



The Discursive Tactics of Perpetuating White Normativity in Public Education: A Critical Policy Discourse Analysis of Anti-CRT Policies Across 18 States

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Abstract: In recent years, state policies banning “divisive concepts” have proliferated as part of a coordinated effort to undermine racial justice by framing critical discussions of race as “indoctrination” and imposing ideological restrictions on curriculum and pedagogy. Using critical policy discourse analysis informed by a critical study of whiteness, this paper examines how 22 policy documents from 18 states operate discursively to shape the parameters of race-

related discourse in public education. Our findings suggest that these policies employ three primary discursive maneuvers: (1) constructing false equivalencies that equate white discomfort with racial oppression, (2) appealing to “universal” values to obscure systemic inequities, and (3) controlling definitional boundaries to determine what qualifies as racism and racial harm. These discursive maneuvers not only shape public perception and discourse but also work to preemptively silence conversations related to systemic racism in schools. This study underscores the importance of examining policy as discourse, revealing how language itself operates as a mechanism for maintaining racial hierarchies while presenting itself as neutral. These tactics extend beyond K–12 education, shaping rhetoric and policy in higher education and other public institutions.

Keywords: critical policy discourse analysis; divisive concepts; educational policy; critical whiteness studies; critical race theory

Las tácticas discursivas de perpetuar la normatividad blanca en la educación pública: Un análisis crítico del discurso de políticas anti-CRT en 18 estados

Resumen: En los últimos años, las políticas estatales que prohíben los “conceptos divisivos” se han multiplicado como parte de un esfuerzo coordinado por socavar la justicia racial, enmarcando las discusiones críticas sobre raza como “adoctrinamiento” e imponiendo restricciones ideológicas al currículo y la pedagogía. Utilizando el análisis crítico del discurso de políticas, informado por los estudios críticos de la blancura, este artículo examina cómo 22 documentos de política de 18 estados operan discursivamente para moldear los parámetros del discurso relacionado con la raza en la educación pública. Nuestros hallazgos sugieren que estas políticas emplean tres maniobras discursivas principales: (1) construir falsas equivalencias que equiparan la incomodidad blanca con la opresión racial; (2) apelar a valores “universales” para oscurecer las inequidades sistémicas; y (3) controlar los límites definicionales para determinar qué califica como racismo y daño racial. Estas maniobras discursivas no solo configuran la percepción y el discurso público, sino que también trabajan para silenciar preventivamente las conversaciones relacionadas con el racismo sistémico en las escuelas. Este estudio subraya la importancia de examinar la política como discurso, revelando cómo el lenguaje mismo opera como un mecanismo para mantener jerarquías raciales mientras se presenta como neutral. Estas tácticas se extienden más allá de la educación básica (K–12), moldeando la retórica y la política en la educación superior y otras instituciones públicas.

Palabras clave: análisis crítico del discurso de políticas; conceptos divisivos; política educativa; estudios críticos de la blancura; teoría crítica de la raza

As tácticas discursivas de perpetuar a normatividade branca na educação pública: Uma análise crítica do discurso de políticas anti-CRT em 18 estados

Resumo: Nos últimos anos, políticas estaduais que proíbem “conceitos divisivos” se proliferaram como parte de um esforço coordenado para enfraquecer a justiça racial, enquadrando discussões críticas sobre raça como “doutrinação” e impondo restrições ideológicas ao currículo e à pedagogia. Utilizando a análise crítica do discurso de políticas, informada pelos estudos críticos da branquitude, este artigo examina como 22 documentos de política de 18 estados operam discursivamente para moldar os parâmetros do discurso relacionado à raça na educação pública. Nossas descobertas sugerem que essas políticas empregam três manobras discursivas principais: (1) construir falsas equivalências que equiparam o desconforto branco à opressão racial; (2) apelar a valores “universais” para obscurecer as desigualdades sistêmicas; e (3) controlar os limites definicionais para determinar

o que qualifica como racismo e dano racial. Essas manobras discursivas não apenas moldam a percepção e o discurso público, mas também atuam para silenciar preventivamente as conversas relacionadas ao racismo sistêmico nas escolas. Este estudo destaca a importância de examinar a política como discurso, revelando como a própria linguagem opera como um mecanismo de manutenção de hierarquias raciais enquanto se apresenta como neutra. Essas táticas se estendem além da educação básica (K–12), influenciando a retórica e a política no ensino superior e em outras instituições públicas.

Palavras-chave: análise crítica do discurso de políticas; conceitos divisivos; política educacional; estudos críticos da branquitude; teoria crítica da raça

The Discursive Tactics of Perpetuating White Normativity in Public Education: A Critical Policy Discourse Analysis of Anti-CRT Policies Across 18 States

In January 2025, President Trump signed the Executive Order *Ending Radical Indoctrination in K–12 Schooling*, linking restrictions on race-related discussions in public education with prohibitions on gender identity and equity-focused initiatives. The order mandates the defunding of schools promoting so-called “discriminatory equity ideology,” a term created to delegitimize efforts to address systemic inequities and promote patriotic education. Though released alongside a flurry of other executive orders, the ideological and political groundwork for this directive has been laid over several years.

On September 1, 2020, the United States was a nation mired in the “multiple pandemics” of COVID-19, racism, and wealth inequality (Ladson-Billings, 2021). The nation had recently witnessed the public murder of George Floyd and the racial unrest and reckoning that followed this and the senseless loss of other Black lives at the hands of police, including Breonna Taylor, who was fatally shot in her home during a botched raid in Louisville, and Daunte Wright, who was killed during a traffic stop in Minnesota. In the wake of these atrocities, many organizations committed or re-committed to confronting racism—especially systemic racism—within and beyond their institutions and communities (Kaplan & Owings, 2021; López et. al., 2021). These developments appeared to mark a moment of progress on racism in America—perhaps even a moment of hope.

Also on September 1, 2020, Christopher Rufo, a conservative political activist, delivered remarks on the Fox News show *Tucker Carlson Tonight*, in which he mischaracterized critical race theory (CRT) and the Black Lives Matter movement, framing them as pervasive influences in schools and government and portraying them as threats to American institutions. He called on then-President Trump, in his first term, to take immediate action by drafting an executive order to ban training around diversity, equity and inclusion within the federal government. That three-minute segment catalyzed a broader political campaign: Rufo not only helped draft the resulting executive order but also laid out a detailed plan during a subsequent webinar hosted by the Heritage Foundation and the American Legislative Exchange Council (ALEC), in which he described CRT as an existential threat to the “American Dream” and outlined strategies for launching a culture war through education policy (Rufo, 2021). These efforts were soon formalized through ALEC’s development of model legislation that informed state-level policies and later executive orders. In the wake of the introduction of this wedge issue by Rufo, President Trump chartered the 1776 Commission in November 2020 to advance a version of history that aligned with Rufo’s ideas (Exec. Order No. 13,958, 2020).

While the 1776 Commission ended upon the swearing in of President Biden, the national efforts of Rufo and President Trump were then taken up by individual states. Since 2021, state bans on “divisive concepts,” CRT, and other pedagogical approaches conflated with them (e.g. action civics) have proliferated, reflecting a coordinated national effort, with many states across the U.S. adopting similar language around prohibited practice. These efforts have been tied to national movements such as the 1776 Pledge To Save Our Schools, which invoked patriotic language, founding principles, and narratives of equality and individualism to depict an “exceptional nation” with one “truthful and inspiring” history (1776 Action, 2021). The 1776 Pledge was later revived in President Trump’s January 2025 Executive Order, furthering this rhetorical tool’s influence in shaping education policy.

Paradoxically, the 1776 Pledge was aimed at securing action on education from political candidates and officeholders while ostensibly seeking to “prevent schools from politicizing education” (1776 Action, 2021). These brazen claims of political neutrality were coupled with assertions that students were at risk of being pitted against each other while being taught “to hate their country and each other” through “immoral and deeply harmful” practices (1776 Action, 2021). Such rhetorical strategies not only fueled anti-CRT sentiment but also provided justification for state-level bans that shaped how race, history, and systemic inequity could be discussed in classrooms.

While the 1776 Pledge served as an ideological tool rather than formal policy, it nonetheless informed policymakers’ framing of educational concerns and anti-CRT rhetoric, as evidenced by then-South Dakota Governor Kristi Noem’s early endorsement (Matzen, 2021). This broader pattern underscores the need for critical examination of the discursive strategies embedded in formal policies, such as “divisive concept” bans, to examine their impact on public perception and educational practice despite their lack of clearly defined or enforceable parameters. Conceptualizing policy as discourse (Ball, 1993) facilitates an analysis of the disconnects between stated intentions, goals, or values and their enacted reality, as well as the “epistemological roots of policy work” (Diem & Young, 2015, p. 841) that perpetuate hierarchies of power and privilege. However, to date, there hasn’t been a systematic discursive analysis across the 18 states in which these policies were enacted. A state-level analysis with a nationwide scope helps to explain the trajectory of political maneuvering through “divisive concept” bans that has fed into federal-level policy, a need made particularly salient by the most recent executive order.

As of September 2024, 18 states had enacted formal CRT bans—several of which issued multiple policy actions (Schwartz, 2021). Building on the need for systematic discursive analysis, this study critically analyzes 22 policy documents from those states to examine how CRT—or “divisive concept”—bans operate discursively to shape the parameters of race-related discourse in public education and perpetuate white supremacy on a national scale. Using a critical study of whiteness framework (Matias & Boucher, 2023), this critical policy discourse analysis interrogates the underlying motivations, tactics, and consequences of anti-CRT policies, providing a more comprehensive understanding of their role in contemporary education and society. While terms such as “CRT bans” and “anti-CRT policies” have commonly been used to describe policies aimed at constraining critical understandings of racism in schools, we refer to these policies using the term “divisive concept” bans to reflect how they are often labeled in official discourse and the wide scope of concepts under attack. In alignment with scholars who have referred to these policies as “so-called critical race theory bans” (Kelly & Taylor, 2024) and “discriminatory censorship laws” (Feingold & Weishart, 2023), the use of quotation marks around “divisive concept” reflects our critical questioning of the term as a discursive maneuver and the disingenuous claims implicit in its

use across policy rhetoric, misrepresenting theories like CRT in order to suppress race-conscious teaching and critical engagement in education.

