American higher education has been gripped by a moral panic since the January 6, 2021 Capitol Riot, one that adds to the moral panic that ensued after the death of George Floyd in Minneapolis in May 2020. Faculty and administrators have made use of both events to impose restrictions on academic freedom and free speech in the name of “ending racial violence” and “combating domestic extremism.” In March, Portland State University imposed restrictions on the ability of faculty members to criticize the work of other faculty members or departments. Justified in the name of protecting academic freedom, the restrictions offer administrators a new tool with which to censor the already vanishingly small number of voices that dissent against illiberal orthodoxies on campus. The New Censorship also goes a step further to deny academic freedom to voices deemed “racist.” Portland State president Stephen Percy refers to this as a “new status quo.” This assault on academic freedom in the name of academic freedom has implications well beyond higher education.
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What’s At Stake

Threats to American liberties and constitutional foundations have often emerged from colleges
and universities where radical and utopian ideas flourish unconstrained from the normal give-
and-take of practical society. Since many Americans spend time raising their families, working
hard, and contributing to their communities, the ideas that take root in higher education and then
spread to K-12 as well as to the public and private sectors seem to appear out of nowhere as faits
accomplis. In the wake of the January 6 Capitol Riot, a new wave of activism has risen up on
campus that goes beyond the informal censorship of unpopular viewpoints. It seeks to explicitly
deny freedoms of speech and publication to voices deemed “racist” or “nativist” or “unWoke.”
The New Censorship may not be readily apparent to the average American who wishes to be left
alone to live his life in dignity. But that wave threatens to swamp American society. This report
details the emergence of the New Censorship in American higher education since the January 6
Capitol Riot by tracing of its evolution at one state university. Americans need to be ready to
face this new assault on their basic freedoms.

Background: The Capitol Riot Panic in the Faculty Lounge

In the wake of riot at the U.S. Capitol on January 6, 2021, and building upon the riots across the
country after the death of George Floyd in Minneapolis in May 2020, the academic Left has
called for the censorship of viewpoints and voices in the United States that critics deem to be spreading racism, falsehoods, or incitements to violence. Social media companies, movie and television streaming services, and even publishers have acquiesced to these calls by banning and removing content. This New Censorship has targeted conservative and classical liberal voices almost exclusively while leaving untouched the falsehoods and incitements to violence that saw the United States endure over 100 days of violent insurrection, attacks on police and government buildings, and destruction of property and loss of life during the Summer of 2020.

Within higher education (as well as K-12 education) this New Censorship has found expression in both intrusive new mandates for “anti-racism” training and in limitations on the free speech and academic freedom of academic faculty deemed to be agents of “white supremacy.” Continuing in the mode of moral panic set off by the Summer 2020 riots, both faculty and educational administrators have imposed new restrictions on campus free speech and intellectual diversity.

At Stanford University, for example, activist faculty in February asked the university to “investigate” three fellows at the Hoover Institution who had expressed conservative views on the 2020 presidential election, COVID-19, and the Capitol Riot. The faculty members sought to end Hoover’s institutional independence so that it could no longer provide a refuge at Stanford for non-left wing views, now reimagined as “racist.” Nor would Hoover scholars be allowed to continue to provide criticisms, now called “intimidation” or “targeting”, of left-wing scholarship, or Woke Studies.1 Calls have resounded throughout academia for new limits on what Harvard professor Julie Reuben calls “the misuse of academic credentials to mislead rather than enlighten.”2 It is no surprise that Reuben and others making these appeals define “misleading” views as conservative or classical liberal viewpoints, whereas “enlightened” views emanate Buddha-like from the academic Left.

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Patricia McGuire, president of the Catholic Trinity Washington University, has been at the forefront of calls for universities to remake students, faculty, and programs with an overarching emphasis on “racial justice.” The role of university, she writes, is to “improve the ability of our graduates to be stewards of truth, leading this nation forward more affirmatively along the arc of justice.”

These self-anointed enlightened educators appear to have forgotten that a free and pluralist society contains different views on what constitutes “justice.” This is a core insight of human thinking going back to Plato’s Republic. Yet in one short generation, radical academics, joined by fellow radicals in K-12 education, mainstream media, and elite culture, have abandoned this basic commitment to tolerance and pluralism, and with it the commitment to preserve the basic speech freedoms of fellow citizens whom they slander as “racists.” Those views are morally overridden by administrators and faculty who believe that their views on the matter are definitive and timelessly true, and that if one disagrees one is not merely mistaken but morally suspect. Under this view it follows that speech restrictions must be adopted and institutionalized.

