

# SPRING 2025: TRUMP 2.0

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## Faculty Governance and the Fight for Public Higher Education

Attacks on shared governance are attacks on academic freedom.

By Karma R. Chávez



In February 2022, amid the growing onslaught of attacks in both K–12 and higher education against teaching about race and racism in US history, the University of Texas at Austin Faculty Council passed a resolution defending academic freedom and, in particular, affirming the right of UT faculty to teach critical race theory, or “CRT,” as it has become known. In no time, Texas’s far-right Lieutenant Governor Dan Patrick issued a public statement decrying “looney Marxist professors” and insisting that in the next legislative session he would ban CRT. He explained that this is why the legislature and right-wing donors had been pushing to create the “Liberty Institute” at UT, a proposed right-wing think tank designed to subvert ordinary faculty hiring processes and combat the gender and race ideology that supposedly dominates Texas’s universities.

Implicit in Patrick’s threat was a view that faculty should not be able to govern their own workplaces, and particularly the curriculum. Although in 2022 Patrick had not fleshed out a critique of the faculty’s role in institutional governance, that role, like “CRT” and “DEI” (diversity, equity, and inclusion), would quickly be in his crosshairs. Before the 2025 Texas legislative session, which has now begun, Patrick already made it clear that faculty should have no role in governing Texas universities. In April 2024, in his “[interim charges](#)” on higher education for the upcoming session, Patrick singled out “faculty senates” as the first of his seven priorities. He charged the Texas Senate to “review and analyze the structures and governance in higher education, focusing on the role of ‘faculty senates,’ and like groups, in representing faculty interests to higher education institution administrations” and to “make recommendations to establish guidelines for the role and representation of faculty by ‘faculty senates,’ and like groups, at higher education institutions in Texas.”

Although Patrick’s ire was catalyzed by the faculty council’s 2022 resolution, his views in April 2024 were given shape by none other than Christopher Rufo, the architect of both “CRT” and “DEI” bans nationwide. In May 2023, Rufo argued on his [Substack blog](#) that rather than upholding the principles of “academic freedom, faculty governance, and institutional autonomy,” the university should be governed “according to the principles and priorities of voters, who elect legislators to govern state institutions in the interest of the common good.” In providing a limited summary of a debate he had with Princeton University political scientist Keith Whittington, Rufo explained that universities are not “a free marketplace of ideas” but instead represent “a state-run monopoly on education institutions” that should serve “the public good.”

Rufo’s consistent deployment of his claimed investment in the “common” or “public” good is a well-worn tactic to enshrine conservative ideology in law in the name of supposedly benign “common sense.” In my last book, *The Borders of AIDS*, I detail the persuasiveness of such “commonsense” appeals through an in-depth analysis of a 1987 legislative debate in which Republican Senator Jesse Helms of North Carolina advocated for a ban on all HIV-positive immigrants—this despite the fact that virtually no public health entity agreed that a ban would lead to better health outcomes in the United States. In my book, I show how Helms located his brand in a “national commonsense”: It was a matter of common sense, he claimed, that the course of action he advocated would be best for the nation. In the end, despite all the scientific and medical evidence to the contrary, Helms won the debate, and the US Senate passed a devastating ban on HIV-positive immigrants, which President Ronald Reagan signed into law and which remained in place until 2009. The case is instructive in showing how commonsense appeals are so persuasive because they are so hard to refute. Although these appeals typically lack evidence, they call into question the value of expertise, and in the absence of expertise or specifics, they appear to many as if they are self-evidently correct.

Similarly, Rufo’s appeals to the “common” or “public” good are persuasive because they assert as fact that, as publicly funded institutions, colleges and universities should be accountable to the taxpayer. I agree with this claim, though not with his understanding of what it means. My colleagues and I have been given a tremendous responsibility in educating our state’s students. I take that responsibility very seriously, and each time I step into the classroom or hold a mentoring meeting I strive to teach my students the absolute best that my fields of study have to offer. I attend to my students’ work with care, and my North Star is ensuring that their critical thinking, their analytical skills, their understanding of course materials, and their writing are the best that they can be. This is what I was trained to do, and it is what I’ve done every day of my professional life.

