

## How can American universities mount an effective resistance?

The speed with which the second Trump administration has driven the policy and institutions of the United States toward the extreme right has been surprising even to those who feared the worst after his election. Republican positions on immigration, civil rights, public services, and international policy have already radically reshaped the US's place on the international stage. Things are no different for our American colleagues in higher education. Recently, groups as remote as the [European Federation of Academies of Sciences and Humanities \(ALLEA\)](#) and the [Académie des sciences in France](#) have published statements expressing concern at the rapid erosion of academic freedom. Of course, this fact is also not lost on those working for the unions that represent those working for US universities. Leonore Fleming, president of the [Utica University chapter of the American Association of University Professors \(AAUP\)](#), describes the environment as “all hands on deck here, with every day bringing a new nightmare.”

One major target has been university finances. Recent threats to [radically restrict the federal funding provided to universities via grants](#) from the National Institutes of Health (NIH) and National Science Foundation (NSF) have led, for instance, to a [complete pause of doctoral admissions at the University of Pittsburgh](#), and a [rumored 50% cut in doctoral admissions at the University of Pennsylvania](#). Freezes on the disbursement of funds from other federal grants have been instated, then changed, then reversed; at the moment there is precious little clarity. These funds are often vitally important to smaller universities and those that serve disadvantaged populations, like Utica. Fleming writes that “we’re in a very precarious position financially, in that if students aren’t able to get federal funds, then that drastically reduces the number of students who will be able to enroll.”

Another target has been programs dedicated to the advancement of women, LGBTQ+ persons, or racial and ethnic minorities. Just a few days ago, a [letter from the Office for Civil Rights](#) declared that any scholarships, activities, programs, or even prizes and graduation ceremonies that invoke race are now considered to be illegal by the federal government. The Trump government has also attempted to expand the traditional category of “DEI” to “DEIA,” with the “A” meaning accessibility, i.e., [accommodations for disabled people](#).

How have these threats been faced by union activists? The union landscape in the United States is, in many ways, radically different than that in Europe. There are no guaranteed rights to organize, to demonstrate, or to strike. The [Taft-Hartley Act](#), passed in 1947, declared all solidary strikes, political strikes, and general strikes to be illegal as a matter of federal law. The only legally permitted strikes are those intended to directly negotiate improved labor conditions with an employer – and if those demands are “merely economic,” then under certain conditions the employer is permitted to replace striking employees. In part for this reason, there has been much less union consolidation in the US than in Belgium: unions tend to be tightly tied to the industry of their workers. The largest higher education union in the US, for instance, is the United University Professions (UUP), which represents the faculty and staff only of the State University of New York system.

Given this limited reach and the importance of litigation in American society, in many cases, the most effective lever of political power is not demonstrations or strikes, but participation in lawsuits. Beyond the world of higher education, unions have [sued to stop Elon Musk’s Department of Government Efficiency from accessing private data](#) (including a similar such [suit brought by teachers worried about their data held by the Department of Education](#)), and for [shutting down the US’s major foreign aid programs](#). Universities have largely focused on Trump’s anti-DEIA crusade, [arguing that it amounts to a violation of universities’ rights to free speech](#).

At the local level, the most important goal is to prevent “anticipatory compliance,” or the tendency to bow to Trump’s demands even before such compliance is legally or administratively necessary. Fleming notes that “it seems that most institutions, big and small, are led by cowards who want to comply so as not to be on Trump’s radar, as if somehow that will save them from his wrath. It’s incredibly discouraging.” But it’s precisely here that local union resistance can have, and is having, an important impact.

One piece of good news: in the lawsuit filed by (among others) the AAUP against Trump’s anti-DEIA policies, the judge has already rendered an injunction blocking two of Trump’s broadest executive orders, a good sign of the potential force of union solidarity!

### Learn More

Websites by the [American Federation of Teachers](#), [American Association of University Professors](#), and [United University Professions](#) are kept up to date with the latest information on the union fight.