The language being used to justify these new impositions on basic freedoms suggests an attempt to reconceptualize the foundations of a free society, albeit in a way that harkens back to a long tradition of “revolutionary justice” in the Western tradition. Since the French Revolution, the revolutionary Left in Western societies has repeatedly sought to draw a line between “correct” and “incorrect” ideas, the former to be empowered by historical necessity and the latter to be marched up the scaffold. This historical cycle is playing out again in American higher education in the wake of the Capitol Riot. This report highlights one such recent shift at Portland State University, a public research university in Oregon.

The “Anti-Racist” Revolution at Portland State University

Portland State University president Stephen Percy has been an over-achiever in redefining the purpose of the university from excellence and freedom in research and teaching to anti-racist

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activism. Amidst a major budget emergency, steeply falling enrollment, and a crisis of teaching quality due to COVID, in January 2021, Percy proclaimed that “my highest priority is sustaining and amplifying our commitment to racial justice.”

Percy has accordingly redefined the mission and purpose of Portland State. He did so without apparently having consulted the university’s Board of Trustees or Faculty Senate, or with the state’s higher education or relevant legislative bodies. “What is the highest purpose of a public institution? It is incumbent on people to explain why racial equity is the highest priority,” he stated.

Following the January 6, 2021 Capitol Riot, Percy issued statements of dismay and anger. In his case, they were particularly ironic because he had failed to condemn 100 days of similar violent insurrections a few blocks from his own campus, which he and other faculty members described as fact-based, peaceful, pro-democratic, and enlightened: “Against the backdrop of nine months of protests for racial justice, today’s attack on democracy and the response is jarring and frightening to so many of us, particularly those who have been marginalized and are demanding justice and equity.”

Percy’s reductive and obsessive focus on race reached new depths on February 17, 2021 when he sent an email to the campus community on bias incidents around the U.S. targeted at Asian-Americans: “As a white male, I am very aware that white supremacy and xenophobia is at the heart of racism. I have made it a personal goal and a goal of this institution to prioritize racial justice and do the work to end racial violence. Please join me in this essential effort.”

Percy has not explained why these incidents, most of which have been linked to black assailants, should be ascribed to “white supremacy.” Percy nonetheless has used these incidents to justify imposing an anti-racism agenda on Portland State.

The Make-Believe Woke@PSU Capitol Riot

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In response to these new assaults on the foundations of the university, students, faculty, and administrators around the United States have joined national efforts to use opportunities presented by greater digital transparency during the COVID pandemic to capture and share egregious abuses in teaching and administrative behavior on campus. Many of these abuses have been divulged through regular media channels. One of these initiatives began at Portland State in February on Instagram in which campus members were invited to post information from classes or other campus events and activities under a “woke@PSU” page.

On February 6, 2021, a course pack given to students in a mandatory course on teaching training “for social justice” in the Portland State College of Education was uploaded onto the woke@PSU Instagram page. The 173-page course pack was a catalogue of Woke Studies indoctrination and agit-prop. It included a film entitled “Color Film was Built for White People”, an article entitled “Math is Racist,” and a list of “Covert White Supremacy” actions including advocating a color-blind society. Students were instructed how to submit “autoethnographies” with strict guidelines about the need for soul-searching self-criticisms about their privilege.

Within hours, the course packet had been shared on various platforms hundreds of times and viewed thousands of times. Copies of the slides circulated widely and were accompanied by significant critical commentary. That was to be expected because the contents of a mandatory course in teacher training at a public university are a matter of public interest, especially when students in the classroom consider the contents to be offensive and unprofessional. The divulging of these course contents is often the only way for students to seek remedy for perceived wrongs in the classroom. This, for instance, was the case with Canadian graduate student Lindsay Shepherd’s recording of the struggle session her faculty put her through after she aired a public television debate in her classroom.8

On February 8, an unspecified number of faculty and students at Portland State deemed to have participated in this “woke@PSU Capitol Riot” received emails from college deans demanding that they remove their social media repostings and comments on the student course materials.

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8 Paola Loriggio, “Lindsay Shepherd Says She Had to Record Meeting that Spurred Jordan Peterson Lawsuit,” Canadian Press, 1 March 2019.
The reasons given were that the slides contained student information (although only first names were in the slides) and that the slides might violate copyright restrictions (how precisely was not explained).

Among those who shared the course slides on their social media accounts and received the gag order emails were two PSU faculty members who have been subjected to repeated administrative and departmental attempts at censorship and punishment because of their criticisms of Woke Studies on campus: philosophy assistant professor Peter Boghossian and political science professor Bruce Gilley. Both Boghossian and Gilley complied with the requests out of courtesy and because of deference to the two claims, namely those concerning student information and copyright. Both nonetheless insisted on their rights to engage in the public debate on the publicly available course pack.

