The academy long set itself apart from the rest of society as a place of open inquiry and critical thinking. That autonomy is part of what has given higher education authority and influence. Increasingly, though, the public has little patience for it.

You see it in lawmakers' threatening college budgets when they object to a course, legal action to force campuses to host unwelcome speakers, and freedom-of-information requests to expose internal college decision-making and potential bias.

Proponents of these steps say they are necessary to protect the public interest. For many in higher education, they are an unwelcome intrusion, an attempt by outsiders at micromanagement.

The skirmishes reflect deeper schisms around higher ed and reveal a generation of lawmakers and professors politically further apart than ever. They have also emboldened detractors, who appear to be shifting toward more-aggressive strategies that take aim at colleges' autonomy in a range of matters. Those tactics have arisen in a climate in which even traditional supporters of higher ed feel it's appropriate to intervene in college affairs. "It's a new assault on the university," says Nicholas B. Dirks, a former chancellor of the University of California at Berkeley, "and you can feel it pretty palpably."

American colleges have weathered public criticism before, of course — from the campus unrest of the 1960s to the more-recent student-debt crisis — but they now face new levels of skepticism and mistrust. A substantial swath of voters, including half of Democrats and three-quarters of Republicans, think higher education is going in the wrong direction, and polls (https://www-chronicle-com.ccl.idm.oclc.org/article/Inside-One-City-s-Love-Hate/244924)

show public confidence falling. Americans worry that college costs too much, wonder what students are learning, and question the value of a degree.

If free speech was the match, it may have lit some dry tinder.

In the past couple of years, it seemed as if the embers of free-speech controversy were igniting on campuses everywhere: at prominent public flagships and elite private institutions, tiny progressive colleges and sprawling red-state campuses.

Earlier such episodes would merely have generated headlines, but these sparked legislative action. University of Nebraska administrators were dragged before a State Senate panel in 2018 after a graduate student confronted (https://www-chronicle-com.ccl.idm.oclc.org/interactives/state-of-conflict) a young conservative activist signing up recruits. Months earlier, Evergreen State College (https://www-chronicle-com.ccl.idm.oclc.org/article/A-Radical-College-s-

of public funding after racial protests. And after unrest over a visit by a right-wing provocateur turned violent at Berkeley, President Trump suggested he might cut off federal dollars (https://www-chronicle-com.ccl.idm.oclc.org/article/Trump-Can-t-Cut-Off/239100) to the university, although observers questioned whether he had the authority to do so on his own.

In nearly half of the states, lawmakers have proposed legislation to protect campus free speech. In general, the bills seek to eliminate speech codes, prevent students from shutting down people they oppose, and require colleges to report on speech issues.

If the measures seem remarkably similar from state to state, it's because most are based on model legislation produced by a handful of conservative or civil-liberties organizations. That's led critics like the American Association of University Professors to charge that the push for free-speech bills is the result of a "coordinated attack

speech-legislation#.XEOcuc9KjVp)" on colleges. "This is about a political agenda," says Michael C. Behrent, an associate professor of history at Appalachian State University who wrote an AAUP report on speech bills.

But Joe Cohn, legislative and policy director for the Foundation for Individual Rights in Education, or FIRE, says interest in the issue is often coming from lawmakers who then turn to the free-speech group for guidance. FIRE developed a model policy as much to lay out the principles that shouldn't be included in legislation, he says, as to establish those that should. For example, FIRE opposes provisions that would require colleges to remain neutral on controversial issues, because that would actually restrict free speech.

Cohn notes that many of the speech bills receive bipartisan support. Nearly all, though, were originally proposed by Republican lawmakers.

While the vast majority of the 1,000 cases referred to FIRE each year have nothing to do with politics, when politics is involved, it's twice as likely that a conservative student, professor, or speaker is at the center. Almost every incident that has grabbed the national spotlight has involved a conservative speaker or cause.

Opinions of higher education are poor and worsening especially among conservatives. Fewer than four in 10 Republican voters have confidence in higher ed, a drop

com.ccl.idm.oclc.org/opinion/gallup/242441/confidence-higher-education-down-2015.aspx) of 17 percentage points in just three years.

> *Higher education finds itself in a "legitimation crisis."*

The high level of conservative dissatisfaction could be particularly problematic for public colleges, since nearly two-thirds of statehouses are under Republican control (although Democrats made some gains in 2018). In Washington, divided government means that little will be done legislatively, but under Education Secretary Betsy DeVos, the Trump administration is making regulatory moves (https://www-chronicle-com.ccl.idm.oclc.org/article/DeVos-Outlines-a-Vision-for/245369) opposed by many in higher ed.

