






A Way Out of the DEI Wars

RICHARD D. KAHLBERG
PROGRESSIVE POLICY INSTITUTE

FEBRUARY 2025

 @ppi |  @progressivepolicyinstitute |  /progressive-policy-institute

A Way Out of the DEI Wars

RICHARD D.
KAHLENBERG

FEBRUARY 2025

INTRODUCTION

Donald Trump's second act as president has begun with so many unthinkable policies — from seeking to eliminate birthright citizenship guaranteed in the Fourteenth Amendment to pardoning January 6 rioters who attacked police officers — that it is tempting to assume that his moves to restrict diversity, equity, and inclusion (DEI) policies can easily be dismissed as wrongheaded.¹

The manner in which Trump has gone about his assault on DEI further enhances the impulse for Democrats to push back very hard. After a tragic airplane crash, at a moment when the president should have been consoling the country, Trump cast blame on DEI policies despite lacking any evidence. The administration also hired an acting Under Secretary of State for Public Diplomacy who wrote in October, “Competent white men must be in charge if you want things to work.”² As outlined below, Trump issued anti-DEI executive orders that were vague, and his purge of DEI staff in the federal government swept up some people who had merely attended DEI sessions.³ He has targeted for elimination not only racial preference policies, but also President Lyndon B. Johnson's requirement that, before firms evaluate candidates in a race-neutral fashion, they engage in outreach efforts to make sure a diverse group of applicants are aware of opportunities. Trump has claimed to defend “merit” and then appointed cabinet members who are utterly unqualified. In short, if one wanted to find someone to make a principled case against DEI excesses, it is hard to think of a worse candidate than Donald Trump.

Furthermore, it is enticing to defend current DEI policies because the goals are noble. America's ability to draw diverse populations from all over the world is undoubtedly one of the country's great strengths, the nation's “superpower.”⁴ Genuine equal opportunity and nondiscrimination are cherished values. And educational institutions and

employers should foster inclusive environments that are welcoming to people of all backgrounds. Thought of in those terms, lower-case diversity, equity, and inclusion values can be considered outgrowths of the nation's heroic civil rights movement.

Having said all that, it would be an enormous mistake for Democrats to launch a strong defense of existing DEI programs whose means to achieving positive goals are deeply problematic. To begin with, Trump has laid a political trap. He would love nothing better than for Democrats to spend a lot of time and energy supporting politically toxic DEI policies that have alienated large numbers of voters, especially those from working-class backgrounds.⁵

Moreover, on the merits, many DEI policies and practices in education and employment have become frighteningly illiberal and stand as a counterpoint to the historic fight for civil rights. At their worst, DEI policies have promoted mandatory ideological indoctrination about how people should think, backed up by an enforcement mechanism to make sure students, educators, and employees suffer consequences if they don't adopt the "right" views. Too many DEI programs have oversimplified complex controversies into Manichean struggles between "oppressors" and the "oppressed," and have advanced race essentialist thinking that equates skin color with certain sets of values. These poorly thought-out programs have been shown to sow division and resentment, and they have promoted a troubling victim mindset that is disempowering to the very populations DEI is aimed at assisting. DEI programs have often pursued rigid equality of racial group results by fiat, imposed illiberal loyalty oaths in college faculty hiring, curtailed free speech rights, and denigrated merit. With a singular focus on race, they have too often ignored pressing issues of economic inequality and the benefits of ideological diversity. They have diverted precious resources,

often proven ineffective and counterproductive and, in some cases, fed antisemitism. For all these reasons, these policies, often enforced by coercive DEI bureaucracies, have hurt Democrats politically, particularly among working-class voters, and helped to fuel Donald Trump's return to the White House.

In turn, Republican responses to DEI, including Trump's, have often themselves been exceedingly illiberal. Bans on DEI in states such as Florida and Iowa, have trampled on academic freedom by barring professors from discussing certain forbidden topics. In some red states, anti-DEI policies have led schools to pull books from libraries, including volumes about Roberto Clemente, Anne Frank, and Ruby Bridges. Reducing access to these materials is a close cousin of the "book bans" that authoritarian countries have implemented. In some states, such as Texas, educators cannot teach topics that might cause "discomfort" or arouse feelings of guilt among some white students. Some anti-DEI policies have taken on a punitive approach toward higher education generally, which Vice President J.D. Vance has described as "the enemy."⁶ Finally, some right-wing attacks on DEI look suspiciously like assaults on the goal of diversity itself. Whereas conservatives used to oppose racial preference programs but support efforts to uplift economically disadvantaged students of all races, some now claim that even race-neutral programs are a form of "proxy discrimination," if racial diversity is one of their goals.

When both sides in the DEI wars suppress free speech and try to police how citizens think, what is the way out? This report lays out a completely different vision that would end troubling DEI bureaucracies and replace them with new forms of civic education that seek to bring people of different backgrounds together and emphasize what they have in common as Americans. New policies would benefit economically disadvantaged

people of all races, including those whose prospects have been stunted by the economic legacy of racial discrimination. The animating vision of these policies would embrace the wonderful diversity of the United States and honor people of all backgrounds as fully American but also recognize that the genius of liberal democracy is to transcend tribalism to create a shared American identity centered around fundamental principles.

This report proceeds in four parts. In part I, I briefly describe what DEI is and how it works in education and employment. In Part II, I detail the troubling aspects of current DEI programs, with a particular focus on DEI in educational institutions. In Part III, I outline the illiberal aspects of the Republican response to DEI programs at the state and federal levels where “bans” have been enacted. And in Part IV, I outline a path forward, including a policy I call “Integration, Equal Opportunity, and Belonging,” which balances an appreciation for diversity with a robust effort to build a common identity that underlines the values we all share as Americans. The new approach would urge educational institutions to restore a commitment to the great principles of the early civil rights movement: individual opportunity and freedom from discrimination, emphasizing commonality across racial lines, enhancing empathy and respect for people of different races, ethnicities, economic backgrounds, and ideologies. And it would back policies to create opportunities for all economically disadvantaged Americans to get ahead.

I. WHAT IS DEI?

Diversity, Equity and Inclusion programs are found in K-12 education, higher education, corporations, and nonprofits and typically consist of five central elements. In the education context (which is the focus of this report), DEI involves:

.....
Trainings for educators (in education schools and later in professional development courses) and students in K-12 and college settings, that typically advance an ideology known as “anti-racism” (discussed further below). In higher education, some researchers estimate that “two-thirds of colleges require students to take DEI-infused courses to graduate” and “about 90% of college-orientation programs promote DEI.”⁷

.....
Using race as a factor in student admissions and in the hiring of faculty and staff to boost the presence of underrepresented racial groups – practices that have been challenged (often successfully) in federal court.

.....
Requiring prospective faculty hires to provide “DEI statements” which compel these applicants to explain how they will promote values of diversity, equity, and inclusion – statements that can often amount to political litmus tests.

.....
Instituting speech codes on campus that ostensibly aim to build inclusion by shielding students from speech that administrators deem as offensive.

.....
The hiring of bureaucracies that engage in trainings, champion the use of race in student admissions and faculty hiring, promote DEI statements, and enforce speech codes through a series of sanctions.

II. FIFTEEN TROUBLING ASPECTS OF DEI

Some in the media soft-pedal what DEI programs are about, suggesting they are essentially policies of antidiscrimination. *The Washington Post's* shorthand for DEI, for example, is “any program or policy seeking to provide equal access for people of color, women, the LGBTQ+ community, or other marginalized groups.”⁸ Likewise, *Washington Post* columnist Eugene Robinson characterized the experience of the Tuskegee Airmen, Black pilots who belatedly were given the chance to fight in World War II after discriminatory restrictions were removed, as a powerful example of DEI in practice. He wrote: “Diversity: The corps of U.S. pilots, previously all-White, for the first time included African Americans. Equity: Black airmen, like Whites, were judged on their abilities, not their skin color. Inclusion: African Americans were allowed to participate more fully in the nation’s crusade to liberate Europe from Nazi tyranny.”⁹

No doubt, there are some DEI programs that extol the benefits of diversity in non-coercive ways and are limited to outreach rather than racial preferences. If this were what all DEI programs were about, of course, they would likely receive nearly universal support. Polling finds that judging people by “abilities, not their skin color,” for example, is a widely lauded aspiration.¹⁰ But in practice, many DEI policies go in a very different direction. Below are 15 problematic aspects of DEI programs.

1. DEI Can Promote Ideological Indoctrination.

Most fundamentally, DEI trainings are too often about indoctrination rather than discussion, inquiry, and debate. As Paul Brest, the former dean of Stanford Law School and former president of the Hewlett Foundation, and his colleague Emily Levine observe, DEI trainings typically are “ideological workshops that inculcate theories of social justice as if there were no plausible alternatives.”¹¹

Whereas schools and universities are supposed to be about open inquiry, the very term “trainings” suggests something quite different. One DEI official acknowledges that too often, DEI sessions involve an attempt to say: “here are the views that you need to espouse.”¹²

This approach is particularly problematic because DEI touches on profound and highly contested questions. What is the best way to remedy the nation’s history of racial discrimination? In order to reduce racial discrimination, should society be trying to increase the salience of racial identity or decrease it? As one DEI official noted, there is a legitimate debate within marginalized communities over “whether their own identities — often constructed for the purpose of denigration and degradation — should be preserved or transcended, held tightly or held lightly.”¹³

Worse, DEI trainings are typically mandatory. In the workforce, and in education spaces, ideological indoctrination is compulsory. In theory, individual employees and students can raise objections to this indoctrination, but there are often social sanctions or worse applied to those who would question what is being said. As a result, many conclude that the prudent path is to simply go along with ideas with which they disagree and keep their heads down.

2. DEI’s Theory of Oppressed Groups and “Intersectionality” Can Oversimplify Complex Issues.

DEI too often rigidly divides the world into oppressors (white people, capitalists, Israelis) and the oppressed (Black people, the non-wealthy, Palestinians) without offering any nuance. In addition to historical accuracy, subtlety is lost, and groups made up of millions of people are portrayed as monolithic. A DEI director at a Bay Area Community College categorized Jews, who have been subject to centuries of antisemitism, as “white oppressors.”¹⁴

The upshot of these Manichean divisions between oppressed and oppressor is deeply troubling. The ideas and actions of individuals are not evaluated on their merits, but on their position in the hierarchy. That is, ideas and actions have greater or lesser validity depending upon the identity of the speaker or actor.¹⁵ Moreover, atrocities can be justified in the name of fighting oppression.

On October 7, 2023, when Hamas slaughtered hundreds of Israeli civilians — including women and children, many of them left-leaning peace activists — 34 Harvard student organizations, steeped in DEI ideology, put the entire blame for the attack on Israel. The worldview, as Peter Wehner notes, meant that “murdering children or raping women isn’t intrinsically bad; its morality depends on who is doing the murdering and raping. And those who are ‘privileged’ are in no position to criticize those who are not.”¹⁶

Likewise, when Luigi Mangione was arrested for allegedly murdering United Health Care CEO Brian Thompson in cold blood, the dehumanizing assumption that the victim belonged in the “oppressor” category led some to celebrate the killing. An astonishing 25% of Princeton students polled found Mangione’s action “completely justified,” while another 22% said Thompson’s death was “deserved.” Only 13% said the killer was entirely “in the wrong.”¹⁷

DEI, building on critical race theory, further posits that these overly simplistic categories of oppressed peoples are “intersectional.” If taken to mean that, say, Black women facing both racism and sexism have an especially tough burden that is additive, the idea is reasonable. But DEI argues that there are prescribed hierarchies of oppression and that oppressed groups must support each other’s struggles in lockstep fashion. We are left with the spectacle of LGBTQ+ groups supporting Hamas against Israel, even though Hamas considers gay love to be taboo and persecutes gay Palestinians.¹⁸

3. DEI Can Advance Race Essentialism.

Some DEI trainings promote the worst kind of insulting racial stereotyping that would not be out of place at a gathering of the Ku Klux Klan. Values that most Americans of all races admire — hard work, punctuality, reading and writing skills — are coded as “white” or even “white supremacist.”