It is important therefore to summarize what happened: a student aggrieved at abusive practices in the classroom shared a course pack on social media and some PSU students and faculty were among the hundreds of people who shared that posting and commented on it. In a normal environment, this would be considered part of the contest of ideas in a free society. At most, as in this case, where administrators identified a possible concern about student information or faculty copyright, it would be described as a compliance question. Where students and faculty complied with those concerns, the issue would be concluded.

But in the post-Capitol Riot academy, all criticism of the orthodoxies of Woke Studies professors has been redefined as “insurrection” and “mob violence.” A narrative rapidly took shape among PSU faculty that a “violent insurrection” involving “mob violence” had taken place at Portland State akin to the Capitol Riot of January 6. This caused a moral panic among the Woke faculty at PSU who, as in their post-George Floyd hunt for phantom racists on campus, seemed compelled by the need to feel they had experienced a Capitol Riot. Administrators and activist faculty called for investigations, sanctions, and a New Censorship. The faculty narrative was grandiose and

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delusional, as if a mob of Confederate flag-waving deplorables had laid siege to the university’s School of Gender, Race, and Nations with projectiles and live fire.

Nothing of the sort happened. Moreover, there is no evidence that the faculty member whose course materials were shared suffered anything more than the normal slings and arrows of life in the public realm. If he had, there is no question that appropriate police investigations should be taken against those making threats of violence. Instead, the activist faculty described the sharing of some course slides on Instagram as “harassment,” “intimidation,” “mob violence,” and “bullying.” This background is critical to explaining what came next.

The Gag Order Resolution

Portland State University operates in a quasi-self governing manner. It has a faculty senate that is supposed to share governance with the university administration, along with the faculty union, all of it overseen by a Board of Trustees. Within days of the Woke@PSU Capitol Riot idea taking shape, the steering committee of the faculty senate drafted a “resolution” that reflected this make-believe world.

The resolution begins by suggesting that the sharing of the student course materials had “replicated” the Capitol Riot including “mob intimidation and reckless endangerment of human life.” It further states: “The attack on the U.S. Capitol is…troubling for the precedent it sets for similar actions to be replicated at other institutions, including universities.” This equivalence was later made explicit by the faculty member who introduced the resolution in a subsequent faculty senate meeting.11

The resolution then makes a series of sleights of hand, describing the sharing and commentary on the course slides in various dark tones, using words like “intimidation.” For example: “When faculty become active in, or even endorse or tacitly support, public campaigns calling for the intimidation of individual colleagues they disagree with, or with an entire faculty they disagree with, they are undermining academic freedom.” Thus, in a single sentence, the resolution

11 Minutes 36:20 to 37:15, https://www.youtube.com/watch?v=aWeB9QJeWs
imposes a gag order on criticisms of a university’s professors, programs, teaching, and research - criticism which is itself the heart of academic freedom -- as an abuse of academic freedom. The resolution then affirms the new description of normal criticism as “bullying” and “cynical abuse” stating: “As Faculty, we must be thoughtful in our exercise of academic freedom and guard against its cynical abuse that can take the form of bullying and intimidation.”

The resolution, in redefining normal debate and criticism, as acts of “intimidation” and “bullying”, falls afoul not just of common sense but of constitutional protections and normal workplace employment law, especially for a public university where faculty governance and academic freedom are core principles subject to state laws. Nor does it contemplate the implications the resolution would have if applied to Woke Studies professors who regularly engage in such “intimidation” of their unWoke colleagues.

The resolution is breathtaking in its carefree approach to the principles of which it professes attachment. This should be a matter of grave concern to the key stakeholders of Portland State University who, despite the pretensions of small numbers of activist faculty, are mainly defined as the citizens of Oregon (where 40% of voters opted for the Trump/Pence ticket in the 2020 presidential election), the alumni of the institution, and the Board of Trustees tasked with protecting the institution from just such assaults. What came next showed that the animus behind the resolution was far more censorious than it at first appeared.

Faculty Senate, Act 1: “Stop the Shit”

The resolution was presented for discussion and approval at a Portland State faculty senate meeting of March 1, 2021. Even by the standards of the contemporary academy, the live-streaming faculty senate “debate” on the resolution was notable in making painfully clear the disappearance of viewpoint diversity on campus and the emergence of a new racial justice activism animating taxpayer-funded universities. The meeting was live-streamed and then uploaded for public viewing on YouTube (the relevant half-hour section is from minutes 34:25 to 1:03:25). The OAS has created a 5-minute summary video of the relevant comments in the meeting here. It encourages readers to view the full video and judge for themselves.
It is important to note that while Portland State is a comprehensive research university, those who spoke on the resolution all represented Woke Studies departments where intellectual involution and ideological monoculture have been widely noted – in this case from women and gender studies, film studies, social work, anthropology, sociology, and languages and literature. The university’s sciences, business, engineering, government, economics, and other fields which have preserved at least symbolic acknowledgement of the possibility of reasonable conservative, classical liberal, or otherwise heterodox (“unWoke”) views are not represented in the discussion.

