

# **Racial evasion policy: University leadership responses to incidents of racism in the age of neoliberalism**

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## **Abstract**

*Racism and white supremacy have always existed in higher education. However, recent events have demonstrated that university leaders are utilizing neoliberal ideologies in their response to racism on campus. This is part of a higher education policy reaction process that deliberately neglects the critical importance of race and places more value on the commodification of diversity for institutional public image and racial capital. Our paper reviews racial incidents at two major research universities in the U.S. to demonstrate the responses to these incidents of racism are a form of racial evasion or racial avoidance by university presidents, chancellors, and provosts. This is due to the neoliberal influence in higher education and emboldened politically conservative forces such as boards of trustees and state legislatures that are exerting increasing influential power and decision making over matters involving the culture wars against marginalized diverse populations in the academy.*

**Keywords:** *Critical Race Theory, Neoliberalism, Higher Education, Leadership, Racism*

## **University Leadership Responses to Incidents of Racism in the Age of Neoliberalism**

If the university does not take seriously and rigorously its role as a guardian of wider civic freedoms, as interrogator of more and more complex ethical problems, as servant and preserver of deeper democratic processes, then some other regime or ménage of regimes will do it for us, in spite of us, and without us” (Morrison, 2001, p. 278).

Higher education leaders (e.g., presidents, chancellors, provosts) occupy unique positions of power. For example, presidents at colleges and universities are granted a tremendous amount of authority and are intensely scrutinized. University presidents are charged with a variety of different responsibilities and selected through a complicated process that often places the needs and desires of students and faculty at odds with wealthy donors, board of trustee members and state legislators (Duderstadt, 2007). The university chancellor, president and the provost are also leadership positions that can effect great change; from spearheading the academic mission in new directions, to having authority over faculty and students (Iverson, 2007). Despite having the ability to promote and foster change, university leadership has been slow, ineffective, or contradictory in responding to recent incidents of racism on campuses in the U.S. (Cole and Harper, 2017; Iverson, 2007). We contend that these protracted and ineffectual responses to incidents of racism on campus were the expected result of the neoliberal ideological shift in higher education. University leaders have largely adopted neoliberal ideologies and turned higher education into a knowledge industry (Washburn, 2006). The adoption of these neoliberal ideologies has allowed universities and their leadership teams to grow their endowments, acquire real estate for campus expansion, increase alumni support, and raise student attendance (Giroux, 2014; Spivack, 2018).

We contend that one of the important by product results of neoliberalism in higher education has been a turn toward racial evasion and racial capitalism as policy decision making (Annamma, Jackson and Morrison, 2017; Leong, 2013). Higher education has long been a bastion of privilege and racism (Squire, 2017). From the legal segregation utilized in the Southern U.S. under Jim Crow, to the fear of Japanese American college students on the West Coast during World War II, to the more current attempts by state legislatures to ban critical race theory, ethnic studies, or any teaching about systemic oppression, higher education has long been demonstrative of the racism that exists in larger society (Patton, 2016). Despite this, the neoliberal turn in education has created a different value system for university administrators and resulted in different types of responses to racism on college campuses (Griffin, Hart, Worthington, Belay and Yeung, 2019). The policies of legalized segregation and exclusion of the past are now practiced in a different manner (Arellano and Vue, 2019). They have been replaced by the deliberate evasion of race and racism, and corporatist logics have taken root in higher education (Jones, 2019). Colleges and universities are spaces of protest and social movements (Biondi, 2012). However, movements like Black Lives Matter are now more easily addressed by university presidents and provost through general statements of sympathy or support of diversity, but scant follow through on the root causes of campus racism (Rodriguez, 2020; Squire, Nicolazzo and Perez, 2019).