Literature Review

A Brief Overview of Critical Race Theory

CRT is a framework that emerged from a critique of traditional legal scholarship and critical legal studies that failed to attend to “how integral racism and racial subordination are in the everyday lives of people of color” (Brown & Jackson, 2013, p. 18) and the ways that racism has been “institutionalized in and by law” (Bell, 1995, p. 898). Over time, CRT has been extended to examine intersecting systems of oppression beyond a Black/White binary (Yosso, 2005) and theorized across many fields of inquiry such as political science, sociology, health care, and education (Delgado & Stefancic, 2023). For example, scholars have used CRT to analyze how racism is embedded in school structures and policies, contributing to persistent educational inequities (Dixson & Rousseau Anderson, 2018; Ladson-Billings & Tate, 1995; Yosso, 2005). Importantly, CRT not only provides a framework for understanding how systemic racism operates through and across social institutions—such as the law, healthcare, and education—but also contributes to a broader interdisciplinary body of scholarship that affirms the pervasive impact of systemic racism in U.S. society. Grounded in a commitment to activism and social transformation, CRT challenges dominant narratives and seeks to address racial inequities through critical analysis and action (Bell, 1995; Delgado & Stefancic, 2023; Yosso, 2005).

This brief overview helps clarify the significant gap between what CRT is and how it has been portrayed in recent public discourse. As others have noted (Filimon & Ivănescu, 2024; Morgan, 2022; Welton et al., 2023), CRT has been distorted through “divisive concept” rhetoric and rebranded as a catch-all for educational efforts that address race and racism—particularly those engaging with the notion of systemic racism (Harrison et al., 2021). These misrepresentations have been used to justify policies designed to suppress critical conversations in educational and public service settings. This context sets the stage for examining how CRT bans have been articulated, justified, and implemented through policy discourse—and the consequences they have produced for K–12 schools and educators.

Emerging Research on ‘Divisive Concept’ Policy and Rhetoric

A robust and expanding body of scholarship has examined policy actions aimed at banning CRT in K–12 education through a variety of approaches and areas of focus. Historical and legal analyses, along with conceptual works, provide foundational insights into the evolution of the anti-CRT movement (Dee, 2022; Matias, 2023) and contextualize CRT bans within broader efforts to recenter whiteness (Crenshaw, 2021; Henry et al., 2023; Sheppard, 2023). Other works, like those by Kelly (2023), Filimon & Ivănescu (2024), and Tabron et al. (2024), analyze a nationwide selection of CRT legislation, treating these policies as primary data sources to examine the mechanisms policy actors have employed to prohibit certain practices in K–12 classrooms. State-specific analyses (e.g., Brake, 2023; Koyama, 2024; López et al., 2021; Welton et al., 2023) offer detailed examinations of individual state policies, while empirical studies involving school-based stakeholders (Kelly & Taylor, 2024; Samuels et al., 2023) and K–12 explorations of educational implications (Harrison et al., 2021; Kaplan & Owings, 2021) further illuminate the broader consequences of these legislative efforts. Collectively, these studies effectively position anti-CRT policies within a long trajectory of white supremacy in education, which has consistently sought to undermine advances in racial and economic justice (Harrison et al., 2021; Henry et al., 2023).

Recent additions to the extant literature have identified several tactics used by anti-CRT policy actors to misrepresent CRT as a collection of “divisive concepts”. One common approach is to mischaracterize and misrepresent CRT as a radical ideology that teaches students to hate their country and each other, thereby undermining American ideals. Kaplan and Owings (2021) and Schoorman and Gatens (2024) note that this framing is intended to generate fear and resistance among parents and the public. Additionally, many anti-CRT laws and policies were written to be deliberately vague, thereby allowing for broad interpretation and enforcement, which can create confusion and lead to self-censorship among educators who fear repercussions for discussing race and systemic racism (Samuels et al., 2023; Schoorman & Gatens, 2024; Tabron et al., 2024). The movement also employs political dog whistles, using indirect language to appeal to conservative fears and grievances without overtly mentioning race. Filimon and Ivănescu (2024) explain that this tactic conceals the racial motivations behind the policies while influencing public opinion.

Importantly, scholars have shown how these rhetorical strategies are not only about restricting content but also about protecting white comfort and maintaining white normativity. Crenshaw (2021) and Henry et al. (2023) emphasize that anti-CRT rhetoric positions race-conscious teaching as a threat to innocent white students and to the status quo—a move that reinforces whiteness as property and shields white identity from discomfort or critical examination. Welton et al. (2023) demonstrate how policies operationalize white normativity through language that portrays itself as neutral and objective while enacting racial exclusion and sustaining systemic inequities. The frequent invocation of “reverse racism” (Crenshaw, 2021) illustrates how these efforts deflect attention away from historical and structural racism by recasting white individuals as victims of discrimination, thereby legitimizing efforts to curtail antiracist education. Collectively, this work illuminates how policy discourse advances the ideological project of preserving whiteness and resisting accountability for racial injustice, highlighting the importance of further research that integrates nationwide policy analysis with critical frameworks.

The implications of the anti-CRT movement for public K–12 education are profound. Anti-CRT legislation threatens comprehensive education about U.S. history, particularly the aspects involving systemic racism and its ongoing effects. Harrison et al. (2021) and Kelly (2023) warn that this results in a sanitized version of history that omits crucial discussions about race and social justice, thereby limiting students' understanding of these important struggles. Welton et al. (2023), further highlight that many schools face pressure to remove CRT from curricula despite not actually teaching it in practice, illustrating how anti-CRT rhetoric extends beyond classroom content to influence educational environments more broadly. As a result, these bans create an atmosphere where teachers are discouraged from fostering critical thinking and awareness among students regarding racial issues and inequities, as noted by Harrison et al. (2023). Recent studies document how educators are navigating these restrictive policies, often self-censoring, removing materials, or watering down content to avoid professional consequences (Anderson, 2023; Kelly & Taylor, 2024). While such defensive practices are widespread, one study found that teachers also exercise agency by interpreting and responding to these laws in varied ways, including opposition and strategic compliance (Kelly et al., 2024). Even with such individual acts of agency, the broader impact of these policies erodes professional agency, intersects with broader forces like standardization and surveillance, and contributes to the ongoing deprofessionalization of the profession (Bylica et al., 2024; York et al., 2024). Anti-CRT policies also raise broader concerns about student well-being, civic development, and diminished access to diverse perspectives in the classroom (Sheppard, 2023). This body of research contributes to sense-making for education stakeholders and the broader public, highlighting both the ambiguity of these policies and the need for educational leaders to mediate them from an informed and equity-centered vantage point.

Beyond the educational sphere, the anti-CRT movement represents a broader assault on civil liberties, particularly the freedom of speech and the right to receive information. Dee (2022) and Settles-Tidwell et al. (2021) argue that by restricting what can be taught and discussed in schools, these policies encroach upon fundamental democratic principles. Furthermore, the movement undermines the democratic process by fostering misinformation and fear, which are used to manipulate public opinion and policy. Morgan (2022) and Miller et al. (2023) emphasize that this erosion of informed public discourse poses a threat to democratic governance and civic engagement. Given the timeliness and urgency of addressing these issues, this work underscores the importance of leveraging an informed public as a crucial mechanism for pushing back against these policies.

Theoretical Framework

Foundations and Overview of Critical Whiteness Studies

CRT provides an important foundation for a branch of critical whiteness studies (CWS) (Blaisdell & Taylor Bullock, 2023; Delgado & Stefancic, 2023; Jupp et al., 2019; Matias & Boucher, 2023; Yosso, 2005) that examines the social construction of whiteness, including how white normativity and white privilege operate to uphold white supremacy across systems such as educational spaces. Mills (2007) has pointed to the dynamic interplay of perception, conception, memory, testimony, and white group interests in maintaining an “epistemology of ignorance” (p. 16) such that

white normativity manifests itself in a white refusal to recognize the long history of structural discrimination that has left whites with the differential resources they have today, and all of its consequent advantages in negotiating opportunity structures. If originally whiteness was race, then now it is racelessness, an equal status and a common history in which all have shared, with white privilege being conceptually erased. (p. 28)

Importantly, Mills (2007) has noted that the point of understanding white ignorance and the factors “jointly contributing to the blindness of the white eye” (p. 35) is “normative and not merely sociological...the goal of trying to reduce or eliminate it” (p. 23). Further, Leonardo (2004) has pointed to how overreliance on the discourse of white privilege, without attending to the structural conditions of white supremacy that secure it, can reinforce notions of white innocence by obscuring the “agent of actions” (p. 138) and active investment in whiteness, with important implications for critical pedagogy. To this end, Jupp and colleagues have documented white teachers’ race-evasive identities as a focal area of a long line of CWS scholarship, which has shifted beyond recognition of white privilege—or “confessional pedagogies” (Tanner, 2017, p. 164)—to a more nuanced grappling with nonessentializing identities, institutional contexts, and the critical pedagogy work needed to disrupt white privilege and white supremacy (Jupp et al., 2016; Jupp et al., 2019). Thus, an important concern of CWS scholarship has been examining and challenging the discourses operating within the “hidden curriculum of whiteness” (Leonardo, 2004, p. 144) that have conceptually helped structure and perpetuate relations of domination and subordination (Mills, 2007).