DEI trainings at one elite private school in New York City taught that “individualism, worship of the written word, and objectivity” were “characteristics of white supremacy.”¹⁹ For a time, even the venerable Smithsonian Institution posted a chart describing “objectivity,” being on time, and appreciating the written word as particular aspects of “white culture.”²⁰ The Smithsonian withdrew the posting after an outcry, but to this day, public schools continue to employ these teachings. In Montgomery County, Maryland, for example, public schools use Kenneth Jones and Tema Okun’s ideas that “perfectionism,” “worship of the written word,” a “sense of urgency,” and “objectivity” are elements of “White Supremacy Culture.”²¹ In Loudon County, Virginia, public schools, universal values such as “independence” and “self-expression” were deemed manifestations of “White Individualism” as opposed to “Color Group Collectivism.”²² In 2022, a Yale professor said Joe Biden’s decision to work while having COVID “epitomizes white supremacy urgency in the workplace.”²³

Many Black parents and educators are understandably appalled by these DEI tenants. A *New York Times* reporter who profiled white anti-racist theorist Robin DiAngelo, author of the bestselling *White Fragility*, interviewed a Black educator named Deonca Renee who was working to try to expand access to A.P. classes in New York City to disadvantaged communities. Renee told the reporter: “The city has tens of millions invested in A.P. for All, so my team can give kids access to A.P. classes, and help them prepare for A.P. exams that will help them get college degrees, and we’re all supposed to think that writing and data are white values?”²⁴

4. DEI Can Sow Division and Resentment.

In its reliance on racial stereotyping, DEI too often demonizes entire racial groups. At Penn State University, for example, one white faculty member in the English department alleged that DEI officials created a hostile work environment by, among other things, requiring faculty to watch a video entitled “White Teachers Are a Problem.” In a preliminary ruling, a Black federal judge and Obama appointee Wendy Beetlestone let the case proceed in part based on allegations that on several occasions, the plaintiff “was obligated to attend conferences or trainings that discussed racial issues in essentialist and deterministic terms — ascribing negative traits to white people or white teachers without exception and as flowing inevitably from their race.”²⁵ Likewise, an Evanston Illinois teacher sued the school district, alleging that DEI training violated the Civil Rights Act by requiring teachers and students to participate in racially segregated “privilege walks.”²⁶

The use of racial preferences in hiring and promotion — an idea enthusiastically embraced by DEI — has also been found to increase racial resentment and actually increase white racism. In one study, Paul M. Sniderman of Stanford and Edward G. Carmines of Indiana University conducted an experiment in which they asked one-half of a group of white respondents what they thought about Black people and subsequently asked a question about affirmative action. For the other half of respondents, the order of the questions was reversed: respondents were asked first about affirmative action and then what they think of Black people. The two groups were matched by education, levels of prejudice, social background, and political outlook. The researchers found that when the affirmative action question appeared first in the survey, the mere mention made the percentage of white people agreeing with negative stereotypes of Black people rise. The share of people who embraced the slur that “most blacks are lazy” increased from 20% to 31%; and

the proportion who agreed with the libel that “most blacks are irresponsible” increased from 26% to 43%. The experiment involved varying the order of only one question in a survey of more than one hundred questions, yet it triggered a statistically significant jump in negative white attitudes about Black people.²⁷

As the great civil rights leader Bayard Rustin explained, “Any preferential approach postulated along racial, ethnic, religious, or sexual lines will only disrupt a multicultural society and lead to a backlash.” There were better ways to remedy past discrimination, he argued: “Special treatment can be provided to those who have been exploited or denied opportunities if solutions are predicated along class lines, precisely because all religious, ethnic, and racial groups have a depressed class who would benefit.”²⁸

5. DEI Can Promote a Victim Mindset Rather Than Empowerment.

DEI programs are right to point to examples of racism in America, but too often, they portray a one-sided and overly pessimistic view that denies progress and unwittingly leaves Black students and adults feeling disempowered. As Brest and Levine note, “These programs may undermine the very groups they seek to aid by instilling a victim mind-set.”²⁹

Ian Rowe, a Black scholar at the American Enterprise Institute, cites deeply disturbing research by a University of London scholar who found that when Black respondents read passages from Ta-Nehisi Coates focused on America as a nation “built on a history of oppression,” it reduced their “sense of control over their lives” by 15 percentage points.³⁰

Likewise, citing the research of NYU scholar Jonathan Haidt, the *New York Times* notes: “Some researchers argue that teaching students to view the world chiefly through the lens of identity and

oppression can leave them vulnerable instead of empowered.”³¹

6. DEI Can Preach Equal Racial Group Results Rather Than Equal Opportunity.

DEI programming often adopts Boston University scholar Ibram X. Kendi’s dubious “anti-racist” ideology, which posits that all racial disparities are the result of racial discrimination and, therefore, any deviation from proportional racial group representation is suspect.³² Anti-racism argues that a person is either racist or anti-racist, and a racist includes anyone who is not supportive of racial preferences. Indeed, anyone who believes the government should treat everyone the same, regardless of race, is engaging in “colorblind racism.”³³

Empirically, the idea that all racial disparities are the result of racism is hard to square with the relative academic success of groups that themselves have been victims of discrimination, such as Asian Americans, Jewish Americans, and women. New York City public schools are 18.7% Asian American, and yet the top exam-based school, Stuyvesant High School, is 75% Asian.³⁴ Women constitute about half the population, but 58% of college students are female.³⁵ Jews make up 0.2% of the world’s population, yet have won 22% of Nobel Prizes.³⁶

Yet anti-racism insists that racial disparities are entirely explained by discrimination and, therefore, that racial preferences are the only appropriate response. Kendi argued the “only remedy to past discrimination is present discrimination. The only remedy to present discrimination is future discrimination.”³⁷

7. DEI Can Impose Faculty Loyalty Oaths.

DEI policies in higher education often mandate that prospective faculty hires submit statements about how they will advance diversity and inclusion. This might be understandable if those doing the hiring were open to a variety of approaches to ensuring inclusive and diverse environments, but in practice, these statements require a particular set of beliefs, enforcing an orthodoxy that stifles dissent and freedom of thought.

Evidence suggests that DEI statements amount to a political litmus test in which would-be faculty members have to attest allegiance to the idea that racial preferences are the only fair path forward for America. If they don’t, they can face dire consequences.³⁸ As the *New York Times* noted in a story about the University of Michigan, “a hypothetical diversity statement that called for de-emphasizing ‘the axes of identity on which we differ’ in classrooms and to make admissions a ‘level playing field,’ could constitute “career suicide.”³⁹ The stakes are high for creating a diversity statement with the “right” answer. One high-ranking University of California at Davis official declared, “In these searches, it is the candidate’s diversity statement that is considered first; only those who submit persuasive and inspiring statements can advance for the complete consideration.”⁴⁰

Historically, the left has proudly championed academic freedom and balked at compelled speech. During the reign of Senator Joe McCarthy in the 1950s, for example, higher education leaders stood up against the idea that their faculty should take loyalty oaths as a condition of employment. And liberals rightly celebrated the principle that compelling speech is anathema to freedom of thought. In the famous case of *West Virginia v. Barnette*, Justice Robert Jackson held that forcing students to salute the American flag is unconstitutional. He wrote: “If there is any fixed

star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."⁴¹

Harvard Law professor Randall Kennedy, a strong supporter of civil rights, argues against compelled DEI statements. He reasons: "Candidates for academic positions at Harvard should not be asked to support ideological commitments. Imagine the howl of protest that would (or should) erupt if a school at Harvard asked a candidate for a faculty position to submit a statement of their orientation towards capitalism, or patriotism, or Making America Great Again with a clear expectation of allegiance?"⁴²

Thankfully, some universities are abandoning these statements. The University of Michigan did so after a survey of faculty found that more than half believed "diversity statements placed pressure on professors to express specific moral, political, and social views."⁴³

MIT has also announced it would stop requiring faculty applicants to make such statements. "We can build an inclusive environment in many ways, but compelled statements impinge on freedom of expression, and they don't work," MIT's president, Sally Kornbluh said.⁴⁴ Harvard followed soon after.⁴⁵ But at many universities, such requirements persist.⁴⁶

8. DEI Can Curtail Free Speech Rights.

One tenant of DEI training, channeling critical race theory (CRT), is that words can be a form of violence. In a 1993 book, *Words that Wound*, four CRT scholars argued that words can be "assaultive" and argue for breaking down the traditional conduct/speech dichotomy when thinking about what constitutes protected speech. They argued: "Words, like sticks and stones, can assault; they can injure; they can exclude."⁴⁷

If words are really a form of verbal "violence," it follows that DEI staff need to enact and enforce strict campus speech codes to protect students. In 2023, when Stanford Law School students shouted down a speech by Fifth Circuit Judge Stuart Kyle Duncan over his views on LGBTQ+ rights, a DEI official who was present did not encourage the students to permit the judge to speak but instead asked Duncan, "Is the juice worth the squeeze?" — that is, was his presence worth the pain it was causing?⁴⁸

Intolerance of free speech is widespread on university campuses. According to a survey of 37,000 students from the Foundation for Individual Rights in Education (FIRE), nationally, two-thirds of students say shouting down speakers is sometimes justified, including 72% of those at the top 20 colleges in the US News rankings. At the top 20 schools, 50% of students say it is sometimes justifiable to block peers from attending a campus presentation, and 30% say violence can be justified to block speech.⁴⁹ At William & Mary, for example, students with Black Lives Matter blocked an ACLU official from speaking, shouting, "Your free speech hides beneath white sheets."⁵⁰

The link to DEI is clear. When students try to prevent people holding conservative views from speaking on campus, the subject matter is rarely about labor policy, taxes, or the environment. Instead, the triggers are race, ethnicity, and sexual orientation.⁵¹ Indeed, one study found a direct correlation between the size of a university's DEI bureaucracy and reduced support for free speech. The study found: "universities with the largest DEI bureaucracies are predicted to have student populations that are 19% more supportive of shout-downs, 10% more supportive of blockades, and 12% more supportive of violence" than student populations at universities with the smallest DEI bureaucracies.⁵²

The anti-free speech views common in DEI thinking have also closed the minds of student journalists, who are supposed to be the most ardent supporters of free exchange. At the University of Virginia, the editors of the *Cavalier Daily* opposed giving Vice President Mike Pence a chance to speak on campus because his words about LGBTQ students were deemed “violent” in nature and, therefore, “impermissible.”⁵³

9. DEI Can Denigrate Merit.

Some DEI training also denigrates the deeply-held American value that, ideally, decisions about hiring and advancement should be based on individual merit rather than other factors. The critique of merit goes back to CRT theorist Derrick Bell, who rejected merit as a “smokescreen” used by white people to maintain dominance. California Community Colleges, for example, adopted a DEI policy positing that “merit is embedded in the ideology of Whiteness and upholds race-based structural inequality.”⁵⁴ In some circles, saying the best-qualified person deserves the job is labeled a “microaggression.”⁵⁵

Caught up in DEI thinking, the well-regarded KIPP charter schools abandoned its “Work Hard. Be Nice” slogan, over a fear that it reflected “white supremacy culture,” even though polls found that 80% of parents, across racial lines, like the idea of their kids working hard and being nice.⁵⁶ In 2024, the Massachusetts Teachers Association made the preposterous argument that the widely lauded state test, the MCAS, “has allowed white supremacy to flourish in the public schools.”⁵⁷

10. DEI Typically Ignores Economic Inequality.

DEI efforts are almost always focused on issues of race and gender rather than socioeconomic status, even though mounds of research find that class, not race, is the primary predictor of opportunity in America today.⁵⁸ Diversity efforts at elite universities, for example, have created institutions that are racially integrated, but remain,

for the most part, economically segregated. At Harvard College, for example, students of color constitute a majority, yet there were twenty-three times as many rich students as students from low-income families. Among Black, Hispanic, and Native American students, 71.8% came from the most advantaged one-fifth of the Black, Hispanic, and Native American populations nationally.⁵⁹

After George Floyd’s brutal murder, corporate America rushed to hire DEI consultants. But DEI trainings are what *Washington Post* columnist Megan McArdle calls “trickle-down social justice.” She asks: “If you’re a Black food-service worker living in a high-crime neighborhood...how much did you benefit” from such programs?”⁶⁰

11. DEI Typically Ignores Ideological Diversity.

DEI advocates are right to say that when people with different life experiences come together in an educational institution, or a workplace, the exchange of ideas can be more robust, and problem solving can be enhanced. But DEI policies typically have a blind spot to ideological viewpoint diversity.