By focusing on the commodification of knowledge and students, university leadership has for the most part, utilized market driven approaches that use a form of racial capitalism that places importance on the appearance of diversity and inclusion for the benefit of the institution; but allows for the rise of racial extremism while at the same time denouncing racist free speech on campus (Leong, 2013; Bell, 1995). Meanwhile, the structural barriers that Black, Indigenous, Persons of Color (BIPOC) students face on predominantly White

campuses (e.g., racial microaggressions, significantly lower graduation rates) continue to reproduce social inequality (Patton, Sánchez, Mac and Stewart, 2019). This commodification and capitalization of students has been accomplished through the principles of interest convergence and a form of racial capitalism that allows higher education to use and profit from promoting racial diversity without attending to structural racism and White supremacy in the academy (Bell, 1980; Leong, 2013, p. 2156). These failures to make critical social justice leadership changes around issues of race and racism at many universities disproportionately harms students from these backgrounds (Giroux, 2003, 2005). The focus of our paper is to briefly address the ways in which racial neoliberalism has abdicated the responsibility of the state to address racism through the process of racial evasion and racial capitalism; therefore, it is left to privatization of the marketplace, diversity branding, and a reliance on free speech narratives to address this in higher education (Goldberg, 2009).

In the remainder of our paper, we will briefly review the influence of neoliberal ideology on higher education and its by-product of creating racial evasion and racial capitalism to deflect from serious demonstrations of White supremacy and superficial actions to combat structural racism. We will follow with examples from publicized incidents at two public research universities from the U.S. higher education context, to illustrate the connection between racial incidents and the racial evasion by university leaders that follows a scripted process on many college campuses. We will then give our critical re-analysis of these events and piece together how they fit into a broader pattern of action through inaction on race and racism by higher education leaders. Then we will conclude with recommendations committed to disrupting the historical and current inequities with respect to race, ethnicity, socioeconomic status, disability status and other student, family and community factors that impact students in colleges and universities.

### **Neoliberalism, racial capitalism, and racial evasion in higher education**

The neoliberal trend in connection to higher education, while in full force in the current 21<sup>st</sup> century, had its seeds in the early White American political and social backlash against social spending for racial and social equity programs in the late 1960s and 1970s as documented by Hohle (2015). During this time, major capitalist interests combined with White supremacy supporters to re-brand and create a nexus of what it meant to be White. It was to be through consumerism and upholding private capital gain at the expense of the public collective good, and an emphasis on freedom, liberty, and individualism.

Austerity, privatization, deregulation, and tax cuts were the norms established that founded key parts of neoliberal ideology and policy and its undergirding emphasis of state control to protect White superiority over BIPOC populations.

It is also important to note that racism has been inherent to neoliberalism (Giroux, 2003; Goldberg, 2009). (Saunders 2007; 2010; 2014). Under neoliberalism, if inequality exists, then it is due to the market determining that the equality of one is of greater value than the equality of another.

Neoliberalism does not account for systemic oppression and historical marginalization. Context does not matter in the culture of deregulation. This allows for neoliberalism to operate under the myth of race neutrality. Clay (2019) uncovered the origins of this myth through his concept of black resilience neoliberalism. This concept explains how success is individualized through grit, responsibility, and agency within systemically marginalized communities. Similarly, Spence's (2015) concept of hustle illustrates that how within education, neoliberalism often hides through the logics of empowerment and achievement.

This type of logics of empowerment and achievement serves as an important piece of the neoliberal influence in higher education, and how it is operationalized through racial capitalism and racial evasion. The functioning of

U.S. higher education has been intricately linked to imperialistic and capitalistic efforts that fueled the intersections of race, property, and oppression. Patton (2016) connects this idea to Harris (1993) concept of whiteness as property. Since historically white male Americans, especially those with wealth had their status legally validated by constitutional and statutory authority that they developed for themselves, this assumption of property rights and whiteness extended to higher education as well. The notion of whiteness as property has ideologically carried over into the battles over who gets into elite colleges and universities. There is a higher education property right of Whites and some Asian Americans who have been “meritorious” in their academic achievement, versus other groups such as African Americans, Indigenous Nations or Latinx populations (Warikoo and Foley, 2018). U.S. higher education institutions also serve as venues through which formal knowledge production is rooted in racism, White supremacy, and property.