In tracing the foundations of CWS and related lines of scholarship, such as white teacher identity studies, Jupp and colleagues have pointed to early theorizing on whiteness and white identity reflected in African American intellectual traditions, which has not been adequately acknowledged (Jupp et al., 2016; Jupp et al., 2019; see also Leonardo, 2004). Moreover, Harris’ (1993) early legal CRT scholarship conceptualizing whiteness as property, which contributed to “CRT’s tradition of analyzing whiteness as a discourse of power” (Jupp et al., 2019, p. 9), has been particularly influential

in the development of the field of CWS (Jupp et al., 2016). Taken together, CRT and CWS offer complementary lenses for understanding how racism operates both structurally and discursively: CRT grounds the analysis in the material and legal conditions of racial inequity, while CWS extends this analysis to examine the construction and reproduction of whiteness as an unmarked norm. Thus, Blaisdell & Taylor Bullock (2023) have argued for the important linkage between CRT scholarship and CWS. Engaging the work of CRT scholars and scholars of Color, and centering the voices and experiences of people of Color, is important for CWS to move beyond acknowledgement of white privilege and identity—which has the potential to center whiteness—to challenge the discourses and structures that have reinforced and normalized hegemonic whiteness (Blaisdell & Taylor Bullock, 2023; Leonardo, 2004; Matias & Boucher, 2023).

Extending Critical Whiteness Studies: A Critical Study of Whiteness

Our approach to critical policy analysis is informed by a critical study of whiteness (Matias & Boucher, 2023), which “operates from the basis that: 1) race, racism, and white supremacy are operating at all times; and 2) the study of whiteness intrinsically enables society to better understand how people of Colour are racially oppressed” (p. 74). Because anti-CRT policies and related “divisive concept” bans explicitly seek to delineate what and how students learn about race and racism in U.S. public schools, they demonstrate how schools function as sites of struggle for power that perpetuate hierarchies of privilege. A critical study of whiteness lens can be applied to these policies to illuminate how “whiteness is never divorced from its political maneuvering and is always vying for power” (Matias & Boucher, 2023, p. 72).

Importantly, this study draws from Matias and Boucher’s (2023) conceptualization of a critical study of whiteness, which extends and addresses critiques of CWS in important ways. This includes an emphasis on decentering and dismantling whiteness while integrating the theoretical tools and insights by scholars of Color that have long pointed to patterns of white supremacy and racial injustice operating in U.S. society and its institutions (Matias & Boucher, 2023; Morales, 2022; see also Blaisdell & Taylor Bullock, 2023; Jupp et al., 2016; Jupp et al., 2019; Leonardo, 2004). Further distinguishing a critical study of whiteness approach from the wider body of CWS, Matias and Boucher (2023) have emphasized that “a critical study of whiteness must demonstrate the interaction between the exertion of whiteness to how it dehumanises people of Colour” (p. 73). This charge guided the development of our research question, subsequent analysis, and interpretation of findings.

Our study is situated in a well-established and robust body of work, largely developed and extended by scholars of Color, that has applied a critical lens to understand how schools reflect and reproduce racialized hierarchies of power and privilege. Drawing from a CRT framework, Ladson-Billings (1998) has demonstrated how the interests of whiteness have been perpetuated through the education system through instruction and curriculum that affirm white identity, privilege, and experience under a guise of neutrality or colorblindness while excluding and invalidating stories and experiences outside of this dominant perspective. According to Ladson-Billings (1998), the “official school curriculum” has historically functioned as a “culturally specific artifact designed to maintain a White supremacist master script” (p. 18) that omits or distorts the stories and voices of people of Color, which threaten to illuminate and disrupt the status quo of white normativity. Our study seeks to build on this work by revealing the discursive mechanisms employed in the latest iteration of education policy to justify and reinforce pedagogical practices that would maintain this trajectory of injustice and harm.

Whiteness as Property: An Analytical Lens for Policy Discourse

In particular, Harris's (1993) conceptualization of whiteness as property provides a helpful analytical lens for understanding the strategies and stakes underlying anti-CRT policies and "divisive concept" bans. In the wake of increased visibility around racial violence and calls for racial justice, the immediacy and reactive nature of "divisive concept" bans can be understood by the stake of whiteness in maintaining the status quo. According to Harris (1993), "in ways so embedded that it is rarely apparent, the set of assumptions, privileges, and benefits that accompany the status of being white have become a valuable asset that whites sought to protect" (p. 1713). Moreover, these recent education policies can be understood as an extension of a legal system that has historically legitimated these expectations of white privilege, reinforcing systems of oppression, exclusion, and injustice while invoking claims of neutrality (Harris, 1993). In tracing the evolution of whiteness as property, Harris (1993) has described a post-segregation shift in which "whiteness then became status, a form of racialized privilege ratified in law" (Harris, 1993, p. 1745). This more subtle manifestation of whiteness as property "retains its core characteristic—the legal legitimation of expectations of power and control that enshrine the status quo as a neutral baseline, while masking the maintenance of white privilege and domination" (Harris, 1993, p. 1715).

As challenges have arisen in response to policy and legislation aimed at addressing racial inequality, such as desegregation plans and affirmative action policies, whiteness as property has been reified by the courts through the ability of whites to determine norms and meanings, such as what constitutes racism and racial or group identity, to "control, manage, postpone, and if necessary, thwart change" (Harris, 1993, p. 1754). Thus, language and assumptions around formal equality have dominated judicial "remedies" that have centered the claims of "innocent" white "victims" over meaningful efforts to address historical injustices that have perpetuated systemic inequities and harm for people of Color (Harris, 1993). Scholars have employed CWS to underscore the implications of the right to define race and racism stemming from "possessive investment in whiteness" and "hegemonic invisibility" (Matias et al., 2014, p. 290):

CWS acknowledges the dangers of whiteness, especially when whites assume the role of Determiner (with a capital D) of what is and what is not racist. This places the manifestations of race and racism in the hands of those who racially benefit from the subjugation of people of color. (Matias et al., 2014, p. 296)

Claims of reverse racism have also been closely tied to narratives of individualism, colorblindness, and meritocracy that have been used to obfuscate the social construction—and therefore political nature—of principles such as merit (Harris, 1993). This discursive framing has allowed for a denial of "the real linkage between race and oppression under systematic white supremacy" (Harris, 1993, p. 1768) while also allowing "expectations that originated in injustice to be naturalized and legitimated" (Harris, 1993, p. 1777). Accordingly, we understand whiteness as discursively produced: not only maintained through material and institutional arrangements, but also enacted and reproduced through language that frames, erases, and legitimizes racial hierarchies (Ball, 1993; Fairclough & Fairclough, 2012; Leonardo, 2004; Mills, 2007; van Dijk, 1993).

Study Purpose and Research Questions

It is through these dual analytical lenses of a critical study of whiteness (Matias & Boucher, 2023) and whiteness as property (Harris, 1993) that our study employs CPDA to critically examine the perpetuation of white supremacy through the rhetoric and policy of "divisive concept" bans in the US that restrict students' access to critical understandings of U.S. history, American identity, and

how systemic racism has shaped, and continues to shape, inequities in education and society more broadly. Specifically, drawing from Matias and Boucher's (2023) framework, our study asks:

- How do “divisive concept” bans reflect the exertion of whiteness and dehumanization of people of Color?
- What discursive maneuvers are leveraged in these bans to mask and perpetuate white supremacy?

Research Methods

Critical Policy Discourse Analysis

As the subject of qualitative research, policy can be examined as a collection of complexly encoded and decoded textual representations, as well as a set of discourses within systems of practice that define our possibilities and constrain our actions or responses to change (Ball, 1993). This study employs critical policy discourse analysis (CPDA) to examine recently adopted anti-CRT policies as textual representations that entered existing power relations to “posit a restructuring, redistribution and disruption of power relations, so that different people can and cannot do different things” (Ball, 1993, p. 13). CPDA integrates critical policy studies’ emphasis on meanings created during the production, enactment, and interpretation of policy with the tools of critical discourse analysis to constitute a methodological approach that leverages the concepts, principles, and ways of knowing from other disciplines, such as a critical study of whiteness (Mulderrig et al., 2019). CPDA’s criticality stems from its focus on the reproduction of dominance through discourse-power relations (van Dijk, 1993), which often includes second order effects of policy that impact patterns of opportunity and social justice (Ball, 1993). Examining anti-CRT policy actions within their historical and sociocultural contexts situates them within broader conflicts over race in society, as well as the “longstanding history of white epistemological capture, a tactic used to foreclose emancipatory thought and corral others to believe in the distortions of whiteness” (Henry, et. al., 2023, p. 136).

Our investigative methods were derived from the Faircloughian approach to CPDA argumentation analysis (Fairclough & Fairclough, 2012), which examines the circumstantial premises and attendant claims for a specific policy action that would ostensibly produce desired outcomes based on ‘preferred’ social values. Deliberation on policy action is susceptible to deception and manipulation through persuasive, misleading, or emotional premises that obfuscate, tarnish, or undermine competing viewpoints. Therefore, modes of systematic critical analysis, such as critical questioning, are essential for revealing how representations of circumstances, values, and goals are rhetorically framed to privilege certain ideologies or held up as factual propositions that are immune to the burden of proof.

Critical questioning draws upon Walton’s (2007) dialectical approach to raise critical questions that challenge an argument’s premises to show that they are unacceptable or untrue. Dissecting an argument through critical questioning can reveal bias, deception, falsity, and inconsistency within textual representations and policy discourses. However, an argument’s “invalidity or unsoundness” (Fairclough & Fairclough, 2012, p. 66) does not necessarily make it false, therefore raising critical questions about the negative consequences of a policy action can be a more consistently effective tactic for disrupting the inferential link between an argument’s premises and its claim. Raising critical awareness of negative consequences can reveal how a policy action is likely to undermine its stated goals, or other societal goals that should not be sacrificed, thereby rendering it irrational or unreasonable. This form of critical policy analysis, rooted in uncovering

power and ideology in discourse, demands ongoing attention to researcher positionality and standpoint.

