

Texas AAUP Response to Gov. Abbott's Executive Order Related to Antisemitism

FOR IMMEDIATE RELEASE | April 13, 2024 | **Contact: Brian Evans, Texas AAUP President, aaup.texas@gmail.com**

The Texas Conference of the American Association of University Professors (AAUP) is deeply concerned that Governor Abbott's recent executive order ([GA44](#) "relating to addressing acts of antisemitism in institutions of higher education") will unlawfully restrict political expression at institutions of higher education. Gov. Abbott's executive order requires all institutions of higher education in the state to "update" their free speech policies to conform to a controversial definition of antisemitism that condemns criticism of the State of Israel as antisemitic. We unequivocally condemn antisemitism and violence against Jews; we also condemn Islamophobia and violence against Palestinians, Muslims, Arabs, and other marginalized groups. This executive order, however, curtails the First Amendment freedoms of students and faculty at Texas universities to speak without prior restraint on issues of public concern. Messages that might be disfavored by state officials are just as deserving of constitutional protection as any other expression. Efforts by the state to censor disfavored expression undermines the free exchange of ideas that is at the heart of colleges' and universities' educational mission.

Governor Abbott's order includes two particularly troubling elements. The first is that it purports to bar certain viewpoints by imposing a particular [definition of antisemitism](#) that many organizations consider overly broad ([ABA](#), [ACLU](#), [MESA](#)). This definition of antisemitism is certainly too expansive a definition to apply to students and faculty at institutions of higher learning that have a duty to lead probing, unfettered conversations and debates on the important issues of the day.

Second, the order singles out particular student groups for investigation and sanction for their views. This is a clear departure from First Amendment norms, which prohibit state actors from singling out the speech of specific groups for restraint or punishment. The executive order, in requiring Texas institutions of higher education to proscribe specific political messages, provides a pretext for the suppression of faculty and student rights of expression and association that enjoy the explicit protections of the U.S. Constitution. It also violates norms of academic freedom.

The Texas Conference of the AAUP is guided by the words of the national AAUP's October 2023 statement, [Academic Freedom in Times of War](#), which notes:

"College and university officials are obligated to defend academic freedom; they must resist demands from politicians, trustees, donors, students and their parents, alumni, or other parties to punish faculty members for exercising that freedom. At this moment of heightened tension on college and university campuses, the AAUP calls on college and university administrations to fully protect the academic freedom of their faculties to teach, conduct research, and speak out about important issues both on and off campus."

We call on Gov. Abbott to rescind this executive order immediately so as to protect the rights of faculty and students to speak on all topics of public or political interest without fear of intimidation, retaliation, or punishment.

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The mission of the American Association of University Professors (AAUP) is to advance academic freedom and shared governance; to define fundamental professional values and standards for higher education; to promote the economic security of faculty, academic professionals, graduate students, post-doctoral fellows, and all those engaged in teaching and research in higher education; to help the higher education community organize to make our goals a reality; and to ensure higher education's contribution to the common good.