The neoliberal agenda in higher education has resulted in several disturbing trends in university policy (Cannella and Koro-Ljungberg, 2017). Colleges and universities now offer more online classes and employ more adjunct faculty members to cut costs (Giroux, 2002, 2003, 2005). Endowments, investments, and partnerships with major corporations are becoming more prevalent. These private interests in education have corrupted a variety of the social justice goals of education (Slaughter and Rhoades, 2004). The neoliberal shift in higher education has played a major role in the recruitment and hiring of university presidents. Fundraising has always been a duty of university presidents. However, this role now seems to supersede all others. In the quest to raise funds, increase endowments, and build the newest facilities, university presidents have neglected other responsibilities that have required their leadership. These logics obfuscate the racist underpinning of the market-based value systems that are inherent to neoliberalism and downplay the structural

inequality that functions as an obstacle for many BIPOC students. This allows university leaders to ignore issues that would otherwise take priority. Higher education leadership has resorted to the creation of task forces and has emphasized the demographic progress they are making to recruit BIPOC students and faculty. While these efforts are necessary for the campus good image, it plays into the notion of racial capitalism, described by Leong (2013), where colleges and universities have used diversity for branding purposes. Leong (2013) defined racial capitalism as how institutions such as colleges and universities engage in chasing diversity for the intent of branding and rankings. For these purposes, pursuing an open display of diversity is good for the business of selective institutions of higher education; students will want to come to a place that appears and feels racially diverse. That in turn, puts pressure on the university or college to make sure that the students they select, and faculty all have a good racial working identity, meaning they are Black or Latinx but not too Black or Latinx in terms of pushing for social justice causes too much or being too militant (Carbado and Gulati, 2000).

Racial evasion allows university leaders to ignore issues that would otherwise take priority. The term racial evasion came from a re-analysis by Annamma, Jackson and Morrison (2017) of the term color-blindness when discussing the conservative interpretation of law and its impact on BIPOC populations in the U.S. Interrogating the use of the term by Gotanda (1991) and other critical race theory scholars, they acknowledged its importance as a marker of how conservative judges and judiciary rulings have used the color-blind mantra as a legal disguise for ruling and upholding statutory laws and legal decisions that have a deleterious impact on BIPOC populations. However, Annamma, et. al., also argued that this term created an ablesit language when it came to deeper and more transparent discussions about the impact of racism and served as an unfair label for those who are physically blind as their disability. Therefore,

they called for replacing color-blindness with color or racial evasiveness. We wish to build on Annamma's, et. al., revision and apply it to the context of higher education leadership decision making in the context of neoliberalism and racial capitalism: namely that color evasiveness and racial evasiveness allows college and university leaders to avoid the deep roots of structural racism and White supremacy on their campuses; but they practice this racialized policy evasion by pointing to surface ways they are dealing with racism, especially when high-profile racist incidents occur.

### **A brief illustration of typical racist events in higher education**

In this section we wish to highlight how neoliberalism and the professed ideals of racial diversity have seemingly co-existed under the guise of free speech at most college campus settings in the U.S. To this end, the incidents we are about to describe serve as typical examples of how university leadership responds too slowly or in contradictory/ineffective ways to evade racism on campus.

To illustrate this current context in postsecondary education, we will examine the events that occurred at two universities. The incidents of racism at these two universities are indicative of the current racial climate at colleges and universities. The racist incidents that occurred at these universities were examples of what can happen when university presidents, provosts, and chancellors feel it is better to be racially evasive than squarely address issues of racism on their campuses.

### **The University of Missouri**

The University of Missouri has a long and disappointing track record with regards to race and racism on campus. Some of this was due to the historical impact of slavery and the systemic nature of racism within the area. In 2014, local police shot and killed an unarmed black man in Ferguson, Missouri. The