Researcher Reflexivity

We engage these policy artifacts as colleagues in higher education who have witnessed their impact on K–12 schools and the targeting of colleagues for teaching materials falsely deemed controversial or divisive. As five white scholars spanning career stages from graduate assistant to full professor, we recognize researcher reflexivity as not only a methodological consideration but a critical component of engaging in a critical study of whiteness (Matias & Boucher, 2023). Drawing on each other’s expertise strengthens our approach, particularly in public policy (Authors 4 and 5), social studies education (Author 3), linguistic analysis (Author 2), and the theoretical frameworks that inform our work (Authors 1, 3, and 5). At the same time, we acknowledge that our racialized positionalities require ongoing interrogation. We recognize that reflexivity fosters “open and honest disclosure” (Holmes, 2020, p. 3), helping us critically examine our positionalities, strengthen our approach, and remain vigilant about how whiteness permeates American life—advantaging some while disadvantaging others.

Data Sources & Analysis

CPDA is “agnostic in its methods of data collection”, though it is “underpinned by a coherent set of research principles, which are driven by its critical realist view of the social world” (Farrelly et al., 2019, p. 269). The data set for this study was comprised of texts from 18 states—including legislative actions, state education policies, and executive orders issued by governors—that sought to ban CRT or “divisive concepts” from public education (see Table 1). Pertinent language related to banning CRT was parsed from the text of each document and divided into 444 segments of varying lengths according to completed topic, which served as our unit of analysis.

Table 1

Policy Documents by State and Type

State	Policy Document	Enacted	Type
Alabama	Resolution Declaring the Preservation of Intellectual Freedom and Non-Discrimination in Alabama's Public Schools	8/12/2021	State Board of Education Resolution
Arkansas	Executive Order to Prohibit Indoctrination and Critical Race Theory in Schools	1/10/2023	Executive Order
Arkansas	SB 294 LEARNS Act	3/8/2023	Senate Bill
Florida	Rule No. 6A-1.094124 Required Instruction Planning and Reporting	6/14/2021	State Board of Education Rule
Florida	HB 7 Individual Freedom	4/22/2022	House Bill

State	Policy Document	Enacted	Type
Georgia	A Resolution of the State Board of Education of the State of Georgia	6/3/2021	State Board of Education Resolution
Georgia	Protect Students First Act H.B. 1084	4/28/2022	House Bill
Idaho	House Bill No. 377	4/28/2021	House Bill
Iowa	House File 802	6/8/2021	House File
Kentucky	An ACT Relating to Education and Declaring an Emergency SB1	4/13/2022	Senate Bill
Mississippi	Critical Race Theory; Prohibit. SB 2113	3/14/2022	Senate Bill
Montana	Volume No. 58, Opinion No. 1	5/27/2021	A.G. Opinion
North Dakota	House Bill No. 1508	4/29/2023	House Bill
New Hampshire	HB 2-FN-A-LOCAL	6/20/2023	House Bill
Oklahoma	House Bill No. 1775	5/10/2021	House Bill
South Carolina	H. 4100, General Appropriations Bill for Fiscal Year 2021-2022	6/30/2021	House Bill
South Dakota	Executive Order 2022-02	4/5/2022	Executive Order
Tennessee	SB0623	5/25/2021	Senate Bill
Texas	Texas Senate Bill 3	6/8/2021	Senate Bill
Utah	R277 Education, Administration; R277-328 Educational Equity in Schools; R277-328-1. Authority and Purpose	8/9/2021	State Board of Education Rule
Utah	Utah House Bill 427 Individual Freedom in Public Education	3/15/2023	House Bill
Virginia	Ending the Use of Inherently Divisive Concepts, Including Critical Race Theory, and Restoring Excellence in K–12 Public Education in the Commonwealth	1/15/2022	Executive Order

Coding was completed in two cycles (Saldaña, 2021), the first of which utilized a combination of Typological, Descriptive, and In Vivo coding strategies. Typological analysis (Hatch, 2023) was operationalized according to the premises of Faircloughian argumentation analysis (i.e., claim, circumstances, goal, values, means-goal). Our desire to broadly understand the machinations behind the selected strategies in conjunction with the limited availability of existing analyses with a nationwide focus led us to adopt an open, inductive, and iterative approach to descriptive coding so that discursive patterns might more freely emerge across the data set. However, to maintain theoretical consistency, the descriptive process was dialectically framed by Matias and Boucher's (2023) aforementioned assertion that a critical study of whiteness must focus on how exertions of whiteness dehumanize people of Color. Descriptive codes were therefore created inductively through independent and collective coding of selected texts by descriptively summarizing excerpts in a shortword or phrase (Saldaña, 2021). It was from this particular process and framing that whiteness as property (Harris, 1993) emerged as a lens for understanding the goals and motivations behind the maneuvers we identified, as well as their unspoken, yet likely consequences. Thus, whiteness as property became an additive element of our framework during subsequent coding and analysis cycles.

After ascertaining that all of the policy actions were implicitly or explicitly premised on the claim that banning “divisive concepts” was necessary for protecting students from harmful indoctrination, our analysis focused on the discursive maneuvers within the texts that rationalized and justified the exertion of whiteness and negative consequences inherent to the perpetuation of white supremacy. A code book with definitions and examples was created through multiple iterations of intercoder comparison of first cycle code applications to find points of disagreement, which were reconciled through deliberation and revisions to the code book (see Appendix). First cycle code applications were then applied to overlapping portions of the data set with each segment coded by at least two researchers. Upon completion of the first cycle of coding, we found that two codes—*mischaracterization* and *sleight of hand*—were both applied with high frequency and co-occurrence with other inductive codes. *Mischaracterization* indicated the use of rhetorical language and/or disinformation to characterize CRT as divisive in order to manipulate perceptions and construct a straw man argument via formal policy. *Sleight of hand* represented the use of seemingly reasonable policy language that effectively obfuscated or distorted policy agents' underlying intent, and/or justifications of policy actions that, for example, disingenuously invoked the words or stated ideals of prominent social justice figures. Collectively, *mischaracterization* and *sleight of hand* constituted intentional efforts to deceive or manipulate public perceptions of policy intent in order to bolster policy appeal if taken at face value.

However, the intentional distortions created by *mischaracterization* and *sleight of hand* also represented overarching discursive maneuvers that could be unpacked and analyzed according to their co-occurrences with other first cycle codes. With this in mind, we employed axial coding as a second cycle method to categorize, prioritize, and develop properties for our categories (Saldaña, 2021). This process ultimately produced two categories of policy distortions aligned with our theoretical framework, which we termed *Apolitical/Neutrality* and *Psychic Safety*. Efforts to deceive or manipulate in defense of *psychic safety* included accusations of reverse racism, indoctrination, discrimination, and promoting students' psychological distress or guilt by assigning blame or responsibility for racism. These mechanisms of distortion were coupled with appeals to *apolitical/ neutrality* that denied systemic racism while promoting narratives of meritocracy, equality, individualism, and individual rights.

To create meanings across these categories of policy distortion that would serve as the basis for our findings, we broadened our focus to search for thematic relationships across the data set.

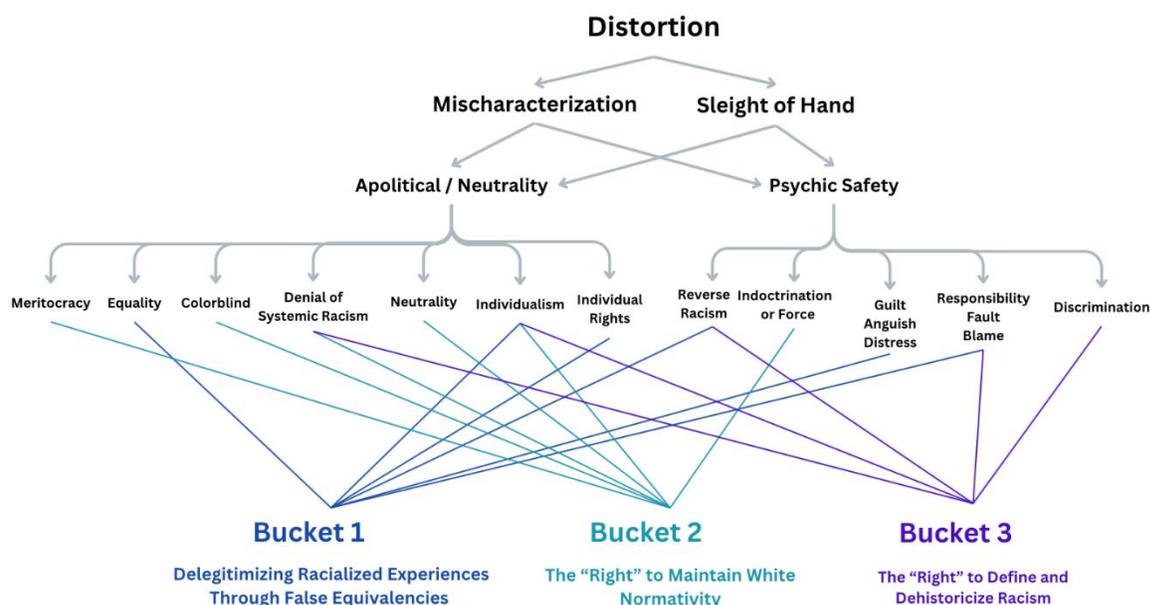
The constant comparative method was applied throughout this process to maintain conceptual consistency until our categories were exhaustive, mutually exclusive, and conceptually congruent (Merriam & Tisdell, 2015).

Findings

Our final phase of analysis produced three “buckets” of discursive strategies that exerted whiteness within policy texts and created harm by dehumanizing people of Color, which in turn, indelibly positioned each policy at irreconcilable odds with policymakers’ stated goal of protecting students (see Figure 1).