A wide body of research finds that elite colleges have faculty and student bodies that lean much further left than the country as a whole.⁶¹ A 2022 survey of Harvard faculty, for example, found 82% identified as liberal, fewer than 2% as conservative, and 16% as moderate.⁶²

At the University of Michigan, which has invested enormous energy into its DEI program, conservatives represent an estimated 10-15% of students.⁶³ Typically, DEI offices not only ignore viewpoint diversity, they actively discourage it by promoting a set of ideas that perpetuate a progressive political monoculture.

12. DEI Can Divert Precious Resources.

College administration has grown enormously in recent decades, and DEI offices can be a

contributor to this trend. Research from Paul Weinstein Jr. of the Progressive Policy Institute found that between 1976 and 2018, student enrollment in higher education increased by 78%, but the number of full-time administrators increased by 164%.⁶⁴ At Yale, the ratio of administrators to students is now 4:1, which critics note is “the same ratio that government recommends for child care of infants under twelve months.”⁶⁵

DEI can constitute a significant part of the new administrative bloat. According to the *New York Times*, the University of Michigan spent a quarter of a billion dollars on DEI since 2016 and currently employs 241 people.⁶⁶ Given the mixed record of such offices, at best, it’s important to ask whether those resources might have been more wisely spent on programs like scholarships for needy students who might not otherwise attend a four-year college.

13. DEI Is Often Ineffective and Counterproductive.

DEI is a multibillion-dollar industry, but in 2023, Jesse Singal noted in *The New York Times* that evaluation studies generally find it has “little or no positive long-term effect.”⁶⁷

Worse, a 2024 study conducted by the Network Contagion Research Institute in collaboration with Rutgers University using an experimental design found that some DEI practices can “induce hostility, increase authoritarian tendencies and foster agreement with extreme rhetoric.”⁶⁸ As the *Chronicle of Higher Education* notes, the 2024 study’s is “not an entirely new finding. The authors cite research going back to 2004 suggesting that, at least some of the time, diversity programming paradoxically promotes the very forms of prejudice it is meant to mitigate — a kind of backlash effect.”⁶⁹ An analysis of DEI at the University of Michigan, for example, found that “students were less likely to interact with people of a different race

or religion or with different politics,” than before the program started.⁷⁰

These findings are consistent with research that finds that racial identity politics and the support for racial preference programs push white Americans to the right politically. “Threat to one’s group,” Duke University political scientist Ashley Jardina finds, “activates one’s group identity.”⁷¹ Stanford’s Paul Brest and Emily Levine conclude that many DEI programs “exacerbate the very problems they are intended to solve” and are “counterproductive.”⁷²

14. DEI Can Feed Antisemitism.

After Hamas’s October 7 attack, universities saw large outbreaks of antisemitism and had to grapple with why that might be so. Why was antisemitism not a serious problem in “hospitals or libraries,” former Harvard dean Harry Lewis asked, but nevertheless a major issue on campuses like Harvard’s?⁷³

In an article entitled, “Reaping What We Have Taught,” Lewis pointed to the academic theories being propagated on the far left. If all disparities between group outcomes were the result of discrimination, as Kendi suggested; and “when complex social and political histories are oversimplified in our teachings as Manichaeian struggles — between oppressed people and their oppressors, the powerless and the powerful, the just and the wicked — a veneer of academic respectability is applied to the ugly old stereotype of Jews as evil but deviously successful people.”⁷⁴

David Bernstein, a longtime activist in progressive causes, documents with countless examples the strong link between DEI and antisemitism in his 2022 book, *Woke Antisemitism*. He writes: “when success is redefined as privilege” and “privilege is viewed with suspicion, Jews may also be viewed with suspicion.”⁷⁵ A 2021 study examining the Twitter feeds of 741 DEI personnel at 65 universities found that only 4% of tweets

about Israel were favorable, compared with 62% of tweets about China, a notorious abuser of human rights.⁷⁶

As if to confirm the worst fears that DEI was linked to antisemitism, DEI leaders at the University of Michigan gave an award to the leaders of a student group that “issued a statement on Oct. 7 justifying the murder of Israeli civilians.” (The award was later rescinded after the student called for “death and worse” to “every single individual who supports the Zionist state.”⁷⁷) Another DEI official at Michigan was fired after allegedly suggesting that the university was “controlled by wealthy Jews” and that “Jewish people have no genetic DNA that would connect them to the land of Israel.”⁷⁸

15. DEI Ideology Can Hurt Democrats.

The Democratic Party’s full-throated embrace of DEI, while fashionable at elite universities, has also aggravated its struggles with the American public, especially working-class voters.

The Biden administration endorsed DEI enthusiastically. Biden Executive Order 13985 advanced a “whole-of-government equity agenda” in every federal department and agency.⁷⁹ It fought for racial preferences in college admissions in the Supreme Court. It prioritized certain COVID relief funds for women and people of color.⁸⁰

The endorsement of racial preferences was politically toxic. The Pew Research Center found that 78% of whites, 54% of Blacks and 69% of Hispanics say “when it comes to making decisions about hiring and promotions, companies and organizations should only take a person’s qualifications into account, even if it results in less diversity.”⁸¹ DEI’s narrow focus on race to the exclusion of class, which tells working-class whites that they are “privileged,” was deeply alienating.

Republicans understood that while the goals of diversity and inclusion are politically popular,

DEI practices — including racial preferences and race essentialist thinking — provided a juicy political target. Trump used the Biden-Harris administration’s embrace of DEI as a political cudgel, telling conservatives, “On day one, I will revoke Joe Biden’s crazy executive order installing Marxist diversity, equity, and inclusion czars in every federal agency.”⁸² Even though Trump ran as an extremist in so many ways, voters tended to see the Democratic Party as even more extreme. A November 2024 Progressive Policy Institute poll found that working-class voters were 11 points more likely to say that the Democrats had moved “too far left” than that Republicans had moved “too far right.”⁸³

III. ILLIBERALISM IN THE BACKLASH AGAINST DEI

Given the many troubling aspects of DEI, Republicans have pounced on the issue. Sometimes, their criticisms are aimed appropriately at the illiberal strains of DEI. Too often, however, Republicans have drastically overcorrected by embracing policies that are *themselves* illiberal.

A. Republican Attacks on DEI at the Federal and State Levels

At the federal level, President Trump began attacking DEI policies on his very first day back in office. In the first few weeks, he issued executive orders to:

- **Curtail DEI throughout the federal government.**

In an executive order entitled “Ending Radical and Wasteful Government DEI Programs and Preferencing,” Trump called for “the termination of all discriminatory programs, including illegal DEI ...mandates, policies, programs, preferences, and activities in the Federal Government.” The order also called for terminating all DEI “offices and positions” within the Federal Government within 60 days.⁸⁴

- **Curtail DEI in private firms.** In an executive order entitled “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” Trump ordered all agencies “to combat illegal private-sector DEI preferences, mandates, policies, programs and activities.” He further instructed agencies to “identify up to nine potential civil compliance investigations of publicly traded corporations.”⁸⁵
- **Curtail DEI in colleges.** In the same executive order entitled “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” Trump ordered agencies to “identify up to nine potential civil compliance investigations” of “institutions of higher education with endowments over \$1 billion dollars.”⁸⁶ (Nationally, 130 colleges fit this criterion).⁸⁷
- **Curtail DEI in K-12 institutions.** An executive order entitled “Ending Radical Indoctrination in K-12 Schooling” gave the Education Secretary and others 90 days to recommend a plan for “eliminating Federal funding or support for illegal and discriminatory treatment and indoctrination in K-12 schools,” including “discriminatory equity ideology” — a term that is defined to include teaching that “the United States is fundamentally racist, sexist, or otherwise discriminatory.”⁸⁸
- **Revoke Lyndon B. Johnson’s Executive Order 11246,** dating back to 1965, which called for affirmative outreach programs and was later interpreted to call for federal contractors to adopt racial goals and timetables.⁸⁹
- **Attack race-neutral efforts to promote diversity.** Significantly, Trump’s executive order on “Ending Illegal Discrimination” also said the Office of Federal Compliance Programs “shall immediately cease...promoting diversity.”⁹⁰ As David French of the *New York Times* noted, this provision appears to take the radical step of banning race-neutral as well as race-specific efforts to

promote diversity.⁹¹ Race-neutral programs to promote diversity in the private sector might include efforts to recruit more employees from economically disadvantaged communities. In the higher education context, it includes providing an admissions boost to economically disadvantaged students of all races.

- **In addition, the Department of Defense ended the use of resources for Black History Month celebrations** as well as celebrations for women, Asian Americans, Hispanics, and other groups.⁹²

These policies may be just the beginning. During the 2024 presidential campaign, Trump delivered a speech in which he outlined additional attacks on DEI policies in education.⁹³ In that speech, he previewed his executive order to cut off funds for discriminatory DEI policies that violate civil rights laws and suggested two additional levers:

- **Trump pledged to fire college accreditors and hire new ones.** Trump said his “secret weapon” would be to fire nongovernmental accrediting organizations and create new ones that support him on DEI. In order to receive federal funds, colleges must be accredited.⁹⁴ The Trump administration can appoint officials to the 18-member National Advisory Committee on Institutional Quality and Integrity (NACIQI), a federal group that accredits the accreditors.⁹⁵ This is a powerful weapon against colleges. The federal government spent \$114 billion on college financial aid in 2023 and \$54 billion in research and development grants in 2022.⁹⁶
- **Trump said he would fine college endowments up to the entire amount if they engage in “discrimination in the guise of equity.”**⁹⁷

Trump’s actions and proposed actions come on the heels of a number of state efforts to curtail DEI programs. In 2023, Florida and Texas banned DEI offices in public universities, and in 2024,

Alabama, Iowa and Utah followed suit. In addition, Idaho, Indiana, and Kansas prohibited universities from requiring diversity statements in either admissions or hiring.⁹⁸ At the K-12 level, several states, including Florida, have also constrained what educators can teach on issues of race and diversity.⁹⁹

B. Republican Overreach

Some of the Republican policies to curb illiberal DEI policies are, in my view, legitimate. As discussed further below, DEI policies that violate civil rights laws by employing racial preferences or creating a hostile work environment should be discontinued. In many cases, however, Republicans have also overreached. Five of the biggest problems are outlined below.

1. Anti-DEI Efforts Can Object Not Only to Racial Preferences, But to Racial Diversity Itself.

Some attacks on DEI don't curb abuses but instead look like mean-spirited attacks on diversity itself. Three examples have emerged already.

- **Repealing LBJ's executive order** in its entirety cuts off an important non-discriminatory tool for boosting racial diversity: encouraging businesses to engage in outreach efforts to diversify the pool of applicants.¹⁰⁰ This serves as an important practice that helps level the playing field to make sure more people are aware of openings. It involves no racial preference. Indeed, the language of Johnson's Executive Order 11246 called for corporations doing business with the federal government to take "affirmative action to ensure that applicants are employed, and that employees are treated during employment, *without* regard to their race, creed, color, or national origin."¹⁰¹
- **Eliminating celebrations of identity months**, including Black History Month, cuts short the opportunity for groups that have too often been

overlooked in American history to have their stories told. Unlike racial preference policies, which involve zero-sum competitions for scarce opportunities, celebrating Black History Month helps students of all backgrounds learn more about their country.

- **Attacking race-neutral efforts** to promote diversity would seek to terminate worthy and politically popular policies to boost diversity without racial preferences. For many years, conservative jurists and lawyers said they opposed racial preferences in education, but supported race-neutral efforts to achieve diversity, such as those that give an admissions break to socioeconomically disadvantaged students of all races. Now, some right-wing lawyers and jurists have attacked economic affirmative action policies at Thomas Jefferson High School in northern Virginia and the Boston Latin School as "proxy" discrimination.¹⁰²

In doing so, Republicans have crossed the Rubicon. Americans have long opposed racial preferences by 2:1 or more because they see them as a violation of anti-discrimination principles. But providing special support for economically disadvantaged people of all races received 2:1 support.¹⁰³ After all, it is a tried and true principle, embodied in thousands of means-tested programs, from Pell Grants to the free and reduced price lunch program for K-12 students. It is deeply disturbing that the Trump administration has endorsed this radical theory attacking race-neutral strategies. In a Dear Colleague letter, the Office for Civil Rights said it would "be unlawful for an educational institution to eliminate standardized testing to achieve a desired racial balance or to increase racial diversity." Absurdly, the same logic would appear to apply to a school that decided to end legacy preferences in order to increase diversity by race.