protests that occurred after this shooting helped launch the Black Live Matter movement. The Ferguson protests happened less than 120 miles away from the University of Missouri campus (Pearson, 2015). The Black Lives Matter protests around the nation helped shape narratives and discussions about racial issues on college campuses. Less than a year after the events in Ferguson, students would begin a social movement that would result in the resignation of University of Missouri President Tim Wolfe. The events that spawned the protests at the University of Missouri did not happen quickly. They had been occurring for years prior to the start of the protests. In 2010, two white student left cotton balls outside of the university's Black Culture Center (Pearson, 2015). The student newspaper reported on the incident, but no school officials would respond on the record. Almost 5 years later, April 2015, someone drew a swastika on the wall of residence hall with ashes. In September of 2015, the student government President, Payton Head, wrote on his Facebook page that a group of young men had yelled racial slurs at him from the back of a pick-up truck while driving by campus (Pearson, 2015). Later that month, the first student protest occurred. On October 1<sup>st</sup>, a second protest occurred on campus. *The Racism Lives Here Rally* was the title of the protest (Pearson, 2015). Three days later a drunken white student disrupted a meeting by the Legion of Black Students group. The group was preparing for the upcoming Homecoming events when the belligerent student interrupted and used multiple racial slurs when referring to the group's members (Pearson, 2015). This incident prompted the Chancellor of the university, R. Bowen Lofton, to respond by calling on all groups and units on campus to change the culture around racial tolerance (Pearson, 2015). Chancellor Lofton also announced a diversity initiative that was to begin in 2016. However, Lofton failed to recognize the diversity efforts that were already in place on campus and did not take note the work of the variety of different diversity and inclusion groups on campus.

On October 10<sup>th</sup>, 2015, students blocked President Wolfe's car during the Homecoming parade. Wolfe smiled and laughed at the students as they blocked his progress (Pearson, 2015). He did not respond to their complaints or offer to meet with the students later. The next week, the student group Concerned Students 1950 sent a list of demands to the university's leadership. Among their demands was an apology from President Wolfe, his resignation, and more diversity/racial awareness curricula at the school. Concerned Students 1950 was named for the year that African American students were first admitted into the university (Pearson, 2015). Once again, the university did not respond to their letter or demands. On October 24<sup>th</sup>, another incident occurs on campus. Someone draws a swastika on the wall of a residence hall with feces, harkening back to the incident within April. On October 26<sup>th</sup>, Wolfe met with Concerned Students 1950, but did not agree to support their demands. A week later, a student name Jonathan Butler began a hunger strike. On November 4<sup>th</sup>, students staged a protest in support of Butler and initiated a sit-in on the university's quad. Two days later, Wolfe issued a statement declaring that racism was terrible and was not present at the University of Missouri (Pearson, 2015). However, that same day, the Black students asked Wolfe if he understood the nature of systematic oppression. He responded through racial evasion and focused on the belief that Black students felt they did not have the equal opportunity for success (Pearson, 2015). This uninformed and insensitive response by President Wolfe gave students and protestors the impression that the President of their university was blaming them for systemic oppression.

There were also a series of other incidents around this same time at the university that ultimately resulted in the resignation of President Wolfe. In August of 2015, the school announced that it would no longer be providing health insurance for graduate assistants (Eligon and Perez-Pena, 2015). The University of Missouri football team also became involved in the Concern

Student 1950 protests (Epstein and Kisska-Schulze, 2016). The team threatened to boycott the rest of their games in solidarity with other student groups protesting the university's administration. The dissatisfaction of the graduate students and the threat of a boycott by the football team demonstrated that the university's leadership were ineffective on multiple fronts. Ultimately, the football team threatened to boycott play or practice until President Wolfe resigned (Pearson, 2015). The combination of the Concerned Students 1950, the graduate students, and the football team protests demonstrated the convergent nature of these incidents of racism and the resulting social movements. President Wolfe met with the university's regents the day after the ultimatum from the football team and issued his resignation. Chancellor Lofton announced that he would be transition to a different roll within the university after the meeting as well.

### **The University of Utah**

The University of Utah is a very a different institution from the University of Missouri. Alemán and Alemán (2010) noted, the importance of the Mormon culture region as a part of the social, political, and cultural context and its impact on institutions such as schools and colleges. Their study highlighted a type of political conservatism that seems accepting of a basic introductory form cultural diversity and politeness, except when political elites feel threatened by activist social justice interests. Despite this, both shared recent instances of racism on campus. At the University of Missouri, President Wolfe resigned after his non-response to racism and the resulting protests on campus. While at the University of Utah, collective leadership decisions led to tensions surrounding the professed ideals of racial diversity seemingly co-existing under the guise of free speech, which served as another example of how university leadership responds in racially evasive ways to racism on campus.