Figure 1

Discursive Strategy Buckets



Collectively, these discursive strategies seek preservation of white comfort, innocence, and power through tactics of delegitimizing racialized experiences, perpetuating white normativity, and redefining racism as an abstract force rather than a product of systemic oppression. In the sections that follow, we unpack each of our three key findings that can be understood as the “rights” invoked by these policies in the form of whiteness as property (Harris, 1993).

The “Right” to Be Comfortable and Blameless: Delegitimizing Racialized Experiences Through False Equivalencies

Mischaracterization and sleight of hand operated in tandem across these policies through the implicit and explicit depictions of CRT as psychologically harmful and racist. These depictions were anchored in false equivalencies that ultimately delegitimized racial violence experienced by people of Color to privilege and protect white comfort and innocence. Across reviewed policies, we found that

false equivalencies were introduced and operated in two distinct ways: 1) positing false equivalencies between white students and students of Color in their racialized experiences, and 2) equating critical and systemic understandings of racism, such as the lenses that inform CRT, as a form of racism on par with racist institutions such as segregation.

False Equivalency 1: Equating Racial Harm with White Discomfort

The first false equivalency entails equating racism and racial violence experienced by people of Color with the discomfort white students might experience when learning about racism. This maneuver frames the comfort and innocence of white students as “rights” that must be protected, even at the cost of silencing or erasing the lived experiences of marginalized communities. For example, the Georgia legislature defined prohibited “divisive concepts” to include the view that “an individual, solely by virtue of his or her race, should feel anguish, guilt, or any other form of psychological distress,” (Protect Students First Act, 2022, §1-2, line 45-46) a concern echoed in Iowa’s House File No. 802 (2021), Opinion 1 by the Montana Attorney General (2021), Oklahoma’s House Bill 1775 (2021), South Carolina’s General Appropriations Bill for Fiscal Year 2021-2022 (2021), Tennessee’s Senate Bill 0623 (2021), and Texas’ Senate Bill 3 (2021).

As another example, Florida’s House Bill 7 (2022) utilized similar language while connecting the idea that individuals should be protected from experiencing emotional or psychological discomfort to the notion of individual responsibility—or blamelessness—for the past. This involved defining prohibited concepts to include:

An individual, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the individual played no part, committed in the past by other members of the same race, color, sex, or national origin. (H.B. 7, 2022, §1, line 93-98)

Similarly, Alabama’s State Board of Education issued a resolution declaring the preservation of intellectual freedom and non-discrimination in Alabama’s public schools, which also creates a false equivalency by depicting CRT as “imput[ing] fault, blame, a tendency to oppress others, or the need to feel guilt or anguish to persons solely because of their race or sex” (Ala. BOE, 2021, para. 2). This false equivalency reinforces the idea that confronting racism is inherently divisive or harmful to white individuals and absolves white students of any responsibility or guilt. The suggestion that CRT employs “divisive concepts” to hold individuals in the present responsible for actions committed in the past was a common refrain across many state policies—including a resolution by the Georgia State Board of Education (2021), an executive order by South Dakota’s Governor (S.D. Executive Order No. 2022-02, 2022), Opinion 1 issued by the Montana Attorney General (2021), and state legislation in Idaho (H.B. 377, 2021), Iowa (Iowa House File No. 802, 2021), Kentucky (S.B. 1, 2022), Oklahoma (H.B. 1775, 2021), South Carolina (General Appropriations Bill for Fiscal Year 2021-2022, 2021), Tennessee (S.B. 0623, 2021), and Utah (Individual Freedom in Public Education, 2023)—and served to mask white supremacy’s intention of minimizing and evading responsibility for present injustices. Thus, policymakers simultaneously privileged the comfort of white students while dismissing the harm done to students of Color through denial of their racialized experiences and the systems that have perpetuated them. By focusing on white innocence and dehistoricizing contemporary manifestations of racial inequity, an important unstated outcome is the restriction of opportunities for white students to recognize their positioning—and complicity—in harmful systems of privilege and power. This shielding of white students from discomfort not only upholds white supremacy but also perpetuates ignorance about the ongoing impacts of systemic racism.

False Equivalency 2: Equating Antiracism Frameworks with the “Sins of the Past”

The second false equivalency that emerged across policies was the depiction of efforts to promote antiracism or critical consciousness around racism (e.g. CRT or similar “divisive concepts”) as equivalent to the overt “sins of the past” (1 Op. Mt. Att’y Gen., 2021, p. 25), such as segregation and other blatant forms of racism. Mischaracterization of frameworks such as CRT as racist or discriminatory not only relied on sleight of hand efforts to discredit the frameworks themselves, but also served a larger discursive purpose: dismissing or delegitimizing systemic racism, its connection to the past, and its current role in social injustice.

This portrayal of CRT and “divisive concepts” as discriminatory or evidence of reverse racism—equated to the violence and harm of institutions like segregation—was poignantly illustrated by Arkansas’ Executive Order:

WHEREAS: Critical Race Theory (CRT) is antithetical to the traditional American values of neutrality, equality, and fairness. It emphasizes skin color as a person's primary characteristic, thereby resurrecting segregationist values, which America has fought so hard to reject. (Ark. Exec. Order No. EO23-05, 2023, para. 3)

Here, the order falsely conflates critical understandings of racism with segregationist values while also implying that all Americans fought against those values with equal fervor in the past. While these accusations of discrimination created contradictions that were particularly overt, other policies, such as executive orders in South Dakota and Virginia (e.g. S.D. Executive Order No. 2022-02, 2022; Va. Exec. Order No. 1., 2022), an opinion from the Montana Attorney General (1 Op. Mt. Att’y Gen., 2021), and state legislation in Iowa (Iowa House File No. 802, 2021), foisted their false equivalencies through appeals to violations of the Civil Rights Act of 1964 (e.g. S.D. Executive Order No. 2022-02; Iowa House File No. 802, 2021; 1 Op. Mt. Att’y Gen., 2021; Va. Exec. Order No. 1., 2022). These policies strategically manipulated existing justice-oriented legislation aimed at protecting minoritized groups to ironically, but also brazenly, reassert white supremacy’s interests and reinstitute the harm that the Civil Rights Act was intended to mitigate.

In further leveraging mischaracterization and sleight of hand to support false equivalencies depicting CRT as racist or discriminatory, some states also relied on strategic references to quotes or ideals attributed to prominent social justice figures that distorted the intent or context of the message to bolster the policy appeal and rationale for banning “divisive concepts”. For example, Montana’s Attorney General invoked a quote by Martin Luther King, Jr. to suggest that prohibiting CRT or “divisive concepts” was aligned with this vision:

In his famous I Have a Dream speech, Martin Luther King, Jr. declared that when the “architects of our great republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir.” It is our duty, as elected officials and citizens, to move ever closer to those fundamental principles. Only by steadfastly adhering to that commitment will future generations continue to enjoy the blessings of liberty. For me, the principles undergirding the Constitution are non-negotiable. And it is in that spirit and under that duty that I provide this opinion. (1 Op. Mt. Att’y Gen., 2021, p. 2)

This discursive maneuver creates false equivalencies by conflating Dr. King’s appeal for dismantling racial inequality through systemic changes to current conditions with the Attorney General’s “steadfast” commitment to deny the existence of those conditions by reinforcing policies that

obscure systemic racism. Similarly, South Dakota's Executive Order rationalized a ban on CRT by stating that it "compels students to view the world through a purely racial lens and to judge others based on the color of their skin rather than the content of their character" (S.D. Executive Order No. 2022-02). These discursive maneuvers strategically suggest policymakers have a moral responsibility to combat CRT and "divisive concepts", which are distorted and portrayed as equivalent to the violent, racist institutions and acts that social justice actors such as Martin Luther King, Jr. challenged.

The "Right" to Maintain White Normativity: Perpetuating Innocence and Ignorance through Appeals to "Universal" Values

A second discursive maneuver that emerged across policies was an appeal to "universal" values tied to U.S. founding principles. This appeal was employed in two prominent ways: 1) depicting an understanding of U.S. history and society based on equality and neutrality, and 2) extending this assumption of a fair, neutral, and equal society to the education system. The mischaracterization of CRT and related "divisive concepts" as indoctrination or coercion was a sleight of hand discursive maneuver that depicted U.S. society and its education system as unquestionably neutral and aligned to shared principles and values. By shifting responsibility to individuals while shielding existing systems, the policies evaded contradictions between policymakers' stated and enacted values. In this way, policymakers' efforts to impose frameworks based on universal rights and neutrality simply replaced critical "indoctrination" with the blind allegiance to neutrality, toleration, and respect for individual rights that are hallmarks of Kantian liberalism (Sandel, 2007). From this perspective, injustices of the past can be reasonably attributed to certain historical individuals whose actions were simply aberrations from society's foundational democratic principles and should therefore not encumber those who came after.

"Universal" Values Appeal 1: Depicting a Virtuous and Fair Society

The appeal to "universal" values manifested first through the invocation of foundational principles such as equality, meritocracy, and individualism. For example, Montana's Attorney General identified individualism, hard work, objectivity, and meritocracy as traits that are "far from being hallmarks of merely 'white culture'", but instead are "self-evident virtues" that are "important hallmarks of a virtuous and productive colorblind society" and "universally applicable to and shared by people of all races, colors, creeds, and national origins" (1 Op. Mt. Att'y Gen., 2021, p. 15). However, his assertion that all can "equally appreciate and adopt those values" was based on the principle that "men and women are created equal" (1 Op. Mt. Att'y Gen., 2021, p. 15), a taken-for-granted assumption of equality that is consistently idealized in political rhetoric, yet unactualized in U.S. law or its institutions. Moreover, the depiction of universal principles as "virtuous" attributes an inherent morality or legitimacy to these claims that bolsters arguments for maintaining the status quo and leaving tensions or contradictions unquestioned.

