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Abstract

Formal administrative protocols for responding to bias incidents are now the norm in higher education. This article considers these developments by posing critical questions about racial justice work on campus, identifying key features of an under-acknowledged institutional racism, and contributing to discussions about ways that diversity and social justice efforts often reproduce rather than challenge systemic inequities

Introduction

  This essay critiques some of the ways that university and college administrations are prone to conceptualize responses to racial bias incidents on their campuses. Though I write from my own experience in higher education as a sociologist and administrator at the University of Richmond, a highly selective and predominantly white institution (PWI), the administrative responses I discuss have been heavily influenced by a recent string of broadly infamous cases. They include the highly publicized case of the "Jena 6" involving the display of three nooses in 2006 at a Louisiana high school (Jones 2007). Also in 2006, an incident involving the Duke University men's lacrosse team made national news for weeks. In that case a group of mostly white players hired a Black stripper for an off-campus party, after which she alleged (and later recanted) sexual abuse by the players. These are two of the most familiar cases among many: over roughly the last decade or two, educators have been on heightened alert amid disturbing reports of black face incidents, noose displays, and "ghetto fabulous" parties (King 2007) set against the psychological-cultural backdrop of school shootings (from Columbine to Virginia Tech to New Town) and the post-9/11 "war on terror."

  Under this general specter of violence, institutions with professed "commitments to diversity" have felt a new sort of pressure to have well-organized mechanisms in place for responding to incidents, including, as the Duke case came to illustrate, the risk such incidents pose to a school's branded image. Variations on a resulting policy innovation of "bias incident protocols" and "bias incident response teams" have proliferated across campuses (Anthony & Johnson 2012).[1] The U.S. Department of Justice, which had earlier published two guides for campuses dealing with bias incidents (2000, 2001), may have been the first organization with a national scope that was specifically prepared to help colleges and universities with bias incidents. I became aware of the DOJ's work in this area first-hand in 2008 when I received an unsolicited call from the department's Community Relations Service director offering to help the University of Richmond in the wake of a campus noose incident (Kinzie 2008). Since then, I have been attuned to "best practices" around bias incidents, including Campus Pride's "Stop the Hate" initiative promoting the creation of campus bias incident protocols; an earlier "model for evaluating, understanding, and responding to critical incidents" from the University of Maryland (Schlosser & Sedlacek 2001); and the now requisite sessions on the topic at conferences (see Anthony & Johnson 2012 and Love 2010).

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[1] An internet search for "Bias Response Team" (October 30, 2012) generated results for hundreds of campuses, including the University of Chicago, Ball State, University of Rhode Island, University of Northern Iowa, Towson State, Loyola of Chicago, University of Oregon, Tufts, Rutgers, multiple University of California campuses, Duke, Syracuse, Oregon State, Alfred University, Columbia University, and the University of Richmond.

While it is little surprise that institutions' existing institutional investments—financial and ideological—would guide and limit the ostensibly good intentions of official responses, however, scant attention has been devoted to the effects of institutional motivations and ideological commitments on the creation and implementation of these bias incident policies. One recent and unusually explicit example of why such attention is necessary appeared in my email inbox in June 2012: the Society for Diversity's presumably mass-distributed advertisement for a webinar for corporate employers exclaimed, "DON'T LET A NOOSE 'SURPRISE' YOU." The pitch continued:

> Every employer hopes it doesn't happen to them—but workplace nooses are on the rise. Not only is it a workplace distraction—decreasing productivity, fostering division, and breeding fear—but it is also a public relations black eye for your corporate image and diversity efforts.[2]

As the webinar's ad copy exemplifies, the "business case for diversity" has achieved a nearly self-evident status, and the notion of diversity is thus easily subordinated to the bottom line. The example also suggests that what bias incidents *are* and *how they matter* depends on the assumptions and ideological commitments through which they are interpreted.

Indeed, my primary concern here is with the prevailing institutional and racial frameworks that are being used to understand and respond to bias incidents. Through the example of bias incidents, I also attempt to show how these dominant perspectives can contort *understandings* of racism, constrain our imaginations about appropriate types of *action*, and foster beliefs that such actions are progressively anti-racist when they are in fact supporting the prevailing racial order.