### Racial tolerance and free speech

The Young Americans for Freedom student organization at the University of Utah on September 27, 2017, invited conservative author and speaker, Ben Shapiro, to campus (Whitehurst, 2017). Shapiro has promoted a view that college campus should not promote diversity and that campus culture indoctrinates young people with liberal values. A variety of different student groups at the University of Utah protested the speech by Shapiro. Students held a sit-in at the university president's office, urging for the cancelation of the event. Protesters said in a letter to the Salt Lake Tribune that they planned to disrupt the speech, saying Shapiro's positions on transgender people, LGBT rights, and conversion therapy could hurt vulnerable interest groups (Whitehurst, 2017). The administration of the university decided to allow the speech by Shapiro. The protests on campus were largely peaceful. The university sought to strike a balance between campus safety and free speech (Whitehurst, 2017). By framing the issue of Shapiro's appearance as First Amendment protected speech, the university ignored the centrality of race and further marginalized the counternarratives of the students that were protesting (Crenshaw, Gotanda, Peller and Thomas, 1995). It is also important to note some of the other incidents that occurred on the University of Utah campus around the same time as the Shapiro speech. On October 16, 2017, vandalism was found at a building that was under construction on the University of Utah's campus. The vandalism included at least one racial slur (Noble, 2017). The campus police investigated the incident and issued a campus alert to students. President Pershing's letter to the University addressed the racist poster *Stop the Blacks* (although not specifically named) stated that the poster was antithetical to the university's beliefs of acceptance of diversity. He ended the letter addressing the University community condemnation of hate speech and violent

behavior. By November of 2017, fliers with the statement *It's okay to be white* postings appeared throughout the university (Fulwider, 2017, Reeser, 2017). The situation at the University of Utah does differ from the events at the University of Missouri in several ways: the University of Utah leadership listened to the groups that were planning to protest. However, the university's attempt to hear students ended up to placating them as citizens of the community at best. These incidents demonstrate that the University of Utah and other colleges still have much to do in promoting social justice for BIPOC students on their campuses. While university leadership did condemn the racist vandalism found on campus and announced the formation of another anti-racism task force, and the former President Pershing (2017) stated that the Black community and other communities of color have been communicating with us for many years about the need for stronger action; this statement and the anti-racism task force that it announced were not comprehensive solutions to the issue of racism on campus. The Shapiro speech and the resulting protest did not happen in a vacuum. Incidents of racism had been occurring on campus for at least a year prior to the Shapiro speech. These events also happened in the shadow of the horrific events at the University of Virginia with the white supremacy groups' demonstration (which resulted in attacks against counter-protesters and the death of young woman).

### It's Okay to be White – Subtle Forms of Racist Propaganda and student pushback

In addition, it is also important to mention some of the other incidents that have occurred on many colleges such as vandalism in the form of posters placed around campus. Some of these posters target specific groups such as “Stop the Blacks” or “Send them back and build the wall.” The typical higher education leadership policy response has been usually worded to say there is no place on our campus for hate speech and violent behavior of any kind. Yet new signs

with a more subtle but still powerful message have been making their way on to college campuses in the U.S. and Canada (Anti-Defamation League, 2018). The “It’s okay to be white” postings appeared throughout many universities and have increased since the events took place in August 2018 at the Charlottesville White Nationalist rally and counter protest at the University of Virginia (which resulted in the death of a young woman).



Figure 1: Taken by author L. Parker at Univ. of Utah October 31, 2019



Figure 2: Taken by author L. Parker at Univ. of Utah October 31, 2019

These racist incidents and the university response illustrate there are subtle messages of racism that present themselves on U.S. campuses as well as major protests and extreme rightwing speakers and organizations that have challenged higher education adaptation in considering their policies and leadership responses to these events and their impact on campuses.