This dismissal of contradictions between principles and policies that undergird historic and current inequalities reveals how values such as equality, meritocracy, and individualism can be weaponized to explain and preserve white normativity by depicting American society as neutral and fair. Values such as meritocracy were strategically employed in the policies to further shift blame from systemic structures to individuals. The resultant deficit narratives portray success and failure as the product of personal effort, thereby evading accountability for institutionalized racism and systemic inequities. Kentucky's Senate Bill 1 (2022) illustrated this discursive maneuver by requiring instruction consistent with concepts that include:

Personal agency and the understanding that, regardless of one's circumstances, an American has the ability to succeed when he or she is given sufficient opportunity and is committed to seizing that opportunity through hard work, pursuit of education, and good citizenship. (S.B. 1, 2022, §4, line 12-15)

“Universal” Values Appeal 2: Extending Notions of Neutrality and Objectivity to the Education System

Neutral conceptualizations of U.S. institutions and systems served as a rhetorical underpinning for depictions of the education system and attendant instructional expectations for subjects such as American history in schools. These expectations ranged from general references to unbiased or objective instructional approaches to specific appeals to students' individual innocence. Here, the sleight of hand strategy was reprised in the form of seemingly reasonable claims that students should not be subjected to “indoctrination”, while positioning the status quo as an “objective” ideal based on individualistic notions of student innocence. Several policies attempted to establish the existence of neutral or objective ways to understand and teach history. For instance, North Dakota's House Bill 1508 charged that “each school district and public school shall ensure instruction of its curriculum is factual, objective, and aligned to the kindergarten through grade twelve state content standards” (H.B. 1508, 2021, §1, para. 1). Florida's House Bill 7 reaffirmed its existing position that, “American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence” (H.B. 7, 2022, §3, line 327-331). It is difficult to ignore the hubris in a policy that attempts to define American history while also rewriting the ontological and epistemological understandings of an entire discipline in a single sentence.

Moreover, Florida's Board of Education Rule illustrated how claims about a “true” and objective understanding of historical topics could be reinforced through multiple state policies, mandating that “instruction on the required topics must be factual and objective, and may not suppress or distort significant historical events, such as the Holocaust, slavery, the Civil War and Reconstruction, the civil rights movement and the contributions of women, African American and Hispanic people to our country” (Fla. BOE, 2021, §3, para. 5). While both Florida policies appealed to notions of an unbiased version of history, the Board of Education Rule also implicitly suggested that efforts to distort or suppress important historical events were threatening its ostensibly neutral education system.

Some policies also coupled assumptions of neutrality with idealized notions of fairness to perpetuate the ignorance and innocence of white students. For example, Georgia's Board of Education Resolution involved a commitment to “making decisions affecting K–12 public education based on the best interests of all students regardless of their race or sex” and maintaining a “focus on providing the highest quality education without political bias or political influence” (Ga. BOE, 2021, para. 10). While presented as inclusive and fair, such statements echo narratives of colorblindness, dismissing the reality that educational injustices have been intricately tied to race and sex and reinforcing educational approaches that refuse to grapple with this. This policy rationale, and by extension the education system as its vehicle, subtly reinforces denial of the specific, systemic barriers faced by marginalized groups and ultimately obscures the need for deliberate actions that address racial inequities. Further illustrating how appeals to fairness functioned in these policies, Alabama's Board of Education Resolution relied on narratives of individual responsibility for racism to deny a connection between past and present injustices, stating that “individuals living today should not be punished or discriminated against because of past actions committed by members of

the same race or sex, but that we should move forward to create a better future together” (Ala. BOE, 2021, para. 5). By invoking principles of fairness and individual innocence while also claiming the need to “move forward,” this policy statement illustrates the investment of whiteness in denying systemic racism by evading responsibility for inequitable and unjust systems. Refusal to confront the past while emphasizing moving forward also demonstrates the policies’ role in perpetuating white innocence and ignorance by prohibiting students from grappling with the complexity of systemic issues and their positionality within racialized systems – a state of racial ignorance that white students have historically been uniquely privy to.

Assumptions of objective or neutral systems were also foundational for discursive strategies that portrayed competing perspectives as biased outliers that were a danger to the “objective” or “true” view of U.S. history and racism. Across policies, including Board of Education resolutions in Alabama and Georgia, an executive order in Arkansas, and legislation in Arkansas, these strategies ranged from relatively tempered references to CRT or related concepts as political or biased, to more strident accusations of ideological indoctrination (e.g. Ala. BOE, 2021; LEARNS Act, 2023; Ark. Exec. Order No. EO23-05, 2023; Ga. BOE, 2021). For example, South Dakota’s Executive Order described CRT as “a political and divisive ideology that teaches a distorted view of the United States of America and its institutions” (S.D. Exec. Order No. 2022-02, 2022, para. 3). Likewise, Florida’s Board of Education Rule explicitly mischaracterized CRT as distorting history, appealed to notions of individualism to discredit claims of systemic racism, and then reverted to founding principles as an anchor for “universality”:

Examples of theories that distort historical events and are inconsistent with State Board approved standards include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory, meaning the theory that racism is not merely the product of prejudice, but that racism is embedded in American society and its legal systems in order to uphold the supremacy of white persons. Instruction may not utilize material from the 1619 Project and may not define American history as something other than the creation of a new nation based largely on universal principles stated in the Declaration of Independence. (Fla. BOE, 2021, §3, para. 5)

Virginia’s Executive Order No. 1 contrasted the “inherently divisive concepts” of “Critical Race Theory and its progeny” with the “vast majority of learning in our schools [that] involves imparting critical knowledge and skills in math, science, history, reading and other areas that should be non-controversial” (Va. Exec. Order No. 1, 2022, para. 3). By framing CRT and related concepts as “political indoctrination” that “has no place in our classrooms” (Va. Exec. Order No. 1, 2022, para. 3), this executive order strategically mischaracterized critical perspectives on racism as sources of conflict, rather than as necessary tools for understanding and addressing systemic inequities. Furthermore, the policies’ juxtaposition of “divisive concepts” with the supposedly non-controversial learning that occurs in math, science, history, and reading reinforced the illusion that education could—and should—remain neutral and objective.

Importantly, framing accusations of CRT “indoctrination” around claims of objectivity and neutrality masked the policies’ implicit political and ideological nature while also distracting the public from their appropriation of the education system to perpetuate those ideological and political perspectives. This sleight of hand maneuver was accomplished through taken-for-granted assumptions of truth or rightness that masked important contradictions between stated and actual policy intentions. For example, by “declaring the preservation of intellectual freedom and non-discrimination in Alabama’s public schools” (Ala. BOE, 2021), the Alabama Board of Education

Resolution invoked commonly agreed upon principles to mask how its implementation would actually stifle intellectual freedom and perpetuate inequitable systems. Leveraging accusations of discrimination and indoctrination, and a supporting rationale of intellectual freedom, the body of policies we reviewed cast a wide net for prohibiting critical conversations around racism and systemic injustice to maintain the “neutral” position of white normativity. Moreover, many of these claims were coupled with language that invoked moral imperatives for preserving an education system that would maintain student ignorance and innocence around racial injustice by evading complexities and contradictions inherent to U.S. history and founding principles.

The “Right” to Define Racism: Denying Historical and Systemic Linkages to Evade Political Agency

A final discursive maneuver that emerged across policies involved the strategic control over who defines racism and what constitutes racial harm. Through mischaracterization and sleight of hand, these policies reframed racism as individual prejudice rather than a systemic issue. By arbitrating what qualifies as racism, the policies attempted to manipulate the public's understanding, limiting the scope of how it could be discussed and addressed. This maneuver narrowed the focus to individual behavior rather than collective or institutional responsibility as a strategy to restrict educational discourse and stifle broader societal efforts to address racial inequities.

Depicting Racism as a Force Without Political Agency

One way the right to control the narrative was invoked across policies was in the depiction of racism and slavery as something that “just occurred” in the past despite founding principles and values. For example, the Georgia Department of Education Resolution asserted that students should not be “inculcate[d]” with the notions that “with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality” (Ga. BOE, 2021, para. 14). The Alabama Department of Education, the Kentucky Legislature, and the Texas Legislature (Ala. BOE, 2021, S.B. 1, 2022; S.B. 3, 2021) introduced policy that articulated similar understandings of racism, slavery, and other racist institutions as deviations from founding principles such as equality while also expressing related concerns, such as threats to the “unification of our nation” that might stem from “defining racial disparities solely on this legacy” (S.B. 1, 2022, §4, line 7-9). Importantly, the Alabama Board of Education Resolution directly tied an acknowledgement of slavery and racism as “betrayals of the founding principles” to the need to “move forward” by not punishing or discriminating against present-day individuals for the actions of the past (Ala. BOE, 2021, para. 5). A common thread across these policies was a general recognition of racism in the U.S. contrasted against the backdrop of founding principles; however, this acknowledgement of slavery and other racial injustices implicitly suggested that they were phenomena that occurred absent human agency through the creation of formal institutions and structures that existed even as the nation was supposedly being formed on a platform of equality.

The policy rhetoric implicitly suggests that the “betrayals” depicted across these policies were enacted by individuals – not by political agents or bodies – and therefore no collective responsibility would be required to address past injustices, remedy current inequities, or prevent future iterations and consequences. The Alabama Department of Education (Ala. BOE, 2021) and the North Dakota Legislature (H.B. 1508, 2021) provide insight into the logic underlying these policies, which is the idea that “mov[ing] forward” (see Ala. BOE, 2021) requires unification around an understanding that the “betrayals” of racism are in the past and disconnected from present inequalities – a problem of individual missteps rather than systemic injustice (H.B. 1508, 2021).

These abstract depictions of racism narrowly focus on the individual, obfuscating the imperative for collective agency and action around systemic change that would challenge white supremacy.