2. Anti-DEI Efforts Can Chill Legitimate

Discussion.

Some state-level laws, and some of Trump's federal proposals, ban legitimate discussion and debate about troubling racial inequalities in America.

As of the spring of 2024, 20 states had enacted restrictions on how teachers could discuss issues of identity, including race, and Brookings estimates one-quarter of teachers are subject to locally imposed restrictions. There also appears to be a troubling spillover effect. According to a RAND survey of teachers, even in jurisdictions with no restrictions, teachers have decided to "limit discussions of political and social issues in their classrooms."¹⁰⁴

Florida's law is one of the worst. FIRE, a free speech organization that often tangles with the left, sued the state because Governor Ron DeSantis's "Stop WOKE Act" prohibited "instruction" on eight specific "concepts" related to "race, color, national origin, or sex" such as whether individuals are unconsciously biased based on their race or sex and whether particular races or sexes inherently have certain privileges or disadvantages. FIRE argued: "in dictating to faculty and students what ideas may be considered in a college classroom, Florida's political leaders have run headlong into the First Amendment."¹⁰⁵

A Federal District Court agreed and struck down the law. Judge Mark Walker held: "The law officially bans professors from expressing disfavored viewpoints in university classrooms while permitting unfettered expression of the opposite viewpoints." Walker concluded: "Defendants argue that, under this Act, professors enjoy 'academic freedom' so long as they express only those viewpoints of which the State approves. This is positively dystopian."¹⁰⁶

Likewise, Suzanne Nossel, the CEO of PEN America, a critic of the way DEI faculty hiring statements can impede speech, nevertheless opposes some anti-DEI government laws that are overbroad and "unavoidably chill discussion not just in administrative offices, but across classrooms and quadrangles." She points, for example, to an Iowa law that restricts campus activities "designed or implemented with reference to" race, ethnicity, gender identity or sexual orientation. She argues that Black History Month commemorations and Friday night Shabbat dinners "could be swept under this blunderbuss proscription."¹⁰⁷ David Bernstein, a critic of extreme left ideology in schools, agrees, arguing, "The answer to ideological education isn't to ban the ideology but to make room for alternatives."¹⁰⁸

In discussing Donald Trump's executive orders on DEI, Joe Cohn, Director of Policy with Heterodox Academy, who has been critical of the ways in which DEI inhibits freedom of thought, was also critical of aspects of Trump's anti-DEI actions. They are one-sided, he argued, suggesting that universities may not promote certain DEI ideologies, but may condemn them. It's not appropriate, Heterodox Academy argues, to replace "one set of political litmus tests with different political litmus tests."¹⁰⁹

3. Anti-DEI Legislation Can Promote a Close Cousin of "Book Bans."

In some states, the push against DEI and "woke" education has led to the removal of books about Roberto Clemente, Anne Frank, and Ruby Bridges from school libraries.¹¹⁰ In South Carolina, a teacher was reprimanded for assigning Ta-Nehisi Coates's book, *Between The World and Me* after students reported her.¹¹¹ In Virginia, some sought to ban the teaching of Toni Morrison's award winning *Beloved*.¹¹²

Republicans retort that these examples do not technically involve book “bans” because students can still access all of these materials on Amazon. This is true, but the impulse to restrict access in schools is a troubling close cousin of the real thing.

4. Anti-DEI Legislation Can Give Whites Veto Power on the Basis of “Discomfort.”

Education is meant to challenge students to think critically about their assumptions in life, so they can sort through what is legitimate from what is not. Some anti-DEI legislation undermines this fundamental goal.

Texas state officials, for example, barred educators from teaching concepts that cause “discomfort, guilt [or] anguish.”¹¹³ This is the right wing equivalent of left-wing “safe spaces” that seek to coddle students and shield them from ideas they may find uncomfortable.

5. Anti-DEI Efforts Can Be Used to Punish Political Opponents and Weaken a Check on Government Power.

Some Republican rhetoric, and some of the proposed actions, begin to look less like legitimate efforts to curtail abuses and more like a way to punish political opponents. It is no secret that faculty (and many students) at elite institutions of higher education lean heavily left politically. This is a legitimate cause for concern on viewpoint diversity grounds, but so is the punitive rhetoric embraced by some Republicans.

Vice President J.D. Vance, for example, has described universities as “the enemy.”¹¹⁴ Likewise, Donald Trump’s call for universities that discriminate under the guise of equity to be fined “up to the entire amount of their endowment” is draconian and confiscatory.¹¹⁵

Vance and Trump’s approach calls to mind Viktor Orban’s attack on universities in Hungary, a classic authoritarian move to weaken an independent source of power. Michael Ignatieff, a Canadian leader who was president of a Hungarian university that Orban targeted, points out: “Universities are not usually understood, and even more rarely defended, as guardrail institutions that keep a democracy from succumbing to the tyranny of the majority, but that is one of their roles: to test, criticize, and validate the knowledge that citizens use to make decisions about who should rule them.”¹¹⁶ Their independence is worth defending.

IV. THE WAY OUT OF THE DEI WARS: A THIRD WAY

What is the right response? Is there a third way between embracing the illiberalism of full-throated DEI, and the illiberalism of much of the backlash against DEI?

Thus far, on the left, some of the response has been over the top. *New York Times* columnist Jamelle Bouie said Trump’s “move to end D.E.I. is of a piece with Woodrow Wilson’s successful effort, in his first administration, to re-segregate the federal workforce.”¹¹⁷ In his view, Trump’s call for treating different racial groups the same was analogous to Wilson’s program to treat them differently. The president of Common Cause, Virginia Case Salomon, reacting to the DEI orders, said “They want to diminish and exterminate and incapacitate progress toward a multiracial democracy in an effort to maintain white supremacy and concentration of wealth.”¹¹⁸

An industry whose estimated revenue was \$3.4 billion in 2020 is unlikely to go without a fight.¹¹⁹ The National Association of Higher Education Diversity officers joined with the American Association of University Professors and others to file a lawsuit challenging Trump’s executive orders arguing they are “unconstitutionally vague.”¹²⁰ Almost all those running for chair of the Democratic National Committee remain staunch

supporters of the most hard line DEI principles. In a recent forum of eight candidates, seven raised their hands when asked, “Will you pledge to appoint more than one transgender person to an at-large seat? And will you commit to making sure those appointments reflect the gender and ethnic diversity of the transgender community?”¹²¹

Much of corporate America, meanwhile, has been curtailing DEI programs, some before Trump’s election but many after it. Companies from Meta and Google to McDonald’s and Target have pulled back, while a few, such as Costco, are holding on.

The response among Democratic politicians thus far has generally been more muted than on other issues.¹²² It may be, as columnist Peggy Noonan has noted, that Democrats will let Trump “control immigration and kill woke; that will remove the issues people most hate about the Democratic Party.”¹²³ Polls suggest that many Democratic voters, including those who are Black and Latino, have qualms about DEI and racial preference programs.¹²⁴ When Democrat politicians have defended DEI, they have tended to do so through misdirection. Rather than making a forthright case for racial preferences and DEI trainings, for example, Democratic House Leader Hakeem Jeffries claimed DEI “is about merit for everyone.”¹²⁵

Below are a set of recommendations for a path forward.

A. Create a New Approach: “Integration, Equal Opportunity, and Belonging”

To begin with, a forward-looking plan should end divisive “Diversity, Equity, and Inclusion” programs and create a new set of policies in schools and colleges that are anchored in foundational American ideas, such as treating people as individuals rather than members of racial groups and nurturing independent thought. To symbolize the sharp substantive break from DEI policies, the

new set of policies should be called: “Integration, Equal Opportunity, and Belonging.”

Whereas the current focus on “diversity” highlights *differences* between people of different racial and ethnic groups, the idea of “integration” returns to the civil rights movement’s original notion that educational institutions should be open to students of all different backgrounds who come together to learn what they have *in common* as Americans.

Whereas the current focus on “equity” implies *equality of racial group* results in Kendi’s theory that an overrepresentation of any group (say Asian Americans or Jews) is problematic, “equal opportunity” signals that everyone, no matter their background, deserves *an equal shot developing their talents*.

Whereas “Inclusion” came to mean students should be *shielded from hearing uncomfortable beliefs* and often involved curtailing free speech rights, the term “belonging” can mean that students, no matter their background, *should be made to feel welcome*. This universal principle would apply to students whether they are white, Black, Asian, Hispanic, or Native American; whether they are liberal or conservative; and whether they are rich or poor.

These changes in nomenclature are not merely symbolic but represent the need to return to ideas that have in the past shown great power to unify majorities of Americans.

B. Principles for Integration, Equal Opportunity, and Belonging

Integration, Equal Opportunity, and Belonging policies would seek to achieve the benefits of DEI programs in schools and colleges while avoiding their illiberal pitfalls. The new policies would:

- **Encourage open inquiry** around race and racial

disparities and avoid ideological indoctrination.

- **Encourage nuanced discussions** and avoid a Manichean “intersectional” worldview which neatly divides racial and ethnic groups into categories of oppressed and oppressors and requires oppressed groups to unthinkingly support one another’s causes.
- **Encourage students to view themselves as individuals** and avoid race essentialism that stereotypes members of racial groups as uniformly holding particular sets of values.
- **Encourage students to appreciate diversity**, while also emphasizing what students, teachers, and faculty share in common as Americans. This effort would avoid demonizing groups and sowing division and resentment.
- **Empower marginalized groups of students** by emphasizing their agency to change the world and avoid instilling a victim mindset that promotes fatalism.
- **Promote robust efforts to provide genuine equal opportunity** and fight discrimination. In order to tap into the talents of all students, such policies would recognize that some students face extra economic obstacles, but would not assume something iniquitous is afoot if one racial group (say, Asian Americans) outperforms other groups.
- **Encourage faculty candidates to lay out plans for students to succeed** but don’t impose loyalty oaths that require a commitment to a particular ideological agenda, such as a pledge to achieve proportional representation of racial groups through racial preferences.
- **Promote the benefits of free speech** and avoid campus speech codes that chill legitimate discussions.¹²⁶
- **Champion merit as an important value** and avoid the soft bigotry of low expectations for students of color.
- **In evaluating a student’s potential**, their “true merit,” recognize that low-income and working-class students of all racial backgrounds face extra obstacles and recognize that test scores and grades aren’t the only way to reveal merit.
- **Seek students and faculty** with a wide variety of ideological worldviews to facilitate robust and civil debate.
- **Eliminate bureaucracies** that were dedicated to compulsory DEI enforcement and repurpose the funds to other priorities, such as devoting resources to promising students who face economic disadvantages.
- **Learn from rigorous research** about which approaches to integration, equal opportunity, and belonging yield the desired results and which do not.
- **Avoid divisive ideologies** that feed antisemitism and racism.
- **Employ politically durable strategies**, particularly those that appeal to working-class people of all racial backgrounds.

In addition, Integration, Equal Opportunity, and Belonging policies would avoid the illiberal aspects of the anti-DEI backlash policies enacted by some on the far right. New policies would:

- **Encourage free discussion** of sensitive issues surrounding race and avoid broad categorical prohibitions of forbidden topics.
- **Encourage students** to read books with a variety of perspectives on how best to remedy racial inequality.

- **Recognize** that although discussions of race may make students of different backgrounds (especially white students) feel uncomfortable, such dialogue can provide room for growth if handled sensitively and with good faith.
- **Always base education policies** on what is best for students, not on a desire (as announced by Donald Trump and J.D. Vance) to punish or weaken politically disfavored institutions (such as colleges).
- **Embrace race-neutral policies** that bring economically disadvantaged students of all races to schools and campuses.

C. Implementation

How can government policies best implement these principles in K-12 and higher education? How can they bring students of different races together to learn without engaging in divisive and illegal racial preferences? How can they encourage good pedagogical practices that avoid race essentialist thinking and emphasize commonality without chilling legitimate discussion of contentious issues of racial inequality?