Recent events in 2020 connected with the murders of Breonna Taylor and George Floyd at the hands of the Louisville and Minneapolis police departments, have led to renewed calls from student activists on many campuses to address campus racism specifically, and systemic racism tied to the neoliberal structure of higher education within the U.S. political economy (Mangan and Perry, 2020). For instance, student groups have pushed central administrators on their campuses to defund their police departments and sever ties with local law enforcement agencies. The students have argued that the racist history of the use of police forces to brutalize criminalize and control BIPOC people is not justifiable. Furthermore, campus officials should use the diverted funds for other purposes such as community/neighborhood support to low-income communities, and training efforts to de-escalate conflict. Other activists have participated in demonstrations to eliminate the celebratory statues of confederate civil war leaders or European conquest colonizers. These were symbols of oppression, slavery and genocide of people based on racism and that U.S. society in general and colleges and universities should not support these representations of violence toward persons of color.

Other student groups have pushed universities to hire more BIPOC faculty and change the required undergraduate curriculum courses to include more specific classes focused on ethnic studies, race, and racism. They assert that the majority of faculty at most higher education institutions are White, yet there are increasing numbers and percentages of Students of Color and other diverse

students coming to campus to study; therefore, the faculty should reflect this diversity and really achieve it through revisions of hiring processes and promotion and tenure standards that would be more racially equitable.

Regarding the courses, the students are advocating that ethnic studies classes or classes focused on race and the effects of racism be required of students from a variety of majors (e.g., STEM, environmental studies, pre-med, education, social science, humanities, and the fine arts). Other recent developments emerging from the student protests include bias training and anti-blackness awareness from the central administration leadership and college/department heads. Black student athletes have also protested racism in their respective sports at the university, and acknowledgement of their importance in big time sports such as college football that is taken for granted by coaches, athletic directors, and university officials (Pittit, 2020).

### **Higher education, neoliberalism, racial capitalism, and racial evasion: a pattern of policy neutral decision-making**

Colleges and universities will publicize efforts they make at diversity and attempts to create a more inclusive campus. This is a demonstration of the influence of neoliberal ideologies on university leaders, and a willingness to participate in racial capitalism where surface efforts of racial inclusion shown, especially in marketing through websites and publicity recruitment to put the surface diversity on display (Leong, 2013). However, as Leong (2013) articulated, the structural aspects of whiteness as property on many campuses in terms of power, and the normalization of the acceptance of racism in the form of racial microaggressions or racial battle fatigue, remains untouched. In essence, what we have seen regarding leadership decisions at major universities has been a convergence of interests between the market-based values of large donors, politically reactive conservative special interest groups and the enactment of racial capitalism. This type of leadership ethos also results in the



acceptance of cost-driven budgetary decisions that reinforce a type of new public managerialism. It relies on data analytics to control colleges, departments, and faculty, but does not serve the social justice interest of using data-driven decisions to increase the numbers of BIPOC students to enroll and graduate from 4-year colleges (Anderson and Cohen, 2018; Merolla, 2018). It also leads to university leaders making decisions for the benefit of conservative political interests who wish to exert control and authority about what gets taught and who gets hired. This has been graphically illustrated in the build-up of events in 2021 surrounding some U.S. state legislative bodies passing laws against teaching critical race theory in public colleges and universities, and the political controversy surrounding the endowed chair and tenure position battle between Nikole Hannah Jones and the University of North Carolina board of trustees.

Ultimately, university leaders only want to discuss race in terms of greater access and enrollment for BIPOC students. The leadership interests of many colleges and universities do not want to frankly discuss race once racism happens. But as we have pointed out, one way that universities and their leaders can ignore issues of race and racism on campus is through the adoption of statements of support for racial diversity but evading more long-term fundamental racial change and action that needs to take place at many college campuses. The new racism of neoliberalism is much less transparent than the racism of the past. This new racism ignores race as factor and promotes the ideal that we are living in a post-racial society, or that these racist comments do not reflect who we are as a community. But from a BIPOC student perspective, racial incidents erode any efforts to create a sense of validation much less a sense of belonging on campus.