In Act 1 of the faculty senate “debate” on March 1, the resolution was warmly supported on the grounds that criticism of Woke Studies professors and their courses is “illegal,” “targeting,” and a form of “extramural political campaigns.” Jose Padin, a sociology professor, stated that “we stand for truth” and that the resolution would prevent “the propagation of lies about how the university works.” Jon Holt, a professor of languages and literatures, provided a coda to the arguments for the gag order: “Stop the shit… of attracting mob violence towards some of our colleagues.”

Again, there is no evidence of any “mob violence.” There is exceptional evidence of an apparently deep-seated need by the Woke Studies faculty to believe that there has been “mob violence” targeting them. In this sense, the statement “we stand for truth” provides, along with the titling of the resolution as in support of “academic freedom”, evidence of delusional and Orwellian views among Portland State faculty that should be concerning to students who seek evidence-based and reasoned positions from their professors. What came next, however, overshadowed even this issue.

Faculty Senate, Act 2: “A New Status Quo”

Consistent with the appeals by many university presidents in the United States, including Portland State president Stephen Percy, to transform the university into an “anti-racist” institution, faculty have not surprisingly taken up the challenge with proposals to police their colleagues and their colleagues’ research and teaching, for evidence of “racism.” This, for instance, was the proposal of Princeton faculty in 2020 for a special committee to “oversee the
investigation and discipline of racist behaviors, incidents, research, and publication on the part of faculty.”

In July 2020, Portland State’s “academic freedom” union representative, film studies professor Jennifer Ruth, also a member of the national AAUP’s academic freedom committee, welcomed the idea of faculty policing their colleagues for racist behavior rather than relying upon the university’s normal processes, which respect professors’ rights as spelled out in contract and university code: “Faculty are better positioned to understand the nuances and complexities involved in teaching diverse populations in a rapidly changing social landscape with rapidly changing cultural norms.” Ruth wrote that handing over quasi-judicial functions to revolutionary faculty committees would allow faculty to purge colleagues whose views they dislike, free from concerns about traditional issues like the rule of law or political pluralism that unduly constrain administrators. Some universities like Portland State, she continued, had actual white supremacists on campus who should be punished:

[We] are still forced to live in perpetuity with that faculty member whose discriminatory actions are not unintentional—the rare faculty member who is a white supremacist or not above playing to a dangerous alt-right emboldened by a race-baiting president. This person—who may sound like a bogeyman to those whose campuses are happily free of such people but will be readily recognizable to those whose campuses aren’t—is never disciplined or, if he is, he is disciplined with dramatically less severe consequences than are others. This is because he implicitly or explicitly threatens lawsuits, engages right-wing organizations with deep pockets to back him, or weaponizes academic freedom as a shield.

With this in the background, it is not surprising that the “polite” discussion in Act 1 of the March 1 Portland State faculty senate meeting about “protecting” academic freedom, quickly gave way to Act 2: calls for an abolition of academic freedom and new forms of “discipline” for unWoke professors. By the end of Act 2 in this Jacobean drama, with the stage littered with the bloody corpses of what used to constitute the core principles of a university, president Stephen Percy has joined the excitement and called for “a new status quo.”

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Act 2 opens with film studies professor Amy Borden warning that the resolution as presented in defense of academic freedom “could be weaponized to support studies that would be inherently and problematically racist.” The oration is then provided by social work professor Matt Chorpenning:

We cannot require our faculty to have less racist syllabi because of academic freedom…So academic freedom is already protecting a kind of status quo, Portland polite, racism…If we want to be anti-racist as a university, we are not making a values neutral claim, and we are saying that there are things we will not tolerate…We’re not going to tolerate some of these things because academic freedom, just like lots of other things in academia in the United States of America, since this country is founded on white supremacist, settler-colonial genocide, the status quo things tend to protect that oppressive status quo. Academic freedom is still going to protect all forms, a lot of forms of things that many of us would find abhorrent, and it’s worth exploring and thinking about.

