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The war on higher education is now underway.

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Regional

The war on high education is now underway

In 1969, President Richard Nixon formally declared a “war on drugs” that would be directed to combat the use of illicit drugs in the U.S. This and other “wars,” such as the “war on gangs” or “war on cancer” have come to signify major efforts by the federal government against something they perceive as a threat.

In past articles in this column I have written about concerted efforts by some groups and conservative media to diminish funding for higher education, defame college education as a passport to better standards of living, portray colleges and universities as “liberal nests” out of control, and promote anti-intellectualism. But now, in the last two weeks, we have seen signs of major efforts by the federal government to undermine some of the basic tenets of how colleges and universities, both private and public, operate.

In addition to efforts by state legislators in Iowa and Missouri to eliminate tenure in public institutions, now the federal government is working on weakening policies and practices against sexual violence and harassment on campuses and defying efforts by many colleges and universities to provide educational opportunities to people traditionally underrepresented in higher education.

Among the few things that were mentioned during the last presidential campaign about higher education policy from the Republican side was criticism of Title IX of the Education Amendments Act of 1972, a federal law that prohibits discrimination on the basis of sex in any educational program or activity receiving Federal financial assistance. Since virtually all colleges and universities in this country receive some kind of federal financial support, that means that this law applies to almost all of them.

Dr. Aldemaro Romero Jr. Letters from Academia

Just two weeks ago The New York Times published a statement from Candice E. Jackson, acting assistant secretary for civil rights in the Department of Education, in which she said that 90 percent of campus sexual-assault complaints “fall into the category of ‘we were both drunk,’” or “‘we broke up, and six months later I found myself under a Title IX investigation because she just decided that our last sleeping together was not quite right.’” Jackson did not cite the source of the “90 percent” figure. She later retracted her statements after an overwhelming negative reaction in social media by victims of sexual assaults on campuses and from Title IX administrators at colleges around the country.

Then, last week, the same newspaper published the contents of an internal memo from the Justice Department indicating that it would begin redirecting resources from other efforts in order to investigate, and potentially sue, colleges and universities over admissions decisions that are perceived as discriminating against white applicants. The story reported that the department’s new effort was likely to be run out of its front office, which is staffed by political appointees rather than career department officials.

Again, the reaction was swift and intense from campus advocates and legal experts, especially because the U.S. Supreme Court has allowed colleges and universities to implement practices to increase ethnic diversity through admissions policies because it deemed that

diversity on campuses has an educational value. It was also seen as an action aimed at scaling back the role the Justice Department has had traditionally in protecting civil rights. On the other hand, representatives from conservative groups welcomed the news because it fits into their long-held narrative that whites, males, and Christians are persecuted in this country.

A Justice Department official later sent The Chronicle of Higher Education – the main publication reporting on issues in higher education – a written statement saying that the memo was a “personnel posting” that did “not reflect a new policy or program or any changes to longstanding DOJ policy.” The statement added that “whenever there’s a credible allegation of discrimination on the basis of race, the department will look into it.”

Jackson, the Department of Education official mentioned earlier, also told The Chronicle that the Trump Administration was not pursuing any social agenda. Jackson has expressed in the past that she herself had been the “victim” of racial discrimination for being white.

What are the tools that the federal government has to push its political agenda? For one thing, it can randomly choose colleges and universities to demand extensive data supporting their limited use of race in admissions. Although institutions of higher education are supposed to compile such evidence already, scrutiny and fear of litigation may create an additional burden on those institutions. The government could then use the data gathered to sue the college in question and to attempt to re-litigate the case against race-conscious admissions before the Supreme Court in order to get a more favorable outcome for their

agenda. This scenario would likely become a reality if the Trump administration gets to appoint new justices to the Supreme Court.

An even scarier tool the government has is its ability to withhold federal funding to those institutions that “violate” its agenda, crippling them in areas such as student aid and support for scholarly activities.

If we put all this information in the context of the current political climate in this country, with the Justice Department already threatening to hamper financial aid to cities that have declared themselves “sanctuaries” against federal government actions to massively deport undocumented immigrants; its plans to curtail legal immigration to those who, among others, already speak English; its incessant efforts to control women’s bodies through legislation and the belief that some women ask to be raped by the way they dress, then you can see what kind of political agenda is behind all this.

The question is, who will speak in favor of those colleges whose policies are aimed at being fairer toward women and minorities? Besides statements by some little-known experts, we don’t hear voices from the higher education community such as college presidents, partially because they are afraid that the federal government will retaliate against their institutions.

If the federal government war on higher education has begun, where are the leaders to defend colleges and universities from its abuse?

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