Race is certainly not the only relevant category of social difference when it comes to patterns of threat, violence, and structural inequity. And while those other categories demand consideration—and at the risk of replicating the erroneous notion that diversity equals race, and race equals black/white—I do limit the discussion to race (and African American experience in particular) for two reasons.[3] First, one of my formative experiences as a white diversity administrator was with a noose incident, the

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[2] The Society for Diversity self-describes as

> the largest and most comprehensive professional association dedicated exclusively to diversity executives and professionals. Our goal is to help our members become the most knowledgeable, skilled, and practiced diversity experts in the world. Through our goal, we can help others see the value in diversity and experience measurable business impact. (http://www.societyfordiversity.org, accessed July 7, 2012)

[3] "Black" and "African American" are neither synonymous nor mutually exclusive. I tend to use "African American" to emphasize the culture and history of people of African ancestry in the Americas and the US in particular, and the current day nuances related to those histories. I use "Black" (capitalized) when it seems appropriate to emphasize the movement-based, contestational history of African Americans.

likes of which inevitably implicates the sweeping history of African-American oppression in particular. Second, the primary focus of this essay is not the actual incidents (or even racism), but the underlying "white racial frame" that typical institutional responses to those incidents reveal. Feagin defines the white racial frame as "the country's dominant 'frame of mind' and 'frame of reference' in regard to racial matters" (2010, pp. 10). And the present-day white racial frame is the result of a centuries long "obsessive focus on black Americans as the dominant issue, menace, problem, and reference point" (Feagin, 2010, p. 101).

Hegemony and Racism

"Hegemony" is a useful concept for analyzing the dominant structure of ideas and practices surrounding bias incident responses. In one respect, hegemony is the *process* whereby the interests of ruling elites or dominant groups come to have the status of common sense—the taken-for-granted way things are—even among those marginalized by the very same status quo. Hegemony is also a historical and dialectical process in that its legitimacy, dominance, and seeming naturalness are always being contested and thereby transformed over time. In my usage, "hegemony" refers both to the *state of affairs* or power relations that exist at any particular time and place, and to the *process* whereby social inequities become rationalized as natural or common sense or made invisible altogether.

Race and racism are effects of hegemony. To paraphrase Omi and Winant's (1994) definition of "racial formations," racialized patterns of inequity don't simply exist by themselves; they require sustaining ideologies and discourses to rationalize them, be they notions of cultural or biological inferiority or "colorblindness."[4] Such racial hegemonies, or "formations," arise out of struggles among competing racial projects over how race should be properly understood. While vigorous resistance against the most blatant and legal forms of white supremacy have effectively pushed such expressions to the social margins, new ideologies have emerged to account for the persistence of racial disparities. In the face of persistent and wide racial disparities in wealth, health, education, and incarceration among others, a "new racial orthodoxy" asserts that the problem of racism is individual and interpersonal—which is to say, it expresses concern about racism while denying its systemic and hegemonic foundations (Berry, 2011, p. 577).

My interest in official bias incident responses stems from my experience as the director of a diversity office, and in particular my involvement in developing my school's "bias incident protocol" following a campus "noose incident." These events unfolded nearly five years ago, and sparked my curiosity about the emergent institutional norms of bias incident response, which I began to investigate through my perspective as diversity administrator and a sociologist of race, gender, social

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[4] Bonilla-Silva (2006) offers a further typology of "colorblind" rationalizations.

movements, and corporate culture: Through conferences, numerous conversations, and online research into protocols at other schools, the particular experiences on my campus have become less important to me than the general trends among college campuses to routinize bias incident responses. Consequently, the issues I raise here derive from my observations of these general trends. And these general trends warrant some general contextualizing.

The Cultural-Political Context of Higher Education

Higher education is itself necessarily hegemonic, situated as it is within the macro social structures and processes that affect other institutions. Individually and collectively, the financial survival of most colleges and universities is bound up with the stability of the speculative market, most obviously through endowments and financial relations with institutions that invest in or defend "free market" capitalism such as corporations, the military, and other government entities. Through these relationships, higher education also maintains deep ideological investments in the presumptions of "neoliberalism"—that is, in the notion that "human well being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade" (Harvey, 2007, p. 2).