Leveraging Institutionalized Power to Control the Narrative

In an effort to classify what constitutes racism and how it should be understood, executive orders in Arkansas, South Dakota, and Virginia included explicit references to CRT or antiracism frameworks as discriminatory (Ark. Exec. Order No. EO23-05, 2023; S.D. Exec. Order No. 2022-02, 2022; Va. Exec. Order No. 1., 2022), and the Arkansas Legislature and the Montana Attorney General claimed that CRT or antiracism frameworks violated laws such as the Equal Protection Clause and Civil Rights Act of 1964 (LEARNS Act, 2023; 1 Op. Mt. Att'y Gen., 2021). Idaho House Bill 377, for example, depicted banned tenets as “often found in ‘critical race theory’” (H.B. 377, 2021), asserting that they “exacerbate and inflame divisions on the basis of sex, race, ethnicity, religion, color, national origin, or other criteria in ways contrary to the unity of the nation and the well-being of the state of Idaho and its citizens” (H.B. 377, 2021, §1, line 23-27). Implicitly or explicitly mischaracterizing CRT as racist represents a sleight of hand maneuver: exerting the power to define what is and is not racist to frame perspectives that would challenge the status quo (and by extension whiteness as property) as threats to commonly agreed upon societal ideals of equality and unity. Depicting CRT in this way illustrates how institutionalized power is wielded to determine the stories that are told (or not told) to explain inequality and injustice, reproducing existing power structures and delegitimizing critical perspectives that might inform collective action towards systemic change.

Leveraging Individualism to Constrain the Parameters of Racism

In further controlling the narrative across policies, individualism emerged not only as an important rhetorical strategy for how racism should be understood but also as a means of mischaracterizing CRT and related concepts as racist. This focus on individualism has important implications not just for understanding historical injustices, but also for notions of present and future responsibility for challenging racism, as Utah’s Board of Education Rule demonstrated in outlining the professional learning that should be provided around educational equity. This included “creating opportunities to recognize personal responsibility in contributing to conditions that preserve the rights of all individuals and to avoid the repetition of past harmful actions by individuals and groups” (Utah BOE, 2021, §3, line h). The focus on personal responsibility and individual rights extends the logic across many “divisive concept” policies, suggesting that just as historical racism should be understood in individual terms, responsibility for avoiding or addressing racism in the present should also be understood at an individual or interpersonal level.

Narratives of individualism also emerged as policies indirectly framed CRT and related concepts as discriminatory or racist, illustrating sleight of hand maneuvers in which a reasonable and widely agreed upon statement (i.e., that students should not be discriminated against based on race) was used to implicitly suggest that CRT was violating this premise. For example, the Mississippi and New Hampshire legislatures outlined similar prohibitions against public schools “compelling” students to adhere to certain notions, including the idea that individuals should be adversely treated based on characteristics such as race, ethnicity, or national origin (S.B. 2113, 2022; H.B. 2, 2023). Further, the Iowa and Kentucky legislatures and the Montana Attorney General expressed the need to prevent scapegoating or stereotyping (e.g. Iowa House File No. 802, 2021; S.B. 1, 2022; 1 Op. Mt. Att'y Gen., 2021), which Georgia House Bill 1084 defined as:

‘Race scapegoating’ means assigning fault or blame to a race, or to an individual of a particular race because of his or her race. Such term includes, but is not

limited to, any claim that an individual of a particular race, consciously and by virtue of his or her race, is inherently racist or is inherently inclined to oppress individuals of other races. ‘Race stereotyping’ means ascribing character traits, values, moral or ethical codes, status, or beliefs to an individual because of his or her race. (Protect Students First Act, 2022, §1.2, line 56-57)

Importantly, the policy concern around stereotyping and scapegoating is framed around a claim of reverse racism, indirectly positioning those who might be viewed as oppressors (e.g. white people) as victims of unfair accusations of racism. As seen in Georgia’s Protect Students First Act, concerns around stereotyping and scapegoating were not tied to experiences, violence, and trauma experienced by students of Color as a result of racist laws, policies, and practices, but rather refer to individuals who might be perceived, or have their morality called into question, as oppressors. In this case, racial harm is presented as the outcome of accusations against a privileged racial group, rather than experiences tied to historical and contemporary racial violence and injustice. In addition to highlighting that these policies are leveraging accusations of reverse racism to protect white people, they also reinforce the notion that racism is an individual, interpersonal-level problem rather than something that has been embedded and perpetuated through a system of institutions and structures that cannot be separated from more overtly violent historical events. This discursive maneuver provides another illustration of how reviewed policies invoked a right to control the narrative around racism, mandating parameters around how to define it or understand its role and impact in U.S. history and society, to undermine educational attempts at grappling with the complexities of racial injustice.

Discussion and Implications

In sum, we identified three primary discursive maneuvers operating across “divisive concept” bans: constructing false equivalencies between disparate conditions, appealing to “universal” values as taken-for-granted assumptions, and exerting narrative control through definitional boundaries. First, false equivalencies were posited to preserve notions of white innocence and dismiss or diminish the ongoing impacts of racial violence by 1) equating the racialized experiences of students of Color with white discomfort and 2) equating critical frameworks, such as CRT, that acknowledge the existence and effects of systemic racism with overtly racist institutions such as segregation. Second, appeals to “universal” values tied to founding principles were leveraged to 1) portray a dehistoricized understanding of a neutral U.S. society grounded in equality and individualism, and 2) extend assumptions of fairness and neutrality to the education system and argue for an “objective” approach to teaching about U.S. history, American identity, and racism - one that ultimately perpetuates white normativity through the curriculum. Third, strategic control over defining and identifying racism and racial harm was exerted through these policies to dismiss systemic understandings, and preclude collective action around addressing racial injustice, perpetuating a status quo anchored in whiteness as property.

Cutting across these discursive maneuvers was the strategic use of mischaracterization and rhetorical sleight of hand - intentional distortions designed to manipulate public perceptions of policy intent and bolster their appeal when taken at face value. These tactics worked in tandem with the three discursive strategies to 1) delegitimize CRT and related “divisive” concepts by portraying them as racist and psychologically harmful to K–12 students; 2) perpetuate and obfuscate whiteness as property by holding up the U.S. education system and society as unquestionably neutral, equal, individualistic, and colorblind without assuming the burden of proof; and 3) suppress critical

consciousness and foreclose possibilities for addressing systemic inequity and racial injustice by manipulating public understanding through formal education policy.

Building on these discursive maneuvers, our findings demonstrate that a central pattern across these policies was the construction of a straw man argument that portrayed CRT and related concepts as a form of reverse racism. The discursive underpinnings of this straw man argument reinforced narratives around formal equality, neutrality, and individualism that glossed over the inherent tensions and contradictions in how these principles have been invoked and enacted throughout U.S. history and its institutions. This reflects one of the “historical, ideological, and political manoeuvres whites engage in to operationally feign racial ignorance and innocence” (Matias & Boucher, 2023, p. 68), which involves constructing false equivalencies between white discomfort at confronting systemic racism and the realities of racial violence and oppression that people of Color have endured. As Matias et al. (2014) demonstrated, the positioning of white racial victims and the privileging of white comfort is reflective of an investment in whiteness, wherein “by mistakenly presenting itself as a viable alternative to the realities in the Black imagination, the white imagination, upheld by hegemonic whiteness, ultimately attempts to delegitimize the realities in the Black imagination” (p. 301).

The denial of stories and perspectives around racial violence and trauma, and the perpetuation of their erasure through the curriculum, illustrates the linkage between the exertion of whiteness and dehumanization of people of Color through these policies. Moreover, the centering of white comfort extends findings on how two facets of whiteness as property—the right to use and enjoyment and the absolute right to exclude (Harris, 1993)—are asserted through anti-CRT rhetoric and policies. Previous scholarship has demonstrated the investment of whiteness in maintaining educational resources disparities, such as access to advanced programs, in education policy (Vaught, 2009). Our findings build on this by showing how whiteness’ assertion of the exclusive right to enjoy a “comfortable” learning environment is rhetorically connected to a whitewashed curriculum that excludes the stories, counternarratives, and lived experiences of people of Color (Ladson-Billings, 1998).

Importantly, the refusal to grapple with positionality, privilege, and complicity within racialized systems that these “divisive concept” policies seeks to maintain is not only dismissive of racial violence and trauma, but of systemic racism itself, by reducing racism to an abstract force propelled only by individual, interpersonal acts. A whiteness as property (Harris, 1993) lens underscores that the fervor to deny systemic racism in and through formal policy can be understood as occurring not despite—but rather in response to—growing recognition and attention to the reality, manifestations, and consequences of systemic racism by scholars across disciplines such as ecology (Schell et al., 2020), cognitive psychology (Banaji et al., 2021), sociology (Bonilla-Silva, 2021), health care (Feagin & Bennefield, 2014), politics and policy (Michener & LeBrón, 2022), history (Pak, 2021), and education (Ladson-Billings, 2006). This reactive pattern is not new but represents another iteration of white opposition to policies and practices aimed at addressing racial disparities. As Harris’ (1993) application of a whiteness as property lens to affirmative action cases has demonstrated, such policies seek to protect the “status quo of substantive disadvantage”, which “was ratified as an accepted and acceptable base line” (Harris, 1993, p. 1753) by maintaining the “illusion that the original or current distribution of power, property, and resources is the result of ‘right’ and ‘merit’” (Harris, 1993, p. 1778).

The recent focus on equity and cultural responsiveness in educational standards, preparation, and practice—along with heightened attention to antiracism—has provoked reactionary policy responses that further parallel earlier legal and political battles over affirmative action. Just as legal challenges to affirmative action were “not dictated by the scope of the injury to the subjugated, but

by the extent of the infringement on settled expectations of whites” (Harris, 1993, p. 1768), “divisive concept” policies function as a backlash to the perceived disruption of whiteness as the default in education. By challenging colorblindness narratives that protect whiteness as property, race-conscious pedagogy becomes a “potential weapon against subordination,” (Harris, 1993, p. 1768), helping to explain why these policies work to suppress critical conversations about race.