I recommend a series of federal policies that (1) end racially discriminatory programs; (2) terminate compulsory DEI programs in education that violate civil liberties; (3) subject controversial local pedagogical and curricular materials to sunshine so that voters can put pressure on local authorities to excise race essentialism and stereotyping in education without discouraging robust discussion of inequality; (4) creates new opportunities for economically disadvantaged students of all races that will integrate educational institutions at the K-12 and collegiate level by class and race; and (5) encourage curricula and pedagogy that help build a common American identity.

1. End Discriminatory Programs that Violate Civil Rights.

The most abusive DEI practices should be ended because they violate existing civil rights laws. Racial preference programs that openly discriminate based on race in college admissions, or in hiring and promotion fall into this category.

Likewise, DEI trainings that demonize racial groups (such as those saying “white teachers are a problem”) must also be ended because they create a hostile education and work environment. As Judge Beetlestone noted in the Penn State case described earlier: when employers talk about race “with a constant drumbeat of essentialist, deterministic, and negative language, they risk liability under federal law.”¹²⁷

2. End Compulsory DEI Indoctrination Programs in Educational Settings that Violate Civil Liberties.

If racial preferences contravene civil rights, compulsory indoctrination offends civil liberties. The compulsory nature of DEI trainings in education, and the coercive nature of DEI statements in the hiring of faculty, offend basic American values and should be discontinued. The mandatory nature of DEI indoctrination and the requirement to pledge fealty to a particular worldview through diversity statements (if one wants to get head) is deeply troubling. Students who wish to take classes in DEI should be free to do so, of course, but mandatory training that aims for students to adopt an ideological agenda runs counter to fundamental American values.

3. Provide Transparency Around Dubious Programs.

DEI practices that don't violate civil rights or civil liberties but are nevertheless dubious should be subject to rigorous federal transparency requirements in order to hold local officials accountable. For example, a school DEI training which posits that hard work is a white supremacist

value should be subject to a federal requirement that the training slide deck and materials be posted online in a clearly accessible fashion.¹²⁸

The call for transparency — rather than a rigid federal policy banning of such a practice — is meant to avoid chilling legitimate debate. In the example cited above, it would be undesirable to forbid a high school educator to ask students to debate the hypothesis: “Is working hard a white supremacist value, as some educators contend?” On the other hand, if a district were training teachers and students to believe that working hard is a “white” value, a federal sunshine requirement would, in most cases, likely result in a local outcry. School officials would no longer be able to hide the ball and claim such a DEI training was just an effort to reduce bias. By requiring the training slides to be posted online, journalists and local citizens could expose the training to scrutiny and require school board members, running for re-election, to explain to the public precisely why they thought such a practice was defensible.

In short, transparency provides a sensible middle ground between the far right’s advocacy of intrusive regulation of what is taught and the far left’s willful denial that there is anything problematic about DEI programs. This federal accountability mechanism for university and K-12 DEI bureaucracies is likely to have the desired effect of reducing dubious practices. Higher education leaders know they are losing public support. According to Gallup, the share of Americans expressing a great deal of confidence in higher education declined from 57% in 2015 to 36% in 2024.¹²⁹ Meanwhile, public school leaders know they are facing the biggest threat from private school voucher programs in decades. The number of states offering universal vouchers has gone from none five years ago to 12 today, and 7 more states are now considering legislation.¹³⁰ These institutions can hardly risk defending programs that most members of the public find indefensible.

4. **Promote Efforts to Overcome Discrimination and Bring People Together through Class-Based Rather than Raced-Based Policies.**

In addition to eliminating discriminatory practices that violate civil rights laws and exposing troubling practices to sunlight, policymakers should encourage educational institutions — through the bully pulpit or with “race to the top” incentive programs — to adopt a new set of policies to promote racial and economic integration without racial preferences.

DEI proponents are right to observe that America’s racial inequalities in K-12 and higher education did not just emerge spontaneously. They are, in some large measure, a legacy of a dark history of slavery, segregation, and redlining. Integrating K-12 schools and selective institutions of higher education requires taking affirmative steps. But rather than resorting to racial preference policies that are deeply unpopular and no longer legal, it is far better to employ economic policies that benefit disadvantaged students of all races.

- In employment in K-12 and higher education, the federal government should encourage institutions to engage in aggressive outreach to ensure that applicant pools for a job are racially diverse — the original animating vision of LBJ’s Executive Order 11246. Outreach is nondiscriminatory and imposes no racial preferences.
- In K-12 education, the federal government should encourage voluntary public school choice programs such as charter schools and magnet schools that seek to bring students of different racial and economic backgrounds together to teach them what they have in common as Americans. While the U.S. Supreme Court has declared programs that base school assignments on race as divisive and unconstitutional, 171 school districts and charter school chains now use socioeconomic status

as a basis for integration. Examples range from Charlotte, North Carolina, to High Tech High charter school in California.¹³¹

- Housing policy can also play an important role in promoting economic and racial integration of schools. Because 73% of students attend neighborhood public schools, efforts should be made to reduce the exclusionary zoning policies (such as bans on multifamily housing and large minimum lot size requirements) that drive economic segregation in residential and school settings. Efforts to relax zoning restrictions have drawn bipartisan support in a variety of states, where liberals concerned about exclusion and conservatives concerned about government overregulation and property rights issues have coalesced to support change.¹³²
- In higher education, the federal government should provide incentives for universities to provide an admissions boost to economically disadvantaged students of all races. These policies can indirectly increase racial diversity because Black and Hispanic students disproportionately are burdened by the economic legacy of racial discrimination, but the programs will also benefit struggling white and Asian students for overcoming obstacles. Such efforts, which now being employed at institutions ranging from the University of Texas to the University of Virginia, are perfectly legal.¹³³
- The federal government should also do more to invest in service programs like the Peace Corps and AmeriCorps, which provide a path for bringing people of different races, religions, ethnicities and economic backgrounds together around a common mission. A 2022 study of AmeriCorps found that many expressed greater confidence in interacting with people of different races and ethnicities after their experience.¹³⁴

Maryland Governor Wes Moore has championed a Service Year Option for recent high school graduates to devote a year to paid public service.¹³⁵ Moore, an Army veteran, says that in the Army, “we were all under a common bond, and it didn’t matter whether or not we went to college, or voted as Democrats or Republicans, we had a shared mission. We had a common purpose.”¹³⁶

.....

5. Employ Policies that Emphasize a Common American Identity that Transcends Race, Class, and Ideology.

Federal policymakers should also provide incentives for positive programs that help American students see their commonality amidst difference. If step one is to bring students of different racial, ethnic, ideological and economic backgrounds together to learn, in step two, Integration, Equal Opportunity and Belonging policies should find ways to simultaneously respect differences and emphasize what students share as Americans by teaching the American creed.

The forging of American identity requires a delicate balance. Because a central driver of American identity is liberty, it would be antithetical to the ideal to try to compel people to give up their racial, ethnic, or religious identities that give meaning to their lives apart from their shared identities as Americans. As Yascha Mounk put it, we want a society “in which compatriots from many different ethnic and religious backgrounds can embark on a meaningfully shared life without giving up on what makes each of them unique.”¹³⁷ Unlike France, for example, Americans do not compel Muslim women to forgo wearing a hijab in common public spaces.

American leaders have often gotten the balance wrong, most notoriously when boarding schools were created for Native American students that were designed to erase their attachments to indigenous culture. But at its best, America has

said that a thriving civic culture of religious and cultural institutions, from Irish American clubs to Black churches to after-school Chinese language programs would help nourish and enliven a pluralistic democracy. But alongside those multiple identities, as teacher union leader Albert Shanker argued, public schools should help create a unique American identity that comes from a commitment to shared ideals. Ultimately, as Barack Obama famously said in his 2004 speech to the Democratic National Convention, “There is not a Black America and a white America and Latino America and Asian America — there is the United States of America.”¹³⁸ The ideal balance is to impart the sensibility that Darren Walker, the president of the Ford Foundation, has expressed. He wrote that as a Black, gay man who grew up poor in Texas, “each of my identities has shaped my experience,” but “no identity has had a greater impact on my life or its trajectory than my identity as an American, with all that entails.”¹³⁹

How does one go about this in practice?

- The best way to forge a shared American identity is to require classes, in elementary, middle and high school, in which students can discuss and debate what it means to be an American. These classes would, through age appropriate materials at each phase, teach the American creed that binds together students of every conceivable racial, ethnic, religious and economic background. Students should be taught about what makes the American experiment exceptional: both the diversity that comes from being a nation of immigrants, and also the social cohesion that comes from adherence to a profound set of shared American beliefs rooted in the Declaration of Independence and the U.S. Constitution. They should be taught the struggles throughout American history to live up to the creed of treating fellow Americans as individuals rather than as members of racial groups, and the importance of doing so today. Whereas the DEI story is one of warring racial
- and ethnic groups that are perpetually at each other’s throats, one in which ascriptive identities are reified, courses in American identity would take the opposite approach. They would instead help students understand themselves as part of a special society, that, however imperfectly, is seeking to create something new: an Unum from the Pluribus.¹⁴⁰ By teaching what it is like to live in non-democratic societies, this curriculum would help young people understand why U.S. Senator Robert F. Kennedy called being called American such a “precious possession.”¹⁴¹
- To promote conversation and understanding across ideological and religious lines, social entrepreneur Simon Greer has developed a set of “Skills for Bridging the Gap.” He has, for example, brought together students from Oberlin College, a liberal redoubt, with students at Spring Arbor University, a conservative evangelical school in Michigan.¹⁴² One bridge-building exercise involves distributing a “legacy” deck of cards depicting 52 cards showing images of what is most important to individuals. Across political and racial divides, people often pick pictures of families and begin to recognize that they have more in common than they realize.¹⁴³
- To promote civil discourse that allows for genuine well-intentioned discussions, Harvard University’s Danielle Allen has developed a set of practices she calls “confident pluralism.” The program calls for a commitment to negotiation, and listening that mirrors back viewpoints so one fully understands another’s position.¹⁴⁴
- To promote an honest discussion of racism in American history that does not fall into the trap of uniformly condemning an entire race of Americans, authors Heather McGhee and Victor Ray have suggested an approach that emphasizes that individuals of any given race have the choice about whether to play a positive or negative role on questions of racial justice. As

an example, they suggest that teachers should present history in a way that white students can ask, “Do I want to be like the hundreds of protesters in the black and white photograph, yelling at Ruby Bridges, a 6-year-old Black girl, as she tried to integrate a public school? Or do I want to be like the hundreds of white students who boarded buses for the South to register Black voters during Freedom Summer?”¹⁴⁵

V. CONCLUSION

The DEI wars are a mess. Divisive DEI policies are being challenged by a divisive president in a divisive way. Illiberal DEI policies that try to indoctrinate students and adults into insulting race essentialist thinking have yielded an illiberal backlash that seeks to limit the discussion of important topics.

The good news is that there is a clear way out of this morass. DEI proponents are right that America’s history of racial discrimination requires a remedy, but that response must be consistent with enduring Constitutional values that have stood the test of time. Robust policies to help the disadvantaged of all races recognize history without repeating its mistakes. The path out of the DEI wars must restore the Fourteenth Amendment’s commitment to treating Americans of all races with dignity, and the First Amendment’s commitment to free speech, robust discussion, and the freedom to think for oneself.

ABOUT THE AUTHOR

Richard D. Kahlenberg is the Director of the American Identity Project at the Progressive Policy Institute and the author of *Class Matters: The Fight to Get Beyond Race Preferences, Reduce Inequality, and Build Real Diversity at America’s Colleges* (PublicAffairs Books, 2025). This report is part of a series on “Teaching Students What It Means to Be an American.”

In the face of growing attacks on democratic values, increased polarization, and declining patriotism, the **American Identity Project** aims to help educators teach young people the anchoring shared values that define what it means to be an American. Read more from the American Identity Project at www.progressivepolicy.org/project/american-identity-project/.