In terms of external relations, universities and colleges are powerful actors in regional, national, and global economies, and are therefore implicated in the systemic inequities perpetuated by those economies. Internally, colleges and universities may be both businesses and communities, though in reality the over-influence of business imperatives and managerialism on the nature of those communities is not up for discussion in most schools. To the contrary, for example, one recent report highlights how business officers "are increasingly being called on to think strategically about…which academic programs might or might not be necessary" (Kiley 2012). Given these alignments, many schools now "value" diversity by breaking it down into résumé-ready "cultural competencies" imparted to students in service of stated missions to prepare them "to compete in the global marketplace" (see Gorski, 2008, p. 518). In this model, higher ed casts itself as a social distributor of an individualized, pro-market diversity framework. And although these hegemonic investments are usually taken-for-granted if not invisible to those immersed in the day-to-day priorities of campus life, there is no reason to presume that the practices and policies purportedly dealing with the urgent ugliness of bias incidents are immune to these tendencies.

Let me be clear, though. In posing bias incident responses as crucial sites for considering the questions about hegemony, I am not at all arguing against the general need for institutional responses to bias incidents or to holding individual perpetrators accountable for their actions. Even as bias incidents demand urgent responses, however, they can also provide a kind of sanctifying cover—under the banner of progressive change or "social justice"—for universities to manage bias incidents as

opportunities to solidify and obscure their hegemonic interests and to bolster their pro-market diversity frameworks. Analogous to the way that "colorblindness" appears to be anti-racist while upholding the racial status quo, bias incident policies and actual responses—to racism, for example—while seemingly caring and progressive, can also serve to conceal the ways that higher education is invested and implicated in the racial order. Such a result is not, of course, a foregone conclusion. Because hegemony is a process that includes opportunities for contesting the realities it produces, the stakes are high for how bias incidents are understood, framed, and ultimately responded to.

Indicators of those stakes would have to be the range of diversity-specific tensions playing out on U.S. campuses, but which remain largely unspeakable in the regular course of work discussions. The term "diversity" itself is part of the problem, used as it is variably to refer to racial differences, people of color, the totality of human differences, the array of niche demographic markets, or those differences that shape patterns of social inequity. This slippery lack of clarity opens "diversity" to subjective interpretation, including the possibility of pursuing diversity (racial harmony) while being "blind" to structures of power. Such a superficial, accommodating version of diversity makes possible, for example, the earnest recruitment of individual people of color while simultaneously deflecting or containing the institutional impact of a collective critique of the white racial frame.

A related struggle concerns the educational mission itself, between, say, a commitment to foster analytical citizens embedded in webs of mutuality, as one possibility, and a promise to transfer cultural capital ("competencies") for the needs of the global labor market as is increasingly the norm. There is, too, a related trend of colonizing the category of "student" with that of "consumer," itself an effect of the rising influence of marketing and branding in higher education management and strategy (Kirp 2003). For example, one recent study of higher education marketing leaders found strong agreement that their ilk should be represented on cabinet-level positions given the increased necessity of "business-oriented approaches," including marketing "liaisons that coordinate all functions across the university" (Hayes, 2007).

Noose as Symptom

As a backdrop for considering the numerous incidents involving noose displays on college campuses and workplaces that have occurred over the past few years, the post-9/11 cultural moment described in the opening paragraph of this essay is incomplete (see Costello 2010 and Gordon 2012). To fill in the scene, we would have to add the tangle of higher education's hegemonic interests and the full intensity of U.S. racism, a pervasiveness of racial images, emotions, and relentless inclinations toward discriminatory action that have been layered upon one another for century upon century (Feagin, 2010, p. 11). It is against this backdrop that I want to consider responses to the numerous incidents involving noose displays on college campuses and workplaces over the past few years (see Costello 2010 and Gordon 2012).