By framing these policies as necessary to protect “innocent” white students from discomfort, these “divisive concept” policies demonstrate how the power to define racism (Matias et al., 2014) and determine its “victims” remains enmeshed in whiteness as property through the right to use and enjoyment and the absolute right to exclude, as Harris (1993) has explained: “When group identity is a predicate for exclusion or disadvantage, the law has acknowledged it; when it is a predicate for resistance or a claim of right to be free from subordination, the law determines it to be illusory” (p. 1766). As Harris’ (1993) analysis of whiteness as property makes salient, these anti-CRT and “divisive concept” policies function as tools of dehumanization to thwart social justice education and systemic change, which overtly threaten the privileges and property interests of whiteness. These policies operate on two levels to sustain whiteness ideologically. First, the policies serve as an important—and influential—public-facing vehicle for knowledge construction around racism and its impact given the level of formality and institutional weight attached to such mediums. Second, the aims and intended outcomes of the policies reflect an effort to ensure these ideologies remain engrained in the education system through curriculum and pedagogy by dictating what can and can’t be addressed.

Contribution to Anti-CRT Policy Research

Given the ideological function of these policies, it is essential to critically analyze how they operate discursively to maintain whiteness as the normative framework in education. This study contributes to the growing body of research examining anti-CRT and similar policies, which have illuminated the policies’ ideological roots (Crenshaw, 2021; Henry et al., 2023) and pointed to both localized and broader applications and impacts (Kelly, 2023; Samuels et al., 2023; Schoorman & Gatens, 2024; Tabron et al., 2024). While state- and site-based studies (e.g., Brake, 2023; Koyama, 2024; López et al., 2021; Kelly & Taylor, 2024; Samuels et al., 2023; Welton et al., 2023), have provided critical insights into how these policies unfold in specific contexts, our study extends this work by conducting a critical policy discourse analysis of “divisive concept” policies at a national scope. This approach allows us to examine the discursive maneuvers widely operating to mask and perpetuate white supremacy and dehumanize people of Color, as well as the range of policy mediums employed to advance this work beyond legislative bills, which reflects another layer of political maneuvering. While the aim of this study was to understand overarching strategies and patterns operating across policies, the distinct policy mediums and nuanced discursive strategies operating within states also warrants further attention. Thus, a comparative policy approach would be a useful next step in this line of inquiry.

Understanding the discursive maneuvers and harmful ideologies underlying such policies has become even more urgent in the wake of President Trump’s recent executive order, which, as our study demonstrates, reflects a broader trajectory of political and rhetorical strategies. By appealing to commonly accepted and “universal” values to justify these policies, policymakers have made it easier for policy audiences to accept them at face value while obscuring how they ultimately obstruct racial justice by centering and maintaining the interests of whiteness. Taken together, these discursive maneuvers illustrate how denial of systemic racism is formalized in educational policy, strategically restricting possibilities for addressing racial and social inequities by constraining how and what students learn about history and their positionality within a racialized system. While we hope this

study contributes to understanding around the ideological intent and impact of such policies, and the discursive maneuvers employed to advance this agenda while simultaneously denying its ideological nature, we acknowledge that this work is informed by a robust body of longstanding scholarship that has advanced our understanding of the pervasiveness of racism in U.S. law and institutions, including the education system, and is situated within a broader movement to challenge systemic racism and injustice (e.g. Harris, 1993; Ladson-Billings & Tate, 1995; Lynn & Dixson, 2013; Matias et al., 2014; Solorzano, 1997).

Implications for Policy and Practice

These findings have important implications for a variety of stakeholders, both directly and indirectly connected to education. Our research underscores a pressing need for heightened awareness among the public of the insidious nature of “divisive concept” bans and their entanglement with systems of whiteness and white supremacy. By exposing the rhetorical strategies embedded in these policies, individuals and communities are better equipped to recognize and challenge legislative and other policy efforts that covertly sustain systemic oppression under a guise of neutrality. This awareness is not merely informational but serves as a catalyst for political advocacy and activism, empowering the public to oppose these bans and push for policies that foster critical discussions on race in education. Moreover, it underscores the necessity of holding policymakers and education officials accountable for their roles in promoting or enabling such bans, ensuring that educational policies align with principles of racial justice. Hodge et al. (2022) have provided helpful guidance for school leaders navigating contentious issues like CRT in the face of community pushback, which can help make these findings more actionable at the school level. They recommend employing proactive versus reactive communication strategies to engage and inform stakeholders around problems and proposed solutions, appealing to shared values and collective goals, explicitly naming antagonists and the tactics they are using to divide the community, and framing explanations for problems as structural versus individual (Hodge et al., 2022). By making salient the discursive tactics leveraged by policy actors through “divisive concept” bans, these findings can help school leaders frame communication around how they are leading educational efforts that challenge the harmful intent of such policies. Indeed, Pollock et al. (2022) have demonstrated that school leaders are key actors in supporting teachers’ efforts at the classroom level.

In addition to raising public and educator awareness, these findings highlight the need for a range of stakeholders, including teacher educators, administrators, policymakers, and advocacy organizations to support one another while finding common ground to make progress in this ongoing work of resisting “divisive concept” bans and promoting equitable policies in education. This is aligned with Pollock et al.’s (2022) findings that have pointed to the role of “local backup”, which involves leveraging local actors and relationships, in supporting teachers amidst longstanding patterns and heightened pushback against even basic inclusion efforts. Pollock et al. (2022) also identified students as “often-underestimated powerful actors” (p. 107), underscoring the important role of student leadership and voice in demanding inclusive perspectives in classrooms and schools. Importantly, engaging a broad range of stakeholders in resisting harmful policies calls for collective action around centering and amplifying the voices and perspectives that “divisive concept” bans strategically aim to dismiss and omit from educational spaces. To counteract the dominant discourse embedded in these bans, counternarratives that expose and challenge the discursive maneuvers at play are essential (Horsford, 2019; Matias et al., 2014). By bringing to light the rhetorical strategies used to frame discussions of race and equity, these counternarratives not only disrupt efforts to maintain white normativity but also open pathways for more just and inclusive educational policies.

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Appendix Inductive Analysis Code Book

Code	Definition	Example Policy Text
Mischaracterization	Misrepresentations, overstatements, disinformation such that CRT is easier to dispute whether explicit or implied	People of one color, creed, race, ethnicity, sex, age, marital status, familial status, disability, religion, national origin, or any other characteristic protected by federal, or state law are inherently superior or inferior to people of another color, creed, race, ethnicity, sex, age, marital status, familial status, disability, religion, national origin, or any other characteristic protected by federal or state law. (GA HB 1048)
Sleight of Hand	Intentional efforts to deceive or manipulate such as using reasonable statements, quotes, etc. to justify policy actions; contradictions between stated and actual policy intentions; exempting premises from the burden of proof	(a) All individuals are created equal; (b) Americans are entitled to equal protection under the law; (c) An individual deserves to be treated on the basis of the individual 's character; (d) An individual, by virtue of the individual 's race or sex, does not bear responsibility for actions committed by other members of the same race or sex; (f)The future of America 's success is dependent upon cooperation among all its citizens (KY SB1)
Meritocracy	Examples or references to individual merit to explain success or negate the role of system racism in personal success	Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or “sexist, or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin.” (FL HB7)
“Equality”	References to “equality” as a stated value or goal	(j) that, with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality (GA HB1084)

Code	Definition	Example Policy Text
Colorblind	Denial of race or lack of regard for race in systems or societal norms	d. members of one race or sex cannot and should not attempt to treat others without respect to race or sex (OK HB1775)
Denial of Systemic Racism	Examples or references to racism as an individual or interpersonal phenomena; rejecting the existence of systemic racism in social systems or societal norms	Instructional personnel may facilitate discussions and use curricula to address, in an age-appropriate manner, how the individual freedoms of persons have been infringed by slavery, racial oppression, racial segregation, and racial discrimination, as well as topics relating to the enactment and enforcement of laws resulting in racial oppression, racial segregation, and racial discrimination and how recognition of these freedoms has overturned these unjust laws. (FL HB7)
Neutrality	References to educators remaining neutral in discussions and employing curriculum or instruction that is “objective”	Each school district shall ensure instruction of its curriculum is factual, objective, and aligned to the kindergarten through grade twelve state content standards (ND HB1508)
Individualism	References to individual responsibility for beliefs, actions	...an individual, solely by virtue of his or her race, bears individual responsibility for actions committed in the past (GA HB1048)
Individual rights	Protection of individual rights (versus a common good or shared interest)	h) The significant value of the American principles of equality, freedom, inalienable rights, respect for individual rights, liberty, and the consent of the governed. (KY SB1)
Reverse racism	Perceptions/accusations of “racism” that are construed as “anti-white,” and position white people as victims	WHEREAS: Critical Race Theory (CRT) is antithetical to the traditional American values of neutrality, equality, and fairness. It emphasizes skin color as a person's primary characteristic, thereby resurrecting segregationist values, which America has fought so hard to reject; (AR Executive Order)

Code	Definition	Example Policy Text
Indoctrination / Force	Forms of “indoctrination” that the policy is seeking to ban	(c) No course of instruction or unit of study directing or otherwise compelling students to personally affirm, adopt, or adhere to any of the tenets identified in paragraph (a) of this subsection shall be used or introduced in any institution of higher education, any school district, or any public school, including a public charter school. (ID HB 377)
Guilt / Distress / Anguish	References to how students might be made to feel through discussion of “divisive” concepts	An individual, solely by virtue of his or her race, should feel anguish, guilt, or any other form of psychological distress (GA HB 1084)
Responsibility / Fault / Blame	References to assignment of blame for racism or oppression	(d) An individual, by virtue of the individual 's race or sex, does not bear responsibility for actions committed by other members of the same race or sex (KY SB1)
Discrimination	Characterizations of “divisive concepts” as implicitly or explicitly discriminatory / Framing discrimination as an injustice that requires policy action.	An individual, by virtue of his or her race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion. (FL HB7)
