

Neoliberalism and the Battle over Ethnic Studies in Arizona¹

by Sandra K. Soto and Miranda Joseph

On May 14, 2010, Sandra K. Soto was the faculty convocation speaker for the University of Arizona College of Social and Behavioral Sciences. She spoke for about 15 minutes to the approximately 5,000 people (graduates, their families and friends) who had assembled in the Tucson Convention Center. The speech might have gone more quickly had it not been interrupted several times by booing (and some cheering as well). To a significant extent, Soto observed the conventions of a graduation speech: opening with a joke at the expense of a rival school, congratulating parents and graduates, flattering the graduates (but also the institution and its faculty) by crediting them with having learned both skills and information, and urging graduates to make use of their education to make the world a better place. But she spoke in the context of, and made explicit reference to, the raging political debate in Arizona over the passage of two laws: the anti-immigration law, SB 1070, that has received international attention; and HB 2281, intended to ban the teaching of ethnic studies in K-12 schools.² In other words, Soto went beyond her role as decoration in the ritual that is a graduation ceremony. She invoked not only the historical trajectory of graduation ceremonies, past and future, necessary to give the present one its meaning and force but also, as we will explain, the present conflict over the boundaries and membership of the public sphere in which the ceremony is meaningful.

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After making her own position clear by saying that “racial discord is being provoked not solved by the recent legislation that is horrifying so many of us,” Soto called on the assembled graduates and their families to deploy the norms of the higher education classroom in engaging these issues. “Certainly, we will not all agree on how best to reform immigration,” she said. “But it is our civic responsibility to have educated, well-informed, and non-hysterical debate, and to develop solutions that are fundamentally respectful of human and civil rights.” She then expanded the range of discursive norms she sanctioned by describing her own participation in a street protest:

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As I held hands with Middle and High School students who formed a human chain around the Tucson United School District headquarters this past Wednesday to protest this law [HB 2281] the children tirelessly chanted: “Our education is under attack, what do we do? Fight Back.” As a professor, someone who has committed her life to teaching, I was moved beyond words to see those children peacefully—in fact, beautifully—asking only for a chance to see themselves reflected in the lessons they are taught, the lectures that they hear, the textbooks that they read.

Soto’s speech and the reactions to it—the audience’s effort to shout her down, a strategic YouTube posting of the decontextualized second-half of the speech, the attention from local and national news and opinion media, hundreds of e-mails addressed to her and to university administrators—became an occasion through which the political and racialized dynamics at work in the state were repeated and elaborated. The speech became another battle in the war over the external boundaries, internal norms, power relations, and resource distribution of the state and nation. The event also highlighted the complexities of the so-called “public sphere,” the various institutional sites of discourse and their diverse norms and the constraints on who can speak and be heard, what can be said and be heard.

As a tenured professor, Soto was protected from being fired by academic freedom, even as she spoke about the recently passed Arizona law that explicitly limits the knowledge that can be made and shared in the public K-12 system—where academic freedom does not apply.³ On the other hand, in moving from the classroom to a ritual in which a larger public is invited to join and observe the academic endeavor, Soto’s stature as a tenured professor at a Research I institution, visibly underscored by her academic regalia and place at the podium, was crosscut (if not undercut) by her Spanish surname and the socially-determined racial interpretations of her physical attributes even before she spoke a word of her

speech. The conservative blogger who captured the speech on video and posted the second half on YouTube—seeking to expose the speech to a different public—unwittingly also exposed racist speech acts as the recording picked up background comments from audience members. People who, presumably, were unaware that their comments were being recorded: “This is ‘Merica.” “Go back to El Salvador.” “Cut your hair, bitch.”⁴ As with the hate mail that followed, we can learn a great deal from these racist comments. We also should not lose the connection between the content of the speech and the racism it solicited; for laws like SB 1070 and HB 2281 license bald racism from the public.

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The emails sent to Soto came in waves related to the media coverage of the speech. There were a few initial messages from people who had actually been present at the event. But then hundreds came in response to the YouTube video posted a few days later and featured in local news media. A week later, when the video was mentioned on a national Fox News show and on Huffington Post, another few hundred messages came in. These messages were about evenly divided between supportive and critical, and there was great diversity in style, length, and focus across all the responses. Some were simple thanks, some more elaborate letters from those who felt Soto had stood up for their children. Many were from colleagues from across the University of Arizona campus and other universities supporting her decision to address the current climate in Arizona.