The free-speech controversies both feed and reflect conservative critiques of the academy. When asked (http://www.pewresearch.org/fact-tank/2018/07/26/most-americans-say-higher-ed-is-heading-in-wrong-direction-but-partisans-disagree-on-why/) by the Pew Research Center about their frustrations with higher education, 79 percent of Republicans cited their unhappiness with professors injecting their political and social opinions into the classroom; 75 percent said colleges were overly concerned with protecting students from views they might find

Stanley Kurtz, an author and senior fellow at the right-leaning Ethics and Public Policy Center, says that red-state voters and lawmakers increasingly view colleges with alarm, seeing them as a breeding ground for ideas and ideologies with which they disagree.

“The conviction that the academy is one-sided and extremist — but also irrelevant — has given way to real concern, and a willingness to act,” Kurtz wrote in an email.

There are signs that some of the intensity has gone out of the free-speech fight — the past year saw just nine (https://www.thefire.org/resources/disinvitation-database/#home/?view_2_page=2) attempts to disinvite campus speakers, compared with 36 the previous year. But Kurtz believes heightened public scrutiny of higher education will continue.

“I suspect,” he says, “we’re at the beginning rather than the end of an era in which the public will act to reform higher education.”

Peter Wood, president of the National Association of Scholars, has supported some free-speech measures. But he thinks disputes over campus speech have mainly acted as a spotlight, fixing the public’s attention on higher education. “It broke through the complacency,” he says, arguing that true dissatisfaction with college lies elsewhere.

Indeed, while views about college may echo some of the country's current cultural and political splits, higher education is literally the dividing line when it comes to economic opportunity.

At a time when there is no surer way to guarantee economic security than to earn a college degree (https://www-chronicle-com.ccl.idm.oclc.org/article/Engine-of-Inequality/234952), President Trump ran for office appealing to the resentments (https://www-chronicle-com.ccl.idm.oclc.org/article/A-Humbling-of-Higher-Ed/238378) of the left behind. At one point, he announced his love for the "poorly educated," and he won two out of three white voters without a college degree.

Unlike his predecessor, Barack Obama, or his rival, Hillary Clinton, Trump did not argue that college was the answer (https://www-chronicle-com.ccl.idm.oclc.org/article/What-a-Michigan-County-s/238363) to economic opportunity. Instead he called for making the old economy great again. He's kept up this refrain in his two years in office, elevating its implicit critique of higher education.

TAKEAWAYS:

- Lawmakers and outside groups have always criticized higher education, but this moment is different.
- Higher ed's detractors are embracing new, more aggressive approaches. Through legislation, lawsuits, and even public-records requests, they are taking aim at colleges' autonomy

- Free-speech clashes have grabbed the spotlight and spurred legislative action. But these controversies are really just illuminating broader public discontent with colleges.
- In the past, much of the criticism has come from the right, and current dissatisfaction with higher education does run deeper with conservatives. But legislators from both sides of the aisle are looking over colleges' shoulder.
- College leaders must find ways to better communicate with lawmakers and the public.

"Economics and education could actually be core drivers of polarization," says Thomas L. Harnisch, director of state relations and policy analysis at the American Association of State Colleges and Universities. "There are some who may see higher education as the problem, not the solution."

Even for those who do believe in the value of a college degree, it may be getting more difficult to afford one. Tuition increases have outpaced inflation, and in a majority of states, students and parents now must shoulder the bulk of the cost of a college education.

These concerns have been building for a decade. "The Great Recession accelerated the economic imperative to go to college, but it also made doing so more of a burden," said David M. Scobey, director of Bringing Theory to Practice, a project of the Association of American Colleges & Universities. As a result, he says, higher education is in a "legitimation crisis."

The increasing burden of debt has led to mounting questions about how well colleges are preparing graduates for the workplace and the value of a degree.

“With students and families paying a larger part of the bill, they’re asking, justifiably, is it worth it?” says Buck Goldstein, a professor of the practice in economics and the entrepreneur in residence at the University of North Carolina at Chapel Hill. “And they’re really asking, is it worth it to pay for someone else’s kid” through taxes.

The push for free-speech measures may have come largely from the right, but, in this case, the scrutiny could be bipartisan. While Democrats view higher education in a more favorable light than Republicans do, they express alarm about issues like cost. Three-quarters of Democrats who expressed concern about higher education’s direction said they were worried that students were not getting the skills they need for the workplace, and nine in 10 of those Democrats said tuition was too expensive.

The share of Republicans anxious about college costs was nearly as high.

If speech controversies helped bring public attention to higher education, Wood, of the National Association of Scholars, says deep-seated concerns — about costs and what students are learning — will keep it there.

His organization, which takes a traditionalist view of colleges, has been an internal critic of higher education for most of its

an emphasis on identity politics and what they see as a drift away from colleges' core mission. Not long ago, in a bad economy and with an aging professoriate, the group's future (https://www-chronicle-com.ccl.idm.oclc.org/article/National-Association-of/137607/) was in question.

But recently it has been revitalized, Wood says. Membership has nearly doubled in the past six years, with many of the new sign-ups coming not from academe but from the general public. NAS's budget, which is entirely fueled by donations, is up 60 percent. Increasingly, Wood is asked to speak at events off campus, not on.

