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Contact: UCLA Civil Rights Project/Proyecto Derechos Civiles
crp@ucla.edu

UCLA Civil Rights Project Statement on Trump-Musk Initiatives to Force Illegitimate Reversals of Long-Established Civil Rights Policies

The Trump administration claims that a wide variety of civil rights programs it describes as “DEI” (Diversity, Equity and Inclusion) are illegal and must be ended under threat of extreme sanctions. **The UCLA Civil Rights Project supports the [statement](#) by leading constitutional law scholars concluding that the administration’s claims are wrong.** We believe that this [legal analysis](#) will be very helpful for many institutions and individuals facing what are illegitimate claims about sudden new federal requirements and prohibitions. Using intense pressure and threats to institutions across the U.S., the administration has ordered institutions to immediately give up positive and vital programs and activities, or face losing their federal funding that may shut down entire operations or their own employment.

The current administration is trying to immediately compel one of the most dramatic reversals of racial justice policy in U.S. history – this will be a basic test of our legal system and the leadership of our institutions. The administration is also rushing to change the ways that Americans try to equalize opportunity in our society. Yet, the executive orders provide no evidence that these programs are harmful or that they exacerbate inequality of any kind. The administration does not report any research supporting its position, nor do they cite any detailed legal conclusions upon which this policy is based. In fact, the research supports the opposite basic conclusion: that DEI programs contribute to better working conditions and personal interactions in the workplaces, enhance the skills of Americans from all backgrounds and help address inequalities and prejudices.

The Trump policies and orders are being imposed on millions of people in government, and on organizations contracting with government, without having gone through any process normally required to issue a new regulation, eliminate a program, or violate civil service law. Americans deserve a rational, organized process based on law and fact and careful analysis, because the stakes for our multiracial society are exceedingly high.

As a research center that works with leading scholars across the country, the Civil Rights Project has closely followed the research and legal developments on racial equity facts and policies for several decades. We conclude that, if the federal government wishes to pursue the goal of more effectively and fairly using the talents of our diverse populations, there is a rich knowledge base and a great deal of expertise to draw on in the U.S. Unfortunately, the administration's attacks on racial justice policies ignore what has been learned and documented in more than a half-century of research. In fact, hundreds of studies from all parts of the country and syntheses of research by leading institutions, including the National Academy of Sciences, document the continuing inequality of opportunity for some groups of individuals. The research shows that in all areas of life, from prenatal development through health care and employment, large racial gaps exist. The extreme segregation of neighborhoods and educational institutions, for example, perpetuates advantages for some groups and disadvantages for others, particularly Blacks, Latinos and Native peoples.

Moreover, research based on vast data sets going back to the mid-twentieth century and following people throughout their lives, shows that targeted civil rights interventions can have a profound impact on inequality. Race conscious supports that train educators and administrators help them to understand the background and experiences of other groups. Learning from collaborative projects and study groups – all part of civil rights policies – do make a difference. Taking away these supportive policies will harm groups subjected to systematically unequal opportunity and reinforce racial inequality. We know this because many studies document the negative effects of reversals, such as those analyzing the resegregation of public schools and the shutdown of affirmative action policies in some states beginning in 1996. Policies widely supported as positive steps by U.S. colleges, for example, have suddenly become illegal with the signing of the new executive orders. People are being fired from their jobs, and long-established educational programs in public schools and colleges are being shut down under a legal standard that did not exist before this administration and was not instituted in a new law or in any Supreme Court decision to date. Considering race in admissions was forbidden in the Supreme Court's 2023 opinion but there are many other legal actions and programs that make a difference.

It is very important at a time like this to ask: What is the basis of the extraordinary powers the administration suddenly claims? This is exactly what the leading constitutional experts are telling all of us in [their statement](#) that we disseminate today.

The Civil Rights Project, which has experts involved in research and litigation on such issues since its creation at Harvard University 28 years ago, concludes that the Trump policies are not only without any adequate legal basis, but they amount to coercive tactics to severely harm or destroy programs that produce gains in racial equity and benefit the whole society.