When signs like “It’s Okay to be White” are allowable under the First Amendment on campus, and the only violation is usually that it was not sanctioned through the campus approval process, this means that BIPOC students, faculty, and staff have their equal protection rights compromised by the rights of others to place these signs. Furthermore, the continual posting of these signs creates a cycle of university leaders engaging in a continual process of public condemnation. This allowance happens under neoliberalism and racial evasion in higher education, in part because colleges and universities are more concerned now with preparing students for workforce needs, and the campus is more concerned about diversity for racial capital purposes of its own and that of the diversity of the future workforce. Therefore, under neoliberalism and racial evasion, the First Amendment is part of the marketplace of diverse ideas on campus and students are left to themselves to figure out the deeper meanings. Little efforts are made to educate the students, faculty, and staff on the purpose of the signs, teaching about what these mean within the larger context of White racism and other forms of discrimination. It is simply hoped that by issuing a statement, or having a town hall, the message in the signs will go away until the next one is posted. The continued appearance and tolerance of these signs, or racist statements at campus-wide forums, sends a message to BIPOC students is that they must endure and show grit and determination in the neoliberal White campus world to survive. The message from higher education to BIPOC students is that they may have to endure major offenses and/or racial microaggressions in return for a degree.

The right to free speech is often used as a justification for allowing speakers from extreme rightwing organizations on campus. University leaders will make the argument that the higher education has long been the bastion of free speech and debate (Rodriguez, 2020). Free speech on campus functions as a whiteness as property concept. For instance, Lawrence III (1990), posited that from a

critical race theory standpoint, the free speech rights of the First Amendment, does not give one the right to simply put posters such as “It’s Okay to Be White” anywhere on campus because this means that Students of Color no matter where they go on campus will be subjected to seeing these opinions of whiteness and white supremacy. There is a presence of white racial extremism that is either a part of campus or is allowed to enter on to campus from the outside. While university leaders can socially disavowal these expressions of racism and portray it as an outlier, the First Amendment, neoliberalist tendencies, and racial capitalism all converge to provide allowance for these views to continue and receive the full protection for these beliefs. Lawrence pointed this out when he argued for a change in which we should view this type of racist speech from the perspective of those students subjected to it:

Courts have held that offensive speech may not be regulated in public forums such as streets and parks...but the regulation of otherwise protected speech has been permitted when the speech invades the privacy of the unwilling listener’s home or when unwilling listener cannot avoid the speech. Racist posters, flyers, and graffiti in dorms, classrooms, bathrooms, and other common living spaces would fall within the reasoning of these cases. Minority students should not be required to remain in their rooms to avoid racial assault. Minimally, they should find a safe haven in their dorms and other common rooms that are a part of their daily routine. I would argue that the university’s responsibility for ensuring these students received an equal educational opportunity provides a compelling justification for regulations that ensure them safe passage in all common areas. A Black, Latino/a, Asian or Native American student should not have to risk being the target of racially assaulting speech every time she chooses to walk across campus (Lawrence, 1990, pgs. 456-457).

Furthermore, racism is inherent to neoliberalism (Giroux, 2003). Goldberg (2009) referred to this neoliberal form of racism as “born again racism.” He stated:

Born again racism is racism without race, racism gone private, racism without the categories to name it as such. It is racism shorn of the charge, a racism that cannot be named because nothing abounds with which to name it. It is a racism purged of historical roots, of its groundedness, a racism whose history is lost (Goldberg, 2009, p. 23).

The new racism of neoliberalism is much less transparent than the racism of the past. This new racism ignores race as factor and promotes the ideal that we are living in a post-racial society. However, this “born again racism” is openly displayed in the actions of university leaders when they avoid or gloss over serious issues and incidents racism on campus. Therefore the 2021 Student Voice Survey (2021) in the U.S. reported that many college students said that on their college campus their president and other university leaders issued statements of sympathy or general solidarity after the George Floyd and Brianna Taylor murders and Black Lives Matter protests. However, for the most part, that is all the students saw and noticed in terms of actions. This was confirmed by the president of DePauw University in Indiana who said, “That’s exactly what presidents do—we issue a statement, we organize conversation circles. We offer counseling. We activate a task force.... But we all know that none of that is moving the needle” (Ezarik, 2021, p. 3).