Were it not for the fact that every single noose display inevitably evokes this country's long and sordid history of lynching, it might be appropriate to describe many of the recent ones as cliché. But by invoking that historical gravity, a noose, however ignorantly displayed, inevitably communicates a threat of violence against local targets, such as the occupants of an office where a noose was found. The noose also signals to most African Americans or people of color who become aware of it (1) that the threat extends to them, and (2) that the inequities of the present are perpetuated in part by a brutal legacy of violence that never actually ended. One could argue (correctly) that the twisted, low-tech white supremacist "justice" of early 20th century lynchings gave way to today's more formally organized prison industrial complex, which now includes more incarcerated or paroled African American men than were enslaved in 1850 (Alexander 2010). Both methods (lynching and incarceration), of course, uphold a racial caste system by "disappearing" troublesome people of color, while the less public and bureaucratized aspects of the latter method make "colorblindness" easier to sustain. A displayed noose, then, is something more than a material threat, because it derives its very meaning from a broader historical context of orchestrated racist violence.

Rather than framing noose displays as symptomatic of something larger and more dangerous than a single, albeit unfortunate, incident might indicate, official (white) narratives typically frame noose displays and other "incidents" as *scandals*, anomalies of hatred or ignorance perpetrated by bad-apple individuals. To seem credible, the bad-apple theory of bias incidents (and other patterns of violence such as sexual assault) requires a level of historical and sociological denial that allows those events to be framed as isolated disruptions of an otherwise idyllic and socially just normality. Against such denial, Alexander asserts that racialized bias incidents are part of an ongoing pattern of "black bodies in pain for public consumption [which] have been an American national spectacle for centuries" (1995, 82-3). The public violence enacted on the bodies of Emmet Till, Rodney King, James Byrd, Abner Louima, Amadou Diallo, Oscar Grant, Trayvon Martin, and countless others construct a kind of collective shroud of horror that extends even to the "incidents" on our campuses. To even call them "incidents" is to minimize their gravity.

Racist fraternity hijinks, noose displays, and blackface parties are hardly mere scandals, because each instance is like "an aftershock, an event in an open series of…events" (Alexander 85). Responses to campus incidents that rely on the bad-apple or some other minimizing, individualizing frame, thereby enact a sort of additional violence on those whose daily experience forces their empathy with the victims. Those who can sense that the various events are linked together by a "structure of feeling,"[5] or by "the evidence of things not seen,"[6] know without a doubt that the entire situation is haunted by the ghosts of thousands of others, and that to talk about ghosts makes one

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[5] This is a term coined by Williams (1977), though here I am referring to Gordon's (1997) development of the concept.
[6] Here I am quoting Alexander (1995, p. 85), who is invoking James Baldwin's "Biblical phrase."

look crazy to those who do not see them (Gordon 1997).

For a more critical and liberatory approach to "bias incidents" than is typically afforded in hegemonic spaces, we might refer to Malcolm X's (1963) famous assertion that being Black and out of jail doesn't at all mean you're not still imprisoned. Foucault (1977) argues similarly that one of the primary functions of prisons is to conceal the ways that everyday life is itself limiting and carceral. Baudrillard (1988), in turn, evokes a similar critique that is particularly instructive. Using the Watergate break-in as an example, Baudrillard describes scandals as opportunities for powerful interests to conceal the ways that normality itself is scandalous. Denunciations of the Watergate incident as a scandal—and collective finger-wagging at the individual embodiment of it: "Bad Nixon!"—imply that the "incident" is an aberration, and thereby distracts attention from the cynicism and conceit characteristic of everyday politics. Thus the denunciation is itself part of the conceit:

> Watergate….is a scandal effect concealing that there is no difference between the facts and their denunciation. [The scandal is] a means to regenerate a moral and political principle, towards the imaginary as a means to regenerate a reality principle in distress. (Baudrillard, 1988 172-3)

A similar dynamic can play out around noose and other bias incidents on campus when approached from the seeming benevolence of the new racial orthodoxy (Berrey 2011). By reasserting moral principles (tolerance, civility, inclusion), denunciations of bias incidents can recuperate the "reality principle" that was distressed by the incident—for example, that the University is an upstanding racial actor that truly "values" diversity. The campus convenes the Bias Response Team, denounces the incident as a despicable anomaly, implores civility, and pledges a transparent, law-and-order commitment to finding the perpetrator. In this way, the incident becomes an opportunity to reinvigorate the campus (brand) as being on the good side of racism. In the process, the noose and its displayer are reframed not as mere symptoms of systemic racial inequity, but as the disease itself; and the systemic features drop out of view. Said differently, the scandalous noose mobilizes and legitimates the apparatus of criminal justice, which in turn helps the marketing folks to steer attention away from the routine hegemonic role of the university. Thus is created a paradoxical linkage of "racial justice" with a re-establishment of order, civility, and the status quo.[7]