From the beginning of serious civil rights enforcement in the 1960s, after a lull of more than 70 years following Reconstruction, it has been apparent to a wide range of educators, judges and experts that successfully going from a history of deeply embedded inequality to successful outcomes requires support for difficult changes in a polarized society. Hundreds of court orders and voluntary desegregation plans have, for generations, included training of teachers and administrators with limited inter-racial experience, raised in communities believing in stereotypes. Sections of the 1964 Civil Rights Act

included community relations work and preparation for desegregation as well as research. What is now condemned as “DEI” was often required as part of desegregation plans and supported by school leaders, who knew they were dealing with difficult community changes. President Nixon, though a strong critic of desegregation requirements, worked with congressional leaders to support the creation of a federal desegregation aid program that lasted throughout the 1970s. It was not mandated but districts could apply for the grants, which were in great demand from many parts of the country. From research in the late 1970s there was strong evidence of both improved race relations and academic achievement gains due to the program. Unfortunately, the federal government under President Reagan and his successors, and an increasingly conservative Supreme Court, eliminated the program in 1981.

When almost all the most competitive universities began to employ affirmative action in the 1960s and early 1970s, many of their plans included support programs; these have continued since but are now being defined as illegal by the Trump Administration. The reality is that in this country we still have very different channels of educational opportunity that lead to fundamentally different life options by race and poverty. Prohibiting race-conscious support for equalizing opportunity perpetuates inequality in education and later life. Destroying the positive efforts of DEI, and eliminating support for its important goals, will only deepen divisions in our communities. Doing this under threat and removing experts is self-inflicted damage to our valued institutions.

The Civil Rights Project believes that not only are the new policies announced by the Trump Administration illegitimate and unsupported by research or precedent, but they are also direct threats to higher education, an area in which the U.S. is presently a clear leader. Diversity has been a critical aspect of our astonishing achievements in technology, medicine, the arts, and many other areas. It has made us a magnet for talented individuals from around the world. But diversity does not thrive in a climate of intimidation or in one that fails to acknowledge its importance. We are witnessing very severe violations of the academic freedom and historic autonomy of higher education that have contributed so mightily to the extremely productive, worldwide stature of U.S. higher education.

Diversity of thought, which is the lifeblood of innovation, comes from diversity of experience. Research shows that critical breakthroughs in science and technology often result from people bringing these different perspectives to bear on a problem. DEI is at the center of supporting this activity. Colleagues and centers in some of our most important institutions, especially in states implementing sweeping limits on DEI, are losing talent who are refusing positions in areas where they are not free to do their important work and training.

We believe that blocking the teaching and discussion of our racial history and cultures distorts and demeans the academic process. Similarly, denial of a supportive environment to pursue diversity, equity and inclusion seriously damages key institutions that depend on attracting and holding strong faculties and research centers. There is powerful evidence that diversity expands perspectives and deepens understanding for ALL groups. We see great damage already being done to higher education in several of our largest states by the Trump Administration’s efforts to impose its racial ideology and to extend these serious policy reversals nationally. It is critical for American intellectuals, students, educational and community leaders to resist policies that undermine the strengths of this nation.

We strongly endorse the [memorandum](#) of constitutional law experts and call on leaders of U.S. educational and other institutions to challenge and resist illegitimate political pressures to turn the country backward.

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Resources for higher education and K-12 institutions and programs by a coalition of legal scholars:

- [memo](#) explaining why common DEI initiatives remain lawful;
- [press release](#) explaining why leaders should confidently defend their DEI initiatives.

About the UCLA Civil Rights Project/*Proyecto Derechos Civiles*:

The Civil Rights Project is co-directed by UCLA Research Professors Gary Orfield and Patricia Gándara. CRP's mission is to create a new generation of research in social science and law on the critical issues of civil rights and equal opportunity for racial and ethnic groups in the U.S. CRP is a trusted source of segregation statistics, has commissioned more than [400 studies](#), published more than 25 books and issued numerous reports monitoring the success of American schools in equalizing opportunity. The U.S. Supreme Court, in its 2003 [Grutter v. Bollinger](#) decision upholding affirmative action, and in Justice Breyer's dissent (joined by three other Justices) to its 2007 [Parents Involved](#) decision, cited the Civil Rights Project's research. In June 2023 Justice Sotomayor cited CRP's research in her dissent to the court's decision banning affirmative action in *SFFA v Harvard College*.