The willful disregard of race and racism has never been an effective leadership style of university presidents. It has been our hope to demonstrate that the institutional responses that rely on logics of free speech or pointing out the soft efforts to create an inclusive campus, are a deliberate form of policy in-action or avoidance. The usual racist incident protocol is for higher education leaders to rely on standard operational procedures through general statements of support. There is a hope that the problems around racism will dissipate or be fixed by a task force or campus committee. McCoy and Rodricks (2015) and Hiraldo (2010) are among others who have used critical race theory to criticize this

approach to campus leadership around race. Rather than rely on standard bureaucratic operational processes, shedding racial evasion under racial capitalism in higher education leadership would require the recognition of the critique of neoliberalism, the importance of whiteness as property, and the importance of hearing and listening to BIPOC students counterstories; then reflect and act in socially just leadership ways to provide remedies on predominantly White campuses.

Therefore, for example, under the structural of racism in higher education, it would be important for the college/university president to examine why BIPOC students are critical of diversity publicity for public relations purposes, while there are no substantive efforts to recruit more BIPOC students, faculty, and senior level administrators. Smith, Yosso, Solóranzo and Tejeda (2009) have laid out the research evidence of racial battle fatigue based on racial micro aggressions on predominantly White campuses. The recent incidents at many college campuses and the more recent social movements against systemic racism now indicate that the micro is now becoming macro on many campuses as well. The use of the counterstories in a critical race theory analysis of higher education can inform leadership through the voices of BIPOC faculty, staff, and students in which they tell their narratives involving their marginalized experiences. This type of data can provide opportunities for ways a college or university can be much more inclusive and validating of the experiences of persons of color and use this as opportunities for critical switch from racial capitalism and racial evasion in policy responses.

### **Concluding Thoughts**

The culture of higher education has been inundated with neoliberal ideologies that create an incentive structure for colleges and universities to respond to incidents of racism in a manner that serves their racial capital interest, and

places emphasis on racial evasion or avoidance and when it is the best interest of the institution. The intersection between race, property, and oppression, as Harris (1993) rightly noted, have become more apparent within higher education in the age of neoliberalism. Neoliberalism represents a clear and dramatic shift in the goals and priorities of postsecondary education. The market forces and profit motive goals that neoliberalism promotes are incongruous with the democratic citizenship and social equality expectations of higher education. The protests and social movements of the 1960s happened within a capitalistic economy and liberal social order. The capitalist economy will always reproduce social and racial inequality (Bowles and Gintis, 1976). Yet, neoliberalism influences in higher education inflate and actively attempt to perpetuate inequality by ignoring racist incidents on campus. How universities choose to move forward will ultimately determine the outcome of equity in higher education in the 21<sup>st</sup> century.

Education will always be susceptible to unscrupulous outside influences. Neoliberalism is just the most recent example. As Morrison (2001) noted in the opening passage of our paper, higher education must take seriously its role as guardians of democratic values and civic engagement. University leadership needs to promote an ethos of education that protects students from historically marginalized backgrounds. The leadership of a university is endowed with tremendous authority and autonomy. These leaders set, enact, and enforce university policy. In the absence of policy, the prerogative of university presidents and provosts are usually the final judgment in many disputes. The very nature of the position is conducive to the qualities of a change agent, advocate, and critical leader. Neoliberalism has changed higher education to a model of students as consumers and faculty and student services as service providers for the consumers. To challenge this, Cannella and Koro-Ljungberg (2017) called for a newly imagined university as locations of social protest. We

agree with this call for change and feel the racial capitalism and racial evasion analysis and recommendations we presented are for higher education leaders and the community of faculty staff and students to become more progressively engaged with advocating for the diverse students they are supposed to serve, and for the greater critical social justice good in higher education.

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