It would be a mistake to think of this white racial frame as manifesting only in the face of scandalous noose displays or other racial bias, not least because the structures of racism extend far beyond the circumstances surrounding bias incidents. The breadth of the white racial frame's influence also includes institutionalized

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[7] The myopic law-and-order response is exemplified by the DoJ's document, "Responding to Hate Crimes and Bias-Motivated Incidents on College/University Campuses" (2000), and then helpfully decentered in its subsequent "Hate Crimes on Campus: the Problem and Efforts to Confront It" (2001), which was commissioned by outside researchers.

valuations of merit, beauty, and worthiness; and everywhere those racialized effects appear, there too is a white racial frame helping to rationalize the inequity, often while claiming to do the opposite. I want to call this contemporary framework "neoliberal racism," because of its fundamentalist, paradoxical belief in a vision of interpersonal racial harmony *and* in "objective" structures (like the market) as the arbiters of fairness. What I am calling "neoliberal racism" is similar to Bonilla-Silva's "abstract liberalism frame" (2010, p. 28), the main difference being that *neo*liberalism emphasizes the vast web of hegemonic relations that "abstract liberalism" perhaps only implies. More apt, I believe, is Gordon's definition of "liberal racism" in an essay warning about the hegemonic intersection of diversity and management:

> Liberal racism is, as paradoxical as it may sound, an *antiracist* attitude that coexists with support for racist outcomes. It rejects discrimination on the basis of race or color, and abhors the subjection of groups or individuals on racial grounds. But it upholds and defends systems that produce racializing effects, often in the name of some matter more urgent than redressing racial subordination, such as rewarding "merit," valuing diversity, or enhancing economic competitiveness. (1995, pp. 17-18)

Through the lens of this definition, official bias incident responses need not be explicitly or intentionally designed to uphold racist systems in order to do just that. Nor are denunciations of such acts or efforts to hold perpetrators accountable for their actions the problem. Rather, the problems lie in what these narrow approaches make invisible, namely the interests that are ultimately served by them and their implicit bolstering of "systems that produce racializing effects."

In the case of a noose display, the concept of the scandal-effect pushes us to consider how denunciations of the noose-as-crisis can work, in neoliberal racism fashion, to confuse the symptom for the disease, thereby concealing the everyday structures of racism in this society and the University's relationship to those structures. Again, despicable as it is, the noose itself is not the crisis/disease. As Lipsitz puts it, "by placing the emphasis on prejudice rather than on power, we lose the ability to see how race does its work in our society" (2011, p. 41). By making the noose (prejudice) the crisis, the University can bolster its neoliberal sense of itself as a post-racist, multicultural haven. In other words, by foreclosing or managing the conversation away from difficult questions about the institution's relationship to power, to "systems that produce racializing effects," bias incident responses bent on recuperating the wish-fulfillment narrative of the campus as multicultural haven or some other "matter more urgent," actually foster a post-scandal rhetorical space that is antagonistic to racial justice.

It certainly serves the interests of the prevailing order to discourage the naming and critiquing of hegemonic institutional alignments. Framing the noose as the crisis is one such hegemonic maneuver because it steers attention away from the larger issue of racism by centering the "imaginary" crisis: the noose, the threatened brand, or "the

community's" threatened image of itself as racially innocent. This is what Baudrillard means by the "reality principle in distress," the principle that is recuperated through denunciation of the scandal.

Implications for Counter-Hegemonic Action

What, then, is genuine anti-racist practice in this tricky ideological context? To be sure, social justice educators and activists confront a range of often demoralizing and isolating challenges presented by their institutions: incessant, normative pressures can be all encompassing, while the productivity imperative makes work-life balance a joke; the managerialist reach of marketing culture makes enthusiastic support for the company/university brand compulsory; and the space for critical examinations of domination and inequity embedded in those customs all but disappears. Under these conditions, hegemonic forms of diversity such as the bias incident responses I have described often appear heroically on the scene, but with a secret mission to recuperate a (white) mirage of racial progress.

