

House Education Committee

Senate Bill 2247

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North Dakota State Capitol

March 7, 2023

Couteau Room

10:30AM

Chairman Heinert, Madame Vice Chairman Schreiber-Beck, and Members of the House Education Committee:

My name is Andrew Alexis Varvel. I am an alumnus of UND who lives in Bismarck.

Other speakers are focused on whether or not Critical Race Theory will continue to get taught in our public colleges and universities. My objection to SB 2247 is much more narrow – against subsection 4 (to Chapter 15 Section 10.6). This subsection would mandate a “student and employee survey”. This survey would be a waste of time. More likely than not, it would be ignored by most students, faculty, and staff.

This “student and employee survey” appears to be based on a similar law in Florida. According to a 29 August 2022 article in the *Chronicle of Higher Education*, “Only 2.4 percent of the more than 364,000 students who were sent the survey completed it, a response rate so small it casts doubt on the findings themselves. The response rate for employees was slightly better: 9.4 percent of the over 98,000 employees who received the survey participated, most of them staff members, not instructors.”

<https://www.chronicle.com/article/florida-lawmakers-enacted-an-intellectual-diversity-survey-students-werent-interested>

If the results from Florida's experiment are any indicator of what is likely to happen in North Dakota, results from these surveys should be expected to be unreliable. If fewer than ten percent of students, faculty, and staff participate, these surveys become notoriously vulnerable to manipulation – or mischief – from organized political factions. North Dakota ought to be reducing administrative costs at universities, not creating new layers of administration for generating more red tape.

Regardless of what you think of Governor DeSantis, his survey has been a fiasco. Subsection 4 would waste time. It would waste money. It would waste paper. It would waste ink. This would only create more bureaucracy to administer useless surveys.

So, please delete subsection 4.

I think there would be an excellent chance for Senate Bill 2247, were it to become law, to precipitate a major lawsuit to delineate where the authority of the Legislature starts and the authority of the Board of Higher Education ends. This may or may not be the intention of SB 2247, but I do think it would be its likely effect.

Senate Bill 2247 is merely the latest avatar of a bill that has been circulating through several state legislatures. It typically gets promoted as an attempt to inhibit instruction in Critical Race Theory, but it would also inhibit instruction in old fashioned racism. So, this legislation would have been revolutionary had it been proposed at the North Dakota Legislature one century ago. Now, not so much.

In 1923, Eugenics and Scientific Racism were integral parts of the curriculum at the University of North Dakota. Preaching about the racial superiority of white people over other racial groups was also an integral part of campus culture. This included UND's very own version of the fight song "Cannibal King". Included here is a copy of a Dakota Student cartoon which celebrated the dispossession of American Indians – including taking the "Fighting Sioux" nickname as a trophy.

Cartoon in *The Dakota Student*
October 16, 1934, page 2



I think it would be safe to say that the above cartoon from the Dakota Student may have been banned if Senate Bill 2247 had been effect in 1934. The ideas expressed in this cartoon were indeed divisive, yet it is important for people in modern times to understand just how hostile student culture at UND had become toward Indians.

**1930 Homecoming Parade, October 18, 1930.
The caption "SIOUX-ICIDE for SD STATE"
referred to the visiting South Dakota State "Jackrabbits".
From the 1932 Dacotah Yearbook, page 232.**



I think it would be safe to say that this float during the first Homecoming Parade at UND with the "Fighting Sioux" nickname may have also been banned in 1930 if this proposed legislation had been in effect. This shows how North Dakota's universities have a long history of promoting racial stereotyping, now considered divisive.

I am far from convinced that Critical Race Theory is best combated through the use of legislative mandates. I think that humor* would be a more effective antidote to Critical Race Theory and its associated doctrines which consist of finger wagging abuse.

Please delete subsection 4. Thank you.

I welcome questions from the committee.

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* APPENDIX: *A tongue-in-cheek vision of how an academic witch hunt could work*

If you regard Critical Witchcraft Theory to be a glorified witch hunt, this just means that you don't understand Critical Witchcraft Theory. So, you will need to attend a CWT seminar. CWT should be understood to be a tool for understanding the role of systemic sorcery in our society and how systemic sorcery controls our lives.

Witchcraft is a social construct which exists to enforce social domination by Witches over Muggles. Witches will often practice witchcraft without knowing it, subjecting Muggles to subconscious microaggressions in the process. The only legitimate source of knowledge is the lived experience of Muggles, who are solely capable of understanding, analyzing, and teaching about their magical subordination to Witch Privilege. And if Witches refuse to acknowledge their power and refuse to check their Witch Privilege, that is evidence of their Witch Fragility. And if you don't practice anti-witchcraft, and spend all of your waking hours opposing witchcraft, this means that you are in fact a Witch – there is only witchcraft and anti-witchcraft.

The apotheosis of Critical Witchcraft Theory would be a constitutional amendment to create a self-appointed branch of the federal government called the Department of Defense Against Witchcraft. It would have the power to override any piece of legislation at any level of government, and to countermand any executive decision, on the basis of whether that legislation or executive decision is a form of witchcraft.

The Department of Defense Against Witchcraft would be under the jurisdiction of a Witchfinder General, who would in turn be appointed by eminent professors.

So no, Critical Witchcraft Theory is not a glorified witch hunt, but rather a serious academic discipline which seeks to eradicate the scourge of systemic sorcery.