References

- 1 Portions of this paper are drawn from Richard D. Kahlenberg, "Teaching Students What it Means to Be An American," Progressive Policy Institute, July 1, 2024, <https://www.progressivepolicy.org/wp-content/uploads/2024/09/PPI-American-Identity-Report.pdf>.
- 2 Andrew Kaczynski, Jennifer Hansler, and Em Steck, "Trump Appoints Speechwriter Fired for Attending Conference With White Nationalists to Top State Department Role," *CNN*, February 3, 2025, <https://www.cnn.com/2025/02/03/politics/kfile-darren-beattie-state-department-controversial-tweets-white-nationalist-conference/index.html>.
- 3 Laura Meckler, Hannah Natanson, and Julian Mark, "Trump's DEI Purge Targets Federal Workers Who Did Not Work in DEI," *Washington Post*, February 1, 2025, <https://www.washingtonpost.com/education/2025/02/01/trump-dei-energy-education-departments/>.
- 4 Farah Stockman, "The Real Case for D.E.I.," *New York Times*, January 4, 2025, <https://www.nytimes.com/2025/01/04/opinion/biden-trump-government-dei-diversity.html>.
- 5 See Brian Beutler, "18 Thoughts on the Omnicrisis," *Off Message*, February 4, 2025, <https://www.offmessage.net/p/18-thoughts-on-the-omnicrisis> ("Trump wants Democrats and liberals...advocating to reinstate 'DEI' in the government"); Vianney Gomez, "As courts weigh affirmative action, grades and test scores seen as top factors in college admissions," *Pew Research Center*, April 26, 2022, <https://www.pewresearch.org/short-reads/2022/04/26/u-s-public-continues-to-view-grades-test-scores-as-top-factors-in-college-admissions/> (74% of Americans say race or ethnicity "should not be a factor in college admissions."); and Karlyn Bowman, "How Popular is DEI?," *Forbes*, February 2, 2025, <https://www.forbes.com/sites/bowmanmarsico/2025/02/03/how-popular-is-dei/> (noting an Economist You/Gov poll found Americans favored eliminating DEI by 45%-40%).
- 6 Vimal Patel and Sharon Otterman, "Colleges Wonder if They Will Be 'the Enemy' Under Trump," *New York Times*, November 12, 2024, <https://www.nytimes.com/2024/11/12/us/trump-higher-education-policy-universities.html>.
- 7 Max Eden, "A Comprehensive Guide to Overhauling Higher Education," *Washington Examiner*, December 6, 2024, <https://www.aei.org/oped/a-comprehensive-guide-to-overhauling-higher-education/>.
- 8 Naftali Bendavid and Cleve R. Wootson Jr., "Trump's Fierce Attacks on DEI Reflect A Longtime GOP Focus," *Washington Post*, February 1, 2025, <https://www.washingtonpost.com/politics/2025/02/01/dei-trump-republicans-diversity/>.
- 9 Eugene Robinson, "What the Air Force's Tuskegee Airmen Mishap Reveals About Trump's DEI War," *Washington Post*, January 27, 2025, <https://www.washingtonpost.com/opinions/2025/01/27/tuskegee-dei-trump/>.
- 10 Morgan Polikoff et al., *A House Divided? What Americans Really Think About Controversial Topics in Schools*, University of Southern California, October 2022, 12–13, https://www.ednc.org/wp-content/uploads/2022/10/House_Divided.pdf.
- 11 Paul Brest and Emily J. Levine, "D.E.I. Is Not Working on College Campuses. We Need a New Approach," *New York Times*, August 30, 2024, <https://www.nytimes.com/2024/08/30/opinion/college-dei-programs-diversity.html>.
- 12 Patrick J. Casey, "What's Next for DEI?," *Inside Higher Ed*, November 13, 2024, <https://www.insidehighered.com/opinion/views/2024/11/13/whats-next-dei-second-trump-term-opinion>.
- 13 Casey, "What's Next for DEI?."
- 14 Brest and Levine, "DEI is Not Working."

- 15 Ruy Teixeira, "The Right Stuff for the Left: Time To Ditch Epistemic Closure," *The Liberal Patriot*, May 23, 2024, <https://www.liberalpatriot.com/p/the-right-stuff-for-the-left>.
- 16 Peter Wehner, "Biden is All That's Holding Back the Left: A Man Once Thought to be a Transitional President has Become a Consequential One," *The Atlantic*, December 19, 2023, <https://www.theatlantic.com/ideas/archive/2023/12/biden-progressive-moderateleft-israel-hamas-war/676392/>.
- 17 Maximillian Meyer, "I'm an Ivy League Undergrad — Here's Why My Campus Sides With Luigi Mangione," *New York Post*, December 19, 2024, <https://nypost.com/2024/12/19/opinion/maximillian-meyer-why-my-ivy-league-campus-is-rooting-for-luigi-mangione/>.
- 18 Liam Stack, "The Gaza War Is Dividing the L.G.B.T.Q. Community," *New York Times*, June 22, 2024, <https://www.nytimes.com/2024/06/22/nyregion/gaza-war-lgbtq-community.html> (noting that "In Gaza, like many places in the Arab world, homosexuality remains taboo and gay life happens largely behind closed doors." The article quotes Rep. Ritchie Torres asking gay supporters of Hamas, "Did it ever occur to them that Hamas is a barbaric oppressor of Queer Palestinians?").
- 19 Michael Powell, "New York's Private Schools Tackle White Privilege. It Has Not Been Easy," *New York Times*, August 27, 2021, <https://www.nytimes.com/2021/08/27/us/new-york-private-schools-racism.html>.
- 20 Marina Watts, "In Smithsonian Race Guidelines, Rational Thinking and Hard Work Are White Values," *Newsweek*, May 25, 2021, <https://www.newsweek.com/smithsonian-race-guidelines-rational-thinking-hard-work-are-white-values-1518333>.
- 21 Montgomery County Public Schools, "White Supremacy Culture," handout for teachers, February, 2023.
- 22 Michael Ruiz, "Virginia district spent \$34K on critical race theory coaching for administrators, documents show," *Fox News*, July 2, 2021, <https://www.foxnews.com/us/virginia-loudoun-schools-critical-race-theory-coaching-for-administrators>.
- 23 Christine Emba, "Joe Biden working while covid-sick was not 'white supremacy,'" *Washington Post*, July 27, 2022, <https://www.washingtonpost.com/opinions/2022/07/27/joe-biden-covid-workplace-norms-not-white-supremacy/>.
- 24 Daniel Bergner, "'White Fragility' Is Everywhere. But Does Antiracism Training Work?," *New York Times Magazine*, July 15, 2020, <https://www.nytimes.com/2020/07/15/magazine/white-fragility-robin-diangelo.html>.
- 25 Conor Friedersdorf, "'A Constant Drumbeat' of Racial Essentialism," *The Atlantic*, January 29, 2024, <https://www.theatlantic.com/ideas/archive/2024/01/dei-lawsuit-penn-state/677268/>.
- 26 Kimberly Hermann, "The People v. Critical Race Theory," *City Journal*, July 16, 2021, <https://www.city-journal.org/article/the-people-v-critical-race-theory>.
- 27 Paul M. Sniderman and Edward G. Carmines, *Reaching Beyond Race* (Cambridge, Mass: Harvard University Press, 1997). See also Paul M. Sniderman and Thomas Leonard Piazza, *The Scar of Race* (Harvard University Press, 1993), 102-104.
- 28 Bayard Rustin, "The King to Come," *New Republic*, March 9, 1987, <https://newrepublic.com/article/72534/king-come>.
- 29 Brest and Levine, "DEI is not Working."
- 30 Ian Rowe, "Inspire a Reverence for American Liberty by Teaching the Full Story of America," Testimony for the House of Representatives Committee on Education and the Workforce Subcommittee on Early Childhood, Elementary and Secondary Education, December 4, 2024, https://democrats-edworkforce.house.gov/imo/media/doc/rowe_testimony.pdf; and Eric Kauffman, "The Social Construction of Racism in the United States," Manhattan Institute, April 2021, 5 and 22, Figure 13, <https://media4.manhattan-institute.org/sites/default/files/social-construction-racism-united-states-EK.pdf>.

- 31 Nicholas Confessore, "The University of Michigan Doubled Down on D.E.I. What Went Wrong?," *New York Times*, October 16, 2024, <https://www.nytimes.com/2024/10/16/magazine/dei-university-michigan.html>; and Jonathan Haidt, "Two Incompatible Sacred Values in American Universities," Hayek Lecture Series, Duke University, October 16, 2016, <https://www.youtube.com/watch?v=Gatn5ameRr8>.
- 32 See, e.g. Ibram X. Kendi, "When I See Racial Disparities, I See Racism," *New York Times*, March 27, 2018, <https://www.nytimes.com/interactive/2018/03/27/upshot/reader-questions-about-race-gender-and-mobility.html>.
- 33 Meghan Burke, *Colorblind Racism* (New York: John Wiley and Sons, 2018).
- 34 See Michael Elsen-Rooney, "Shifting NYC School Demographics," *Chalkbeat*, August 6, 2024, <https://www.chalkbeat.org/newyork/2024/08/06/nyc-school-enrollment-increases-english-language-learners-nonbinary-students-and-asian-americans>; and Boaz Weinstein, "No Ethnic Group Owns Stuyvesant. All New Yorkers Do," *New York Times*, June 13, 2018, <https://www.nytimes.com/2018/06/13/opinion/de-blasio-stuyvesant-school.html>.
- 35 National Center for Education Statistics, "Fast Facts: Enrollment," <https://nces.ed.gov/fastfacts/display.asp?id=98>.
- 36 Alan Aziz, "Why are There so Many Jewish Nobel Winners?," *Jewish Chronicle*, December 8, 2022, <https://www.thejc.com/opinion/why-are-there-so-many-jewish-nobel-winners-ctycke48>.
- 37 Ibram X. Kendi, *How to Be an Anti-Racist* (New York: One World, 2019), 19.
- 38 See Komi Frey, "We Know Diversity Statements Are Political Litmus Tests: It's Time To End This Discriminatory Practice," *Chronicle of Higher Education*, January 4, 2024, <https://www.chronicle.com/article/we-know-diversity-statements-are-political-litmus-tests>; and Richard D. Kahlenberg, "What Liberals Can Do To Root Out Illiberalism in Higher Education," *The Liberal Patriot*, February 19, 2024, <https://www.liberalpatriot.com/p/what-liberals-can-do-to-root-out>.
- 39 Confessore, "The University of Michigan Doubled Down on DEI."
- 40 Editorial, "The Problem With Diversity Statements — And What To Do About Them," *Washington Post*, May 19, 2024, <https://www.washingtonpost.com/opinions/2024/05/19/universities-dei-academic-freedom/>.
- 41 *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 642 (1943).
- 42 Randall Kennedy, "Mandatory DEI Statements Are Ideological Pledges of Allegiance. Time to Abandon Them," *Harvard Crimson*, April 2, 2024, <https://www.thecrimson.com/column/council-on-academic-freedom-at-harvard/article/2024/4/2/kennedy-abandon-dei-statements/>.
- 43 Nicholas Confessore and Steve Friess, "University of Michigan Ends Required Diversity Statements," *New York Times*, December 5, 2024, <https://www.nytimes.com/2024/12/05/us/university-of-michigan-dei-diversity-statements.html>.
- 44 Ryan Quinn, "MIT Will Stop Asking Faculty Applicants for Diversity Statements," *Inside Higher Ed*, May 8, 2024, <https://www.insidehighered.com/news/quick-takes/2024/05/08/mit-stops-asking-faculty-applicants-diversity-statement>.
- 45 Josh Moody, "Harvard's Largest Division Drops DEI Hiring Statements," *Inside Higher Ed*, June 5, 2024, <https://www.insidehighered.com/news/quick-takes/2024/06/05/harvards-largest-division-drops-dei-hiring-statements>.
- 46 Conor Friedersdorf, "The Hypocrisy of Mandatory Diversity Statements," *Atlantic*, July 3, 2023, <https://www.theatlantic.com/ideas/archive/2023/07/hypocrisy-mandatory-diversity-statements/674611/>.

