

1 SENATE RESOLUTION IN RESPONSE TO EXECUTIVE ORDER 13950

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5 **WHEREAS**, universities are spaces where individuals are encouraged to attain, innovate,
6 explore, challenge, research, and develop knowledge through exposure to and discussion of the
7 infinite “universe of ideas” humanity has developed over time; AND

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9 **WHEREAS**, this body has already affirmed CSULA’s Statement of Diversity and Inclusion
10 and the university’s faculty has a codified obligation to “never seriously hamper or compromise
11 freedom of inquiry”; AND

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13 **WHEREAS**, this university has long acknowledged and affirmed the Principles of Academic
14 Freedom, and more recently established its College of Ethnic Studies whose stated mission is to
15 “develop leaders who engage in rigorous, self-reflexive study that motivates critical engagement,
16 self-determination and decolonial understandings of the world”; AND

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18 **WHEREAS**, American universities (while not always successful) have traditionally aspired to
19 be free from intellectual oppression and external political force of any kind; AND

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21 **WHEREAS**, despite any misinformation suggesting the contrary, studies reveal that university
22 faculty, staff and administrators maintain a healthy and balanced variety of political and
23 ideological perspectives; AND

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25 **WHEREAS**, to suppress the clear and important contributions critical theory and the humanities
26 make to the intellectual growth, cultural contributions and social innovations of this nation is to
27 deny American students access to educational advantages their counterparts in universities
28 around the world currently enjoy; AND

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30 **WHEREAS**, to withhold federal funding from any institution or organization that discusses,
31 trains, and/or educates society on the ways in which laws, institutions, culture and social systems
32 function to perpetuate bigotry and oppression is to provide compelling evidence for precisely
33 why critical theory and the humanities must remain in university curriculum and all workplace
34 training and hiring practices; AND

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36 **WHEREAS**, to deny funding assures that racial and sex-based reconciliation will never take
37 place between members of marginalized groups and those that benefit from inequitable systems;
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40 **WHEREAS**, as a condition of employment, all CSULA employees are required to affirm the
41 State of California’s Oath of Allegiance, which demands that we “bear true faith and
42 allegiance to the Constitution of the United States and the Constitution of the State of California;
43 AND

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45 **WHEREAS**, our nation's first constitutional amendment and our state's second
46 constitutional amendment are both designed to promote, not thwart, the free exchange of ideas
47 without governmental interference; AND

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49 **WHEREAS**, withholding federal funding from any recipient who discusses, distributes or gives
50 consideration to ideas, perspectives, academic fields, trainings and practices designed to build a
51 more equitable and just society is (at its core) politically motivated, anti-American and in direct
52 violation of our oath; THEREFORE, BE IT

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54 **RESOLVED** that the Academic Senate of California State University, Los Angeles will never
55 comply with any government attempts to suppress knowledge, ideas, cultural and social
56 innovations that have been developed over the course of human history; AND

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58 **BE IT FURTHER RESOLVED** that the Academic Senate of California State University, Los
59 Angeles recommends in the strongest possible terms that no unit or administrative entity of
60 California State University, Los Angeles ever comply with any government attempts to suppress
61 knowledge, ideas, cultural and social innovations that have been developed over the course of
62 human history; AND

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64 **BE IT FURTHER RESOLVED** that we join the rest of the world academic community and
65 millions of Americans in resolutely denouncing the intent and function of EO 13950 and,
66 instead, reaffirm the CSU's mission and supportive strategy, which "protects the University as
67 a forum for the discussion and critical examination of ideas, findings, and conclusions."
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82 **BACKGROUND**

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84 On September 17, 2020, President Donald J. Trump announced his intention to sign an executive
85 order creating a national commission to promote what he referred to as “patriotic education.” In
86 rationalizing his decision to create the order, he stated:

87 The narratives about America being pushed by the far left and being chanted in the streets
88 bear a striking resemblance to the anti-American propaganda of our adversaries, because
89 both groups want to see America weakened, derided, and totally diminished. Students in
90 our universities are inundated with Critical Race Theory. This is a Marxist document [*sic*]
91 holding that America is a wicked and racist nation, that even young children are
92 complicit in oppression, and that our entire society must be radically transformed. Critical
93 Race Theory is being forced into our children’s schools, it’s being imposed into
94 workplace trainings, and it’s being deployed to rip apart friends, neighbors, and families.

95 **President Trump, White House Conference on American History**

96 Five days later, mimicking language that would traditionally reflect concerns associated with the
97 concerns of marginalized communities and their experiences with institutionalized bigotry, the
98 president signed **Executive Order 13950: Combating Race and Sex Stereotyping.**

99 As progressive as the EO’s title might sound, the order actually threatens to economically gut
100 programs designed to combat institutional racial and sex-based oppression. Targeting critical
101 studies writ large, undoubtedly EO19350 is intended to erode the knowledge base of public
102 university students across the board. However, it is specifically designed to target the humanities
103 by demanding (through financial extortion) that foundational theories/theorists central to the
104 study of literature, philosophy, history, human geography, law, political science, the arts and
105 media entertainment studies be censored from the curriculum. This includes, but is not limited to
106 theories/theorists associated with historical criticism, critical race theory, feminism, post-
107 feminism, critical culturalism, Marxism, neo-Marxism, post-structuralism, post-modernism,
108 deconstructionism, queer theory, and post-colonialism. The order withholds federal support from
109 any funding recipient engaged in the teaching, training or instruction of institutional oppression,
110 as well as theories regarding how it functions and replicates. Thus, EO 13950 impacts our
111 university at every level of the CSULA community: from students and faculty, to staff,
112 administrators and any organization with whom we partner.

113 Arguably, the expressed purpose of the order is to censor and defund what President Trump
114 defines as “anti-American” propaganda and training. Towards that end, his administration
115 identified what they called “divisive concepts” now declared “disqualifying factors” for any
116 institution, organization, contractor or subcontractor seeking federal support.

117 Many of the “divisive concepts” identified in Sec 2 of the order are foundational axioms within
118 critical theory and impulses underwriting inquiry within the humanities. These “divisive
119 concepts” to which the order refers exclude any future recipient of federal funds from including
120 in their curriculum, research pursuits, staff and faculty training, employment and other
121 operational functions anything designed to address or redress the following beliefs:

- 122 1) one race or sex is inherently superior to another race or sex;
- 123 2) the United States is fundamentally racist or sexist;
- 124 3) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or
- 125 oppressive, whether consciously or unconsciously;
- 126 4) an individual should be discriminated against or receive adverse treatment solely or
- 127 partly because of his or her race or sex;
- 128 5) members of one race or sex cannot and should not attempt to treat others without
- 129 respect to race or sex;
- 130 6) an individual's moral character is necessarily determined by his or her race or sex;
- 131 7) an individual, by virtue of his or her race or sex, bears responsibility for actions
- 132 committed in the past by other members of the same race or sex;
- 133 8) any individual should feel discomfort, guilt, anguish, or any other form of
- 134 psychological distress on account of his or her race or sex; or
- 135 9) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a
- 136 particular race to oppress another race.
- 137 10) The term "divisive concepts" also includes any other form of race or sex stereotyping
- 138 or any other form of race or sex scapegoating.

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140 In a recently published assessment of this order by the *National Law Review*, Schaengold,
141 Schipma and Muenzfeld forewarn "Because the E.O. identifies potentially significant
142 consequences for violations of the prohibitions contained therein, federal contractors and
143 subcontractors, as well as federal grant recipients, should carefully assess and monitor their
144 compliance with the E.O. requirements."

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