In February 2022, when my colleagues at UT passed the resolution affirming the right to academic freedom in teaching, they were expressing the seriousness with which they understood their responsibilities as faculty members. Our job is not to teach and carry out research on subjects that happen to be popular among the majority in our respective legislatures or with the person living in our governor’s mansion. Our job is to teach what we know to be true, and to conduct research without political influence, so that we may continue to refine our knowledge.

Faculty senates and councils provide an expert and informed infrastructure to ensure that we can provide the finest education based on the best and most recent knowledge available. Faculty senates are not apolitical entities. It is through faculty senates that fields like my own—ethnic and gender studies—have had to make the case that our knowledge is worthy of being integral to a university education. And to be clear, those fields have not earned their place without struggle. In my experience, faculty senates, which remain dominated by white, middle-class, heterosexual, and Christian faculty, continue to approach work of the kind I do with great suspicion. In fields like mine, faculty governance bodies are not always friends; more often they are the first obstacle we must overcome in proving our scholarly worth to our institutions.

Nevertheless, if I am to remain employed by a public university, I must place some level of faith in the importance of having our curriculum assessed by these entities. I do so because I recognize that, while we may differ on the specifics of research and teaching, we all share the values of faculty governance, academic freedom, and independent expertise.

I consider the assault on faculty governance one of the five pillars of the current far-right attack on higher education, along with the assaults on DEI, academic freedom, tenure, and student protest. It remains to be seen if the Texas legislature will be successful in dismantling faculty governance at our state’s public universities. Texas has already banned DEI work, severely limited the meaning of tenure, and cracked down in incredible ways on student protest. How will it curtail academic freedom and shared governance in the 2025 session?

Our current circumstances in Texas bring to mind events from a decade ago in Wisconsin, when I was a tenured faculty member at the University of Wisconsin–Madison. In 2015, the Republican governor, Scott Walker, worked with the Republican legislature to remove from state law protections for tenure and shared faculty and student governance and further concentrate decision-making power in the hands of the board of regents. Walker and his allies were successful in this effort. I remember attending the first faculty senate meeting after the conservative board of regents adopted policies in spring 2016 that replaced the faculty’s shared role in institutional decision-making with a merely advisory role. Prior to this time, these meetings were raucous affairs, because the UW–Madison chancellor at the time, the late Rebecca Blank, couldn’t make any decisions without the agreement of the faculty. The faculty knew this, and we entered each of those meetings knowing our power. The debates were intense, and they required long deliberations to come to consensus. That spring, with the new law in place, Blank walked in with what seemed to me a new air of confidence. As faculty challenged her in their usual assertive way, Blank stood at the podium, pen in hand, jotting notes on a piece of paper. And after each faculty member spoke, she said something to the effect of, “I’ll take that under advisement.”

I do not mean to suggest that administrators like Blank shouldn’t have an important role in determining university policy. They should. There is usually a good reason why they’ve risen through the ranks. But faculty know the curriculum better than any administrator or regent ever could. It is for that reason that the 1966 *Statement on Government of Colleges and Universities*, jointly formulated by the AAUP, the American Council on Education, and the Association of Governing Boards of Universities and Colleges, holds that the faculty “has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.” Without real faculty governance, there can be no academic freedom.

In Texas, we will fight for faculty governance with every resource we have available. But it is important to note that this fight is not limited to red states in the South. As the attacks on DEI have already made clear, no matter where you are, you must be willing to fight for the principles that are now under threat. If you don’t, the consequence could be not just that you might not have a job, but that the very tender bonds of this democracy—if you can even still call our country a democracy—will be shredded beyond repair.

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