- 47 Mari J. Matsuda, Charles R. Lawrence III, Richard Delgado, et al., *Words That Wound: Critical Race Theory, Assaultive Speech, and The First Amendment* (Routledge, 1993), <https://scholarship.law.columbia.edu/books/287/>.
- 48 Ruth Marcus, "Stanford Students Lost a Chance to Learn When They Shouted Down a Judge," *Washington Post*, March 27, 2023, <https://www.washingtonpost.com/opinions/2023/03/27/stanford-law-free-speech-judge-stuart-kyle-duncan/>.
- 49 Samuel J. Abrams, "Cancel Culture is Real in Higher Education. But Its Degree Does Vary Significantly," *AEIdeas*, April 21, 2022, www.aei.org/politics-and-public-opinion/cancel-culture-is-real-in-higher-education-but-its-degree-does-vary-significantly.
- 50 Jeremy Bauer-Wolf, "Free Speech Advocate Silenced," *Inside Higher Ed*, October 5, 2017, <https://www.insidehighered.com/news/2017/10/06/william-mary-students-who-shut-down-aclu-event-broke-conduct-code>.
- 51 See e.g. David Brooks, "The Self-Isolation of the American Left," *New York Times*, October 28, 2021, <https://www.nytimes.com/2021/10/28/opinion/school-culture-wars.html>.
- 52 Kevin Wallsten, "Is DEI Causing the 'Crisis of Free Speech' on Campus?," *Heterodox Academy*, December 6, 2023, <https://heterodoxacademy.org/blog/is-dei-causing-the-crisis-of-free-speech-on-campus/>.
- 53 "Dangerous Rhetoric is Not Entitled to a Platform. Speech That Threatens the Lives of Those on Grounds is Unjustifiable," *Cavalier Daily*, March 17, 2022, <https://www.cavalierdaily.com/article/2022/03/editorial-dangerous-rhetoric-is-not-entitled-to-a-platform>.
- 54 See California Community Colleges, "Diversity, Equity, Inclusion and Accessibility," <https://www.cccco.edu/-/media/CCCCO-Website/Files/dei/deia-glossay-of-terms-a11y.pdf?la=en&hash=1ED136C5076EA9921F4DEA61146A8495A2B0C74D>; and "Antiracists' vs. Academic Freedom," *Wall Street Journal*, July 22, 2023, <https://www.wsj.com/articles/daymon-johnson-lawsuit-california-community-colleges-bakersfield-deia-faculty-education-7fc2763e>.
- 55 John Judis and Ruy Teixeira, *Where Have All the Democrats Gone* (New York: Henry Holt and Company, 2023), 126.
- 56 Frederick M. Hess and Michael Q. McShane, *Getting Education Right* (New York: Teachers College Press, 2024), 82.
- 57 Jillian Lederman, "Massachusetts Puts its Education Excellence at Risk," *Wall Street Journal*, December 27, 2024, https://www.wsj.com/opinion/massachusetts-puts-its-education-excellence-at-risk-mcas-testing-70224ad7?mod=article_inline.
- 58 See e.g. Robert Putnam, *Our Kids: The American Dream in Crisis* (New York: Simon & Schuster, 2015), 18.
- 59 Richard D. Kahlenberg, *Class Matters: The Fight to Get Beyond Race Preferences, Reduce Inequality, and Build Real Diversity at America's Colleges* (New York: Public Affairs Books, 2025), 196-197.
- 60 Megan McArdle, "The 'Emerging Democratic Majority' is No Longer Emerging. Now What?," *Washington Post*, November 21, 2024, <https://www.washingtonpost.com/opinions/2024/11/21/trump-liberal-trickle-down/>.
- 61 Samuel J. Abrams and Amna Khalid, "Are Colleges and Universities Too Liberal? What The Research Says About the Political Composition of Campuses and Campus Climate," *Heterodox Academy*, October 21, 2020, <https://www.aei.org/articles/are-colleges-and-universities-too-liberal-what-the-research-says-about-the-political-composition-of-campuses-and-campus-climate/>.
- 62 Meimei Xu, "More Than 80 Percent Surveyed Harvard Faculty Identify as Liberal," *Harvard Crimson*, July 13, 2022, <https://www.thecrimson.com/article/2022/7/13/faculty-survey-political-leaning/>.
- 63 Confessore, "The University of Michigan Doubled Down on D.E.I."

- 64 Paul Weinstein Jr., "How to Cut Administrative Bloat at U.S. Colleges," Progressive Policy Institute, August 2023, 2, https://www.progressivepolicy.org/wp-content/uploads/2023/08/PPI_College_Admin_Bloat.pdf.
- 65 George F. Will, "Thankful for Soon Being Able to Say 'Good Riddance, 2023,'" *Washington Post*, November 23, 2023, <https://www.washingtonpost.com/opinions/2023/11/22/thanksgiving-relief-year-almost-over/>.
- 66 Confessore, "The University of Michigan Doubled Down on D.E.I."
- 67 Jesse Singal, "What if Diversity Training Is Doing More Harm Than Good?," *New York Times*, January 17, 2023, <https://www.nytimes.com/2023/01/17/opinion/dei-trainings-effective.html>.
- 68 See Colin Wright, "Why Was This Groundbreaking Study on DEI Silenced?," Reality's Last Stand, November 25, 2024, <https://www.realityslaststand.com/p/why-was-this-groundbreaking-study>; and Network Contagion Research Institute and Rutgers University Social Perception Lab, "Instructing Animosity: How DEI Pedagogy Produces The Hostile Attribution Bias," November 12, 2024, https://networkcontagion.us/wp-content/uploads/Instructing-Animosity_11.13.24.pdf.
- 69 Len Gutkin, "What if DEI Training Makes People More Biased?," *Chronicle of Higher Education*, December 2, 2024, <https://www.chronicle.com/newsletter/the-review/2024-12-02>.
- 70 Confessore, "The University of Michigan Doubled Down on D.E.I."
- 71 Jardina, cited in Richard D. Kahlenberg, "The Rise of White Identity Politics," *Washington Monthly*, July 12, 2019, <https://washingtonmonthly.com/2019/07/12/the-rise-of-white-identity-politics/>.
- 72 Brest and Levine, "DEI Is Not Working."
- 73 Harry R. Lewis, "Reaping What We Have Taught," *Harvard Crimson*, January 8, 2024, <https://www.thecrimson.com/article/2024/1/8/lewis-reaping-what-we-taught/>.
- 74 Lewis, "Reaping What We Have Taught."
- 75 David Bernstein, *Woke Antisemitism: How a Progressive Ideology Harms Jews* (New York: Wicked Son Books, 2022), 135 (quoting columnist Brett Stephens, in part).
- 76 Bernstein, *Woke Antisemitism*, 141.
- 77 Confessore, "The University of Michigan Doubled Down on D.E.I."
- 78 Stephanie Saul and Vimal Patel, "D.E.I. Official at University of Michigan Is Fired Over Antisemitism Claim, Lawyer Says," *New York Times*, December 12, 2024, <https://www.nytimes.com/2024/12/12/us/university-of-michigan-dei-administrator-antisemitism.html>.
- 79 Joseph R. Biden, Jr., "Advancing Racial Equity and Support for Underserved Communities Through The Federal Government," Executive Order, Federal Register, January 25, 2021, <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.
- 80 Kahlenberg, *Class Matters*, 233.

- 81 John Gramlich, "Americans and Affirmative Action: How the Public Sees the Consideration of Race in College Admissions, Hiring," Pew Research Center, June 16, 2023, <https://www.pewresearch.org/short-reads/2023/06/16/americans-and-affirmative-action-how-the-public-sees-the-consideration-of-race-in-college-admissions-hiring/>.
- 82 Naftali Bendavid and Cleve R. Wootson Jr., "Trump's Fierce Attacks on DEI Reflect a Longtime GOP Focus," *Washington Post*, February 1, 2025, <https://www.washingtonpost.com/politics/2025/02/01/dei-trump-republicans-diversity/> (quoting Trump from March 2023).
- 83 Will Marshall, "New PPI Research Reveals Clear Message for Democrats: Change the Party or Lose Again," Progressive Policy Institute, November 22, 2024, <https://www.progressivepolicy.org/new-ppi-research-reveals-clear-message-for-democrats-change-the-party-or-lose-again/>.
- 84 Donald J. Trump, "Ending Radical And Wasteful Government DEI Programs And Preferencing," Executive Order, White House, January 20, 2025, <http://whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/>.
- 85 Donald J. Trump, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," Executive Order, White House, January 21, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/ending-illegal-discrimination-and-restoring-merit-based-opportunity/>.
- 86 "Ending Illegal Discrimination and Restoring Merit-Based Opportunity."
- 87 Sarah Brown, "Trump Singles Out 130 Colleges As Possible Targets of Investigation," *Chronicle of Higher Education*, January 24, 2025, <https://www.chronicle.com/article/trump-singled-out-these-130-colleges-as-possible-targets-for-investigation-is-yours-on-the-list>.
- 88 See Donald J. Trump, "Ending Radical Indoctrination in K-12 Schooling," Executive Order, White House, January 29, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-indoctrination-in-k-12-schooling/>; and Zach Montague and Erica L. Green, "Trump Signs Order to Promote 'Patriotic Education' in the Classroom," *New York Times*, January 29, 2025, <https://www.nytimes.com/2025/01/29/us/politics/trump-executive-orders-schools-antisemitism-race-gender.html> (The *New York Times* characterized the order as "uprooting instruction about...white privilege" and "unconscious bias," but the order itself objects to "demanding acquiescence to 'White Privilege' or 'unconscious bias.'").
- 89 See "Ending Illegal Discrimination and Restoring Merit-Based Opportunity"; and Lyndon B. Johnson, "Executive Order No. 11246," Executive Order, U.S. Equal Employment Opportunity Commission, <https://www.eeoc.gov/history/executive-order-no-11246>.
- 90 "Ending Illegal Discrimination and Restoring Merit-Based Opportunity."
- 91 David French, "Does Trump's Cabinet Look Like a Meritocracy to You?," *New York Times*, January 30, 2025, <https://www.nytimes.com/2025/01/30/opinion/trump-dei-hegseth.html>.
- 92 Irie Sentner, "Hegseth Axes Pentagon 'Identity Months' the Same Day Trump Calls for Black History Month Observance," *Politico*, February 1, 2025, <https://www.politico.com/news/2025/02/01/defense-department-identity-months-axed-010416>.
- 93 A video of the two and one-half minute speech, which was tweeted by Elon Musk on November 22, 2024, has been viewed 105 million times, <https://x.com/elonmusk/status/1856114715694444856>. See also Matt Barnum, "Trump Gears Up for Assault on Wokeness with Education Overhaul," *Wall Street Journal*, November 11, 2024, <https://www.wsj.com/us-news/education/trump-policies-department-education-schools-965a7686>.
- 94 Patel and Otterman, "Colleges Wonder if They Will Be 'the Enemy' Under Trump."
- 95 Higher Education Opportunity Act, Public Law 110-315, August 14, 2008, Sections 106 and 114.

- 96 Susan Svrluga, Laura Meckler, and Hannah Natanson, "Colleges Scramble to Shield Programs Amid Growing Hostility From GOP," *Washington Post*, December 9, 2024, <https://www.washingtonpost.com/education/2024/12/09/college-programs-trump-republicans-tensions/>.
- 97 Casey, "What's Next for DEI?"
- 98 Johanna Alonso, "DEI Bans Flourished in 2024. Politicians Aren't Finished," *Inside Higher Ed*, December 16, 2024, <https://www.insidehighered.com/news/faculty-issues/diversity-equity/2024/12/16/how-battle-over-dei-shook-out-2024-and-whats-come>.
- 99 See e.g. Matt Papaycik and Forrest Saunders, "Florida's Governor Signs Controversial Bill Banning Critical Race Theory in Schools," WPTV, April 22, 2022, <https://www.wptv.com/news/education/floridas-governor-to-sign-critical-race-theory-education-bill-into-law>.
- 100 Johnson, "Executive Order No. 11246."
- 101 Johnson, "Executive Order No. 11246."
- 102 Richard D. Kahlenberg, "A Middle Ground on Race and College," *National Affairs*, Spring, 2023, <https://nationalaffairs.com/publications/detail/a-middle-ground-on-race-and-college>; and Kahlenberg, *Class Matters*, 270-274.
- 103 See e.g. Scott Jaschik, "Poll: Public Opposes Affirmative Action," *Inside Higher Ed*, July 7, 2016, <https://www.insidehighered.com/news/2016/07/08/poll-finds-public-opposition-considering-race-and-ethnicity-college-admissions> (citing Gallup/Inside Higher Ed poll that 61% of Americans support counting "family economic circumstances," while 63% oppose the use of "race or ethnicity").
- 104 See U.S. Department of Education, Office for Civil Rights Dear Colleague Letter, February 14, 2025, 3 <https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>. See also "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," and French, "Does Trump's Cabinet Look Like a Meritocracy to You?".
- 105 Melissa Kay Diliberti, Elizabeth D. Steiner, and Ashley Woo, "7 Takeaways on How Teachers Are Reacting to Restrictions on Discussing Race and Gender," Brookings Institute, May 16, 2024, <https://www.brookings.edu/articles/7-takeaways-on-how-teachers-are-reacting-to-restrictions-on-discussing-race-and-gender/>.
- 106 FIRE, "Fire's News Coverage and Resources About Florida's 'Stop WOKE Act,'" <https://www.thefire.org/research-learn/fires-news-coverage-and-resources-about-floridas-stop-woke-act>.
- 107 Andrew Atterbury, "Positively Dystopian': Florida Judge Blocks Desantis' Anti-Woke Law for Colleges," *Politico*, November 17, 2022, <https://www.politico.com/news/2022/11/17/florida-anti-woke-law-block-colleges-education-00069252>.
- 108 Suzanne Nossel, "Reagan Was Right and Rufo is Wrong: The Attack on DEI Flies in the Face of Traditional Conservative Principles," *Inside Higher Ed*, October 29, 2024, <https://www.insidehighered.com/opinion/views/2024/10/29/dei-bans-are-dangerous-governmental-overreach-opinion>.
- 109 David Bernstein, "Teach '1619' and '1776' U.S. History," *Wall Street Journal*, April 10, 2022, <https://www.wsj.com/articles/1619-project-1776-history-america-crt-critical-race-theory-racism-woke-progressive-education-schools-virginia-youngkin-tennessee-11649595715>.
- 110 Joe Cohn, "Trump Executive Orders on Diversity, Equity and Inclusion," Webinar, January 30, 2025, <https://www.youtube.com/watch?v=1bBtkrFmmBw>; and "Heterodox Academy Statement on Federal Actions Related to Higher Education," January 30, 2025, <https://heterodoxacademy.org/announcements/heterodox-academy-statement-on-federal-actions-related-to-higher-ed/>.
- 111 Randi Weingarten, "In Defense of Public Education," National Press Club Address, March 28, 2023, <https://www.aft.org/press/speeches/defense-public-education>.