It is notable that no one in the meeting speaks out in disagreement of Chorpenning’s assault on academic freedom as an ideal. Indeed, the room is wholly animated in support, as if he has at last spoken the implicit message. Anthropology professor Michele Gamburd agrees that the faculty should be “engaged in some deep changes of the ground rules of our social hierarchy.” Women’s studies professor Vicki Reitenaur, who introduced the resolution, chimes in that she “agrees 100%” with the need for “bolder statement about what we won’t tolerate” and “would very much like to do that.” In the final speech, President Percy applauds Chorpenning’s speech and aligns himself with its message: “It’s not all about going back to some status quo, it needs to be a new status quo, one that is not so rooted in white dominance as so many of our policies and practices are.”

The senators then vote 47 in favor with none against and three abstentions. Thus what was initially presented as a clarification and reaffirmation of existing rules protecting academic freedom while upholding professional rules of conduct against physical or online threats has transformed through group dynamics animated by an overarching group delusion into “a deep change in the ground rules of our social hierarchy” and “a new status quo.”
This end-game then becomes a powerful way to understand the animus and pressures that administrators acted upon when they gagged faculty and students who had shared the course slides after the make-believe Woke@PSU Capital Riot of February 6. Far from the narrowly construed issues of student information and faculty copyright, indeed even removed from the question of protecting an atmosphere conducive to the free exchange of ideas, this second and concluding Act showed that the Woke faculty driving PSU institutional choices were motivated by a new view that it is the mission of the university to root out unWoke professors and students, since, to use the words of President Percy, they are “rooted in white dominance.” In this future, the taxpayer-funded institution will introduce mechanisms that further entrench itself in a cult of “social justice”, a cult that replicates a set of approved moral orthodoxies by creating an ideology mill.

The President and Provost Applaud

The next day, March 2, Percy and PSU provost Susan Jeffords (a critical women’s studies theorist) issued a letter to the campus applauding the new resolution. Like the faculty senate, they linked the new restrictions explicitly to the Capitol Riot: “The unlawful action at the nation’s capital on January 6 has put the issue of free speech in sharp relief. We are more aware than ever that words matter and that the spreading of false information can have dire consequences.” Thus the delusion of a make-believe Woke @PSU Capitol Riot permeates to the highest levels of the university, now acting in the name of combating “false information.” They then applaud the resolution as an appropriate act in response. The resolution, they state, “lays out the policies that support free speech and academic freedom while also guarding against its abuse.” The aim is to protect faculty from “harassment or other pressure from individuals or groups off campus” and “creating a safe space for a variety of perspectives and debate of intellectual ideas.”

Implications

While it is easy to dismiss the case of Portland State University as just another episode of campus follies in a city long left for dead, the trend is more general. It involves attempts to redefine free speech and normal debate (including criticism) as “harassment” or “mob

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14 “Standing with the Faculty Senate on academic freedom”, 3 March 2021.
“intimidation” when the subject of criticism is part of a self-styled progressive force. The New Censorship goes further, however, to suggest a sort of affirmative action in the distribution of free speech rights away from unWoke or “racist” individuals in the workplace towards the Woke and “anti-racist”. The former will not be tolerated, while the latter will be given extra scope and protections from criticism, irrespective of the abusive and unprofessional nature of their work.

In the case of public universities, despite being almost certainly unconstitutional and a violation of state laws pertaining to public universities and public sector employment, such restrictions reflect a post-Capitol Riot sense of empowerment on the academic Left. More broadly, the New Censorship in higher education, K-12 education, the media and many private corporations reflects a project that is no longer constrained by legal norms or the expectations of a free society, both now deemed “racist”. Citizens, advocates, and policy-makers have a duty to intervene to protect the freedoms of a liberal society from this New Censorship.

**Action Responses**

For those in higher education, the New Censorship provides an opportunity to rethink accountability mechanisms for both public and private institutions whose activist faculty and Woke administrators are now a clear and present danger to the mission of the university. The obvious points of access for a correction of these problems include:

- Individual faculty need to be prepared to make use of legal remedies where their employment and speech rights are infringed by the New Censorship.
- The federal Department of Education’s Office of Civil Rights may provide remedies for students or faculty affected by explicitly racist or sexist statements and actions by faculty and administrators acting in the name of “racial or social justice.”
- Advocacy organizations may seek legal remedies for the institutional policies through state attorney generals or private suits where they can prove standing.
- Access may also be available through the waste and abuse as well as whistleblower processes that are typically included in the structures of university and college Boards of Trustees.
• State legislators who are committed to the ideals of academic freedom can make use of legislative committees, requests for information, and their public standing to press for changes.

• Faculty members who are concerned about the reputational and fiscal impacts of these abuses on their institutions should organize to provide an internal response.

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