Together, these institutionalized contortions can confuse and confound anti-racist good intentions. The prospects for anti-racist, counter-hegemonic traction within these institutional spaces, therefore, hinge on the intentional development of practices that can resist both the isolation those spaces foster and the seductions of their paradoxes. Unfortunately, this question about meaningful action seems a scarce topic within the various professional gatherings, journals, and other professional conversations. Where and what are the "best practices" for counter-hegemonic anti-racism? This is a critically important question, especially in light of the fact that hegemonic interests often appear disguised as the opposite.

Consider, for example, this observation:

Hegemony maintains itself, in part, by cultivating the appearance of resistance to itself.

For those of us dreaming a relationship between day-to-day work in higher education and a more equitable racial future, this particular aspect of hegemony ought to be especially poignant and unsettling. To be sure, it prompts yet another layer of questions that cut to the core of the social-justice minded higher education diversity worker's sense of purpose and efficacy: How, for example, can diversity or multiculturalism workers and educators *actually know* whether their efforts constitute resistance to or complicity with hegemony. Under what circumstances might diversity initiatives themselves simply be the "resistance" that hegemony allows? In what ways are we seduced into hegemony's fiction that our work is counter-hegemonic? Which (and what proportion) of our seeming anti-racist efforts are merely providing cover for neoliberal interests?

Critical Re-Framings

These are intensely important and under-asked questions. Without individual and collective efforts to *name* the hegemonic contradictions and intentionally work against them, we have to presume that even seemingly progressive efforts are nonetheless reinforcing hegemony's constraints on realizing more equitable futures. These questions about hegemony surely extend well beyond this essay's focus; they suggest, for example, the need for multi-level struggles within and across institutions. At the same time, and although I have emphasized higher education's own hegemonic investments, it may also be true that higher education remains one of the more hopeful sites for contesting dominant interests. Notwithstanding attacks on academic freedom, tenure, and non-revenue generating disciplines, offices, and people, many colleges, universities, academic professional organizations, conferences, and journals offer important spaces and opportunities to name and contest the hegemonic traps of the present. Across these levels, and in all these potentially counter-hegemonic spaces, the initial imperative is to name the ways that hegemonic interests are made invisible: such naming transforms invisible processes into tangible objects that can be examined and critiqued; failing to do so only permits hegemonic interests to advance unnoticed.

In this spirit of counter-hegemonic naming, I conclude with three critical cautions about official responses to bias incidents.

1. By default, bias incidents on campus tend to privilege a criminal justice perspective, and bias incidents tend to be framed as individual acts with individualized effects. A critical re-framing, by contrast, might begin with this simple point: *bias* incidents differ from mere *incidents* because of their connection to broader patterns of injustice. Without a critical awareness of those inequities and injustices as the central framework for creating and implementing bias incident response mechanisms, a normative criminal justice frame all but guarantees bias incident responses that reiterate the white neoliberal racism discussed above.

2. The criminal justice framing of bias incidents as isolated events complements a branding perspective. And once an incident is "isolated," it becomes easier to cast as an anomaly. The PR spokesperson can appear on the news to report that the "entire community" is "shocked," with everyone asking "How could something like this happen here?" In the white neoliberal psyche, the appearance of the noose is like the return of the repressed, and so it activates strategies of re-repression and denial stemming from a desire to return to the (white) law and order normality that preceded the incident. While the white neoliberal worldview is shocked, however, for African Americans, a noose incident more likely evokes the full weight of history and works to affirm or punctuate the pervasive normality of everyday racism, which remains largely invisible to the white world.

3. The major prerequisite to creating better responses to bias incidents is to alter the general racial framework on campus as a matter of routine practice. Perhaps the next stage of the discussion I have tried to promote here is to explore the question of

how to facilitate an institution's conscious reckoning with its complicity with racism, specifically in the face of its deep and earnest belief in itself as working against it.

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