- 112 Hannah Natanson, "Her Students Reported Her for a Lesson on Race. Can She Trust Them Again?," *Washington Post*, September 18, 2023, <https://www.washingtonpost.com/education/2023/09/18/south-carolina-teacher-ta-nehisi-coates-racism-lesson/>.
- 113 James Hohmann, "Critical Race Theory is a Potent Issue In The Virginia Governor's Race," *Washington Post*, October 13, 2021, <https://www.washingtonpost.com/opinions/2021/10/13/critical-race-theory-is-potent-issue-virginia-governors-race/>.
- 114 Anya Steinberg, "Lawmakers Want to Ban Discomfort In School. But Black History Isn't Always Comfortable," *National Public Radio*, February 24, 2022, <https://www.npr.org/2022/02/19/1081987384/teaching-black-history-month-schools-bans-lawmakers-politics>.
- 115 Patel and Otterman, "Colleges Wonder."
- 116 Donald Trump address on higher education, <https://x.com/elonmusk/status/1856114715694444856>.
- 117 See Michael Ignatieff, "Why the Populist Right Hates Universities: American conservatives are taking cues from Hungary's Viktor Orban because elite education is a convenient enemy for authoritarian populists," *The Atlantic*, August 6, 2023, <https://www.theatlantic.com/ideas/archive/2023/08/viktor-orban-illiberalism-ron-desantis-universities/674915/>.
- 118 Jamelle Bouie, "Don't Fall for Trump's D.E.I. Dodge," *New York Times*, February 1, 2025, <https://www.nytimes.com/2025/02/01/opinion/trump-dei-diversity-meritocracy.html>. See also Petula Dvorak, "Trump Isn't The First to Upend the Federal Workforce Because of Race: President Woodrow Wilson Presided Over the Segregation of Government Workers, Putting Black People Behind Screens and in Cages in 1913," *Washington Post*, January 23, 2025, <https://www.washingtonpost.com/history/2025/01/23/federal-workers-woodrow-wilson-racial-segregation/>.
- 119 Joe Davidson, "Biden Embraced Diversity Efforts. Trump has Moved to Demolish Them," *Washington Post*, January 24, 2025, <https://www.washingtonpost.com/politics/2025/01/24/trump-dei-biden-diversity-plans-federal/>. See also Karen Attiah, "The Assault on DEI? It's Aimed at Resegregation," *Washington Post*, February 6, 2025, <https://www.washingtonpost.com/opinions/2025/02/06/dei-gop-segregation/>.
- 120 Singal, "What if Diversity Training is Doing More Harm Than Good?"
- 121 Complaint of National Association of Diversity Officers in Higher Education, American Association of University Professors, Restaurant Opportunities Centers United, and Mayor and City Council of Baltimore, Maryland v. Donald Trump et al, U.S. District Court of Maryland, February 3, 2025, <https://democracyforward.org/wp-content/uploads/2025/02/NADOHE-et-al-Anti-DEIA-EO-Challenge.pdf>. See also Sara Weissman, "College Leaders Galvanize to Fight the Anti-DEI 'Chaos,'" *Inside Higher Ed*, January 27, 2025, <https://www.insidehighered.com/news/government/state-policy/2025/01/27/grassroots-college-leader-group-resists-anti-dei>.
- 122 Jonathan Capehart, "Democrats Didn't Listen to the electorate. The DNC Chair Must," *Washington Post*, February 4, 2025, <https://www.washingtonpost.com/opinions/2025/02/04/democrats-dnc-chair-ken-martin/>.
- 123 One exception is Rep. Jasmine Crockett of Texas who defended DEI, saying: "If you are competent, you are not concerned. The only people crying are mediocre white boys." See Nate Moore, "Is Elon the Political Punching Bag Democrats Think He Is?," *The Liberal Patriot*, February 10, 2025, <https://www.liberalpatriot.com/p/is-elon-the-political-punching-bag>.
- 124 Peggy Noonan, "The White House 'Wonder Horse,'" *Wall Street Journal*, January 23, 2025, <https://www.wsj.com/opinion/the-white-house-wonder-horse-donald-trump-inaugural-address-f4569d27>.
- 125 See e.g. Nicole Chavez and Chandelis Duster, "New poll reveals a generational divide among Black Americans on overturning affirmative action in higher education," *CNN*, January 16, 2024, <https://www.cnn.com/2024/01/16/us/affirmative-action-generational-divide-reaj/index.html> (62% of young Black people viewed Supreme Court's decision to strike down racial preferences in college admissions favorably).

- 126 Hakeem Jeffries, "Leader Jeffries Statement on Diversity, Equity and Inclusion," January 23, 2025, <https://jeffries.house.gov/2025/01/23/leader-jeffries-statement-on-diversity-equity-and-inclusion/>.
- 127 Legitimate discussions obviously do not include those that create a racially "hostile environment." Students are protected from such environments under Title VI of the Civil Rights Act. U.S. Department of Education, "Fact Sheet: Harassment based on Race, Color, or National Origin on School Campuses," July 2, 2024, <https://www.ed.gov/media/document/ocr-factsheet-race-color-national-origin-202407pdf-33843.pdf>.
- 128 Friedersdorf, "A Constant Drumbeat' of Racial Essentialism."
- 129 It is possible, though not yet firmly established, that the use of racial stereotypes itself could violate civil rights law. Max Eden of the American Enterprise Institute, for example, notes that the Supreme Court's 2023 decision in the Harvard case striking down racial preferences as a violation of the Constitution and the Civil Rights Act was based in part on an objection to racial stereotyping, which is mentioned 43 times in the opinion. Eden argues: "DEI is literally nothing except for institutional stereotyping." See Max Eden, "A Comprehensive Guide to Overhauling Higher Education," *Washington Examiner*, December 6, 2024, <https://www.aei.org/op-eds/a-comprehensive-guide-to-overhauling-higher-education/>.
- 130 Jeffrey M. Jones, "U.S. Confidence in Higher Education Now Closely Divided," Gallup, July 8, 2024, <https://news.gallup.com/poll/646880/confidence-higher-education-closely-divided.aspx>.
- 131 William McGurn, "Catholic Schools and Jewish Rye," *Wall Street Journal*, January 27, 2025, <https://www.wsj.com/opinion/catholic-schools-and-jewish-rye-parental-involvement-education-students-e772bab4>.
- 132 Halley Potter and Michelle Burris, "Here is What School Integration in America Looks Like Today," The Century Foundation, December 2, 2020, <https://tcf.org/content/report/school-integration-america-looks-like-today/> ("More than 90% of the integration policies identified (171 of the 185 districts and charters) consider socioeconomic factors").
- 133 Richard D. Kahlenberg, "Only Zoning Reform Can Solve America's Housing Crisis," *Wall Street Journal*, June 22, 2023, <https://www.wsj.com/articles/only-zoning-reform-can-solve-americas-housing-crisis-b5869860>.
- 134 Kahlenberg, *Class Matters*, 78, 97, 139-141, 279, 284.
- 135 Shane Dermanjian and Rose Johnson, "Bridging Differences through AmeriCorps Service: AmeriCorps Member Exit Survey Analysis 2016-2020," (Washington, DC: AmeriCorps, 2022), 26, https://americorps.gov/sites/default/files/document/BridgingDifferences_04.06.2023_Final_508.pdf.
- 136 Pamela Paul, "Wes Moore's Big Experiment for Maryland," *New York Times*, April 4, 2024, <https://www.nytimes.com/2024/04/04/opinion/wes-moore-maryland-jobs.html>.
- 137 Richard D. Kahlenberg, "Teaching Kids What it Means to Be an American," Albert Shanker Institute, December 8, 2022, <https://www.shankerinstitute.org/blog/teaching-kids-what-it-means-be-american>.
- 138 Yascha Mounk, *The Great Experiment: Why Diverse Democracies Fall Apart and How They Can Endure* (New York: Penguin Press, 2022), 102.
- 139 Barack Obama, "Keynote Address at the 2004 Democratic National Convention," July 27, 2004, <https://www.presidency.ucsb.edu/documents/keynote-address-the-2004-democratic-national-convention>.
- 140 Darren Walker, "Inclusion is patriotism of the highest order," *Washington Post*, July 2, 2021, <https://www.washingtonpost.com/opinions/2021/07/02/inclusion-is-patriotism-highest-order/>.
- 141 See Kahlenberg, "Teaching Students What It Means to Be an American," 25-29.

- 142 Robert F. Kennedy, address to Citizens Union, New York City, December 14, 1967, in Edwin O. Guthman and C. Richard Allen (eds), *RFK: His Words for Our Times* (New York: William Morrow, 2018), 217.
- 143 Amanda Nagy, "Bridging the Gap: Oberlin Students Develop Dialogue with Conservative Religious School," Oberlin College, January 28, 2020, <https://www.oberlin.edu/news/bridging-gap-oberlin-students-develop-dialogue-conservative-religious-school>.
- 144 Interfaith America, "Skills for Bridging the Gap," <https://www.interfaithamerica.org/curricula/btg-curriculum/>.
- 145 Christie Allen, "Forum: How to Be a Confident Pluralist," Brigham Young University, March 25, 2024, <https://news.byu.edu/intellect/forum-how-to-be-a-confident-pluralist>.
- 146 Heather C. McGhee and Victor Ray, "School is for Making Citizens," *New York Times*, September 1, 2022, <https://www.nytimes.com/2022/09/01/opinion/us-school-citizenship.html>.



The Progressive Policy Institute is a catalyst for policy innovation and political reform based in Washington, D.C. Its mission is to create radically pragmatic ideas for moving America beyond ideological and partisan deadlock.

Founded in 1989, PPI started as the intellectual home of the New Democrats and earned a reputation as President Bill Clinton’s “idea mill.” Many of its mold-breaking ideas have been translated into public policy and law and have influenced international efforts to modernize progressive politics.

Today, PPI is developing fresh proposals for stimulating U.S. economic innovation and growth; equipping all Americans with the skills and assets that social mobility in the knowledge economy requires; modernizing an overly bureaucratic and centralized public sector; and defending liberal democracy in a dangerous world.

© 2025
PROGRESSIVE POLICY INSTITUTE
ALL RIGHTS RESERVED.

PROGRESSIVE POLICY INSTITUTE
1919 M Street NW,
Suite 300,
Washington, DC 20036

Tel 202.525.3926
Fax 202.525.3941

info@ppionline.org
progressivepolicy.org