His is just one group, Wood says, but "if we're experiencing this sea change, then others must be, too. I'm registering this as a change in the public mood."

The fights over free speech may provide a template, with legislators more willing to jump in to try to set college policy. Experts point to issues like guns on campus or legislative attempts to eliminate unpopular majors. Lawmakers in Missouri recently mandated that all college students take a civics course to graduate. In Texas, lawmakers forbid public colleges from working with contractors that boycott Israel.

Nor do the interventionist efforts fit along narrow partisan lines. In North Carolina, conservative lawmakers and the trustees they appointed hamstrung University of North Carolina leaders as they attempted to decide what to do with

Some college leaders chafed under the Obama administration's more aggressive regulatory approach on issues like sexual assault and discrimination.

Legislators may be less and less willing to defer to academic leaders, or even trustees, because they disagree with college policy or because they feel that administrators are not moving fast enough. Higher education has had plenty of time to deal with its own problems, Wood says, "and it has basically shrugged."

Harnisch, of the American Association of State Colleges and Universities, says increased legislative activism may also be the result of a generational shift in statehouses. Today's lawmakers may be skeptical of higher education, but they also are more likely to have graduated from college themselves. Familiarity with higher education may give them confidence to think they can diagnose — and fix — colleges' problems. "Previous generations had less experience with higher ed," Harnisch says, "so they tended to be deferential to college leaders and their expertise."

Nor is legislation the only way that outsiders are looking over the shoulder of administrators and professors.

The University of Nebraska, for example, got in hot water in the case of the campus activist and the graduate student in part because the state Republican Party submitted an open-records request for administrators' emails in the matter.

The University of Michigan has been asked to defend (https://www.aei.org/publication/an-update-on-my-efforts-to-advance-civil-rights-equity-and-justice-and-end-discrimination-in-higher-education/) more than a dozen programs against charges that they give preferential treatment to women.Interest groups, such as organizations backed by the fossil-fuel industry, have used the Freedom of Information Act to obtain the records of scientists whose research they oppose.

In Wisconsin, the Republican chairman of the State Assembly's Committee on Colleges and Universities wrote to a political-science professor at the flagship campus to criticize how his course syllabus characterized President Trump, and threatened to withhold funds to the university unless it canceled another course, on whiteness.

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Despite an increased appetite by lawmakers to act, the pace of legislative change is often plodding — only about half the free-speech bills introduced across the country, for example, have actually become law.

But that's not always the goal. Shelby Emmett is director of the Center to Protect Free Speech, part of the American Legislative Exchange Council, a network of lawmakers and corporations that back conservative causes and support free-speech legislation. When Emmett goes to statehouses, she says, she is often approached by university lawyers who want to tell her how their campuses are revising their policies.

It doesn't always take enacting a law to make change, Emmett says — in fact, maybe it can just take a hearing to get colleges to act. "It's legislators finally putting their foot down," she says, "and saying, enough's enough."

Holden Thorp, provost at Washington University in St. Louis, says college leaders need to encourage more dialogue, both on campus and with the public. The public doesn't fully understand university practices, like tenure, while faculty members often don't get the expectations lawmakers and the general public have for higher education.

"To the public, shared governance, tenure, academic freedom — it's all a mystery," he says. "And the faculty say, no one told me as a young professor that a major part of my

Administrators have to do a better job bridging those gaps, explaining to the public, for example, that academic freedom is important to having a strong university. And faculty members have to appreciate colleges' role in spurring economic growth or preparing students for careers. "We have a disconnect," Thorp says, "inside and out."

Sometimes, though, there are inherent contradictions between how colleges are judged externally and internally. Dirks, the former Berkeley chancellor, points out that it's not uncommon for colleges to boast of low admission rates, as a measure of quality. "We don't always think," he says, "that when we say we have a 17-percent acceptance rate, the public hears that we have an 83-percent rejection rate."

College leaders need to be more effective at explaining the trade-offs they face, experts say, such as how climbing tuition at public institutions is the result of stagnating state support for higher education. And they need to better understand, and better respond to, the anxieties of those who are economically struggling.

Clifton M. Smart III, president of Missouri State University, says that in these polarized times, he tries to ensure his university is viewed as neutral space. President Trump came to the campus last fall, and the college has hosted speakers from Black Lives Matter. "I tell people I'm not a Democrat or a Republican but a member of the Bear Party," Smart says, referring to Missouri State's mascot.

Still, it may not be sufficient to approach this as a PR problem. Legislators and members of the general public who are frustrated with higher education are seeking to change how colleges do business. Even many educators say it is time for colleges to find new and more effective approaches to preparing graduates for a shifting work-world and to meeting local needs.

“We may have to do more than tell our story better,” Dirks says. “We may have to change the story we tell.”

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Correction (2/18/2019, 2:36 p.m.): An earlier version of this story misstated the location of Evergreen State College. The story has been corrected.

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