because it usurps the authority of the faculty to determine what counts as knowledge. They substitute partisan politics in the place of expertise.

Often understood narrowly in terms of individual faculty rights, the concept of academic freedom also speaks to the degree of institutional autonomy necessary for colleges to act as sources of unmanipulated knowledge. Patrick and Rufo argue that the heavy-handed use of state power in an arena traditionally understood to require a light touch is legitimate because state legislators are elected officials while faculty members are not. But setting aside the obvious issues regarding the expertise and training necessary to competently determine curricula, something else comes into focus: the distinction between party and state that is fundamental to American democracy (a nonexistent distinction in China). For a democracy to be considered legitimate, its citizens must have access to knowledge that is not directly controlled by one political party.

For decades our nation’s colleges and universities have retained control over hiring and firing, and curricular developments pertaining to racial and social justice were almost entirely driven by groups within the institutions themselves. That is now changing. [Florida’s House Bill 999](#) would have given the state’s Board of Governors — political appointees — direct control over core curricula, enabled the Board of Trustees to initiate a tenure review of any faculty member for any reason, and

empowered them to hire any faculty members they wanted. The bill, a stripped-down version of which was signed into law in May, would have destroyed “[higher education as we know it](#),” according to the American Federation of Teachers. When I asked Ellen Schrecker, a historian and the author of *No Ivory Tower: McCarthyism and the Universities*, if this kind of legislation reminds her of the McCarthy era, she told me flatly: “This is much worse.” (Because of accreditation concerns, all references to “diversity, equity, and inclusion,” as well as the post-tenure review and board’s power to hire, were [stripped from the bill in April](#).)

Whether the civil servants administering the Fulbright fellowship that supported my teaching in Wuhan liked what I had to say about George W. Bush in 2008 was irrelevant. And this — the freedom of a state-university professor to offer her uncoerced opinion rather than to ventriloquize America’s exceptionalism — was the United States’ finest selling point when I was in China. During another Fulbright in China, this time teaching in Shanghai in 2015-16, I told everyone I met that Donald Trump could not possibly win the U.S. presidential election. That was naïve. But more naïve is what I often followed up with: And if he does somehow get elected, I’d say, I’ll still take a flawed democracy over an authoritarian regime.

What I didn’t understand at the time was how easy it would be for partisan politicians to bring authoritarian tactics to bear on democratic states, all while apparently remaining, per Rufo, “within their right.”

In February, *The Chronicle*’s Karin Fischer [reported](#) on a politician who “singled out higher education” by “mandating new curricula, barring the discussion of certain controversial topics in the classroom, and installing political allies as university leaders.” Xi Jinping is whom Fischer had in mind, though perhaps Ron DeSantis or some other right-wing culture warrior came to yours.

We welcome your thoughts and questions about this article. Please [email the editors](#) or [submit a letter](#) for publication.

OPINION

ACADEMIC FREEDOM

FREE SPEECH

POLITICAL INFLUENCE & ACTIVISM

Jennifer Ruth

Jennifer Ruth is a professor and associate dean at Portland State University. She is the co-author, with Michael Bérubé, of *It's Not Free Speech: Race, Democracy, and the Future of Academic Freedom* and co-editor, with Ellen Schrecker and Valerie Johnson, of *The Right to Learn: Resisting the Right-Wing Attack on Academic Freedom*, forthcoming from Beacon Press.

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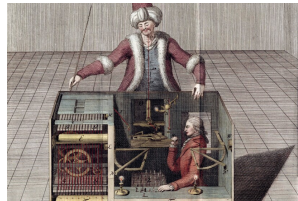
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