The negative messages ranged from a couple of long-winded tracts that seemed to want to open a substantial conversation about the issue to many hate mails composed of very brief expressions of misogynist, homophobic, and/or racist vulgarity that had nothing to do with the substance of the speech itself. In between, were many that seemed to repeat rants heard on right-wing cable television, accusing Soto of terrorism, communism, and socialism. One message suggested that she was promoting views shared by Obama, Hitler, Stalin and Mussolini. Significantly, one-third or so simply told her to go back to Mexico, or Cuba, or Venezuela. One person using the pseudonym “Odor Control,” for instance, wrote: “Why don’t you move your sorry ass to Mexico?”⁵

Most interesting and most common, however, were those who attempted to shame her by claiming she had done something inappropriate and had ruined the graduation for the students. This rhetorical approach was encouraged by numerous media invitations to assess the “appropriateness” of Soto’s speech by watching and commenting on the YouTube video.⁶ Many not only expressed a norm of pro-

priety but also claimed an explicit private property right with regard to the university and its graduation ceremony. Going beyond the repeated claim that she had stolen (or “hijacked”) their day for her private interest, one parent claimed that by paying tuition he had paid her salary and therefore had a right to demand she be fired. Another person claimed that her daughter, a graduate, wept all day because of the speech. The anger, threat, theft, violation expressed in these messages suggests that some people felt as though they had been “injured” by Soto’s speech.⁷

That the notion of “injurious speech”—developed to help us understand the impact of hate speech—could so perfectly fit the claimed impact of Soto’s convocation address (for some of the listeners; it is crucial not to forget those who cheered and wrote with thanks) is the result of a deliberately cultivated sense of vulnerability, of fear that any mention of race is reverse racism and race hatred, that our borders are being overrun with violent others, that our place and our future are now out of our control. It is precisely this cultivated vulnerability that produces (and is further exacerbated by) SB 1070 and HB 2281, efforts to build walls, criminalize populations, keep them out, erase their histories and cultural production from the classroom.

Even though those who performed “injury” were gathered in the public space of a large convention center to participate in a ritual that one would expect to affirm the ideals of academic freedom, the free exchange of ideas, and civic engagement, they felt entitled to a completely depoliticized (one might even say “privatized”) experience. What seems clear, however, especially when considering the 300 or so positive messages against the 300 or so negative ones, is that those who were “injured”—those who took offense—were supporters of these two laws. They registered Soto’s speech as political because it was not their



political view. Their desire and expectation not so much for an experience free of politics but for an intimate, private experience free of political challenge, together with their sense of ownership of public education as private property, is no accident. It is a symptom of a more general transformation of citizenship and the public sphere produced by and productive of neoliberalism.⁸

As Lauren Berlant argues in *The Queen of America Goes to Washington City*, citizenship under neoliberalism has been deadened and privatized: national symbols (such as patriotic monuments) and ostensibly private behaviors (such as being properly heterosexual) have displaced live citizenship, which is to say, active

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engagement in political processes with uncertain outcomes. If a college degree was once the mark of the educated citizen necessary to a democracy, it appears to have become the mark of dead citizenship for those participants (by whatever technology) in this graduation ceremony who rejected precisely the political debate and engagement necessary to democracy. Some seem to have wanted a “dead” convocation speech, which—like a “dead metaphor”—is so conventionalized as to no longer seem figural, no longer open to history.⁹

If the attitudes and behaviors enacted in relation to Soto’s speech were a product of the history of neoliberalism, banning the teaching of ethnic studies in K-12 schools itself is yet another episode in that history, even as it seeks to shape the future. As advertised by its promoters—most prominently Arizona’s Superintendent of Public Instruction, Tom Horne—HB 2281 is intended to eliminate a particular Mexican American Studies Department (MASD) in the Tucson Unified School District, although any elaboration of ethnic studies is at risk under the law. Horne has the ear of both the mainstream and conservative media and is largely depending on HB 2281 to help him win his race for Arizona Attorney General (just as Governor Jan Brewer is counting on SB 1070 for similar ends).¹⁰ Because Horne routinely speaks out against the MASD, caricaturing its students as militants and revolutionaries so driven by groupthink and resentment that they are willing and ready to overthrow the U.S. government, he not only “helps” to shape people’s perceptions of ethnic studies, but, much more broadly, of Mexican Americans, Latino-white race relations in the borderlands, and race and racism.

Horne’s view has vastly more impact than that of a former student profiled in the MASD newsletter. Adrian Laurenzi had a life-changing experience through the Mexican-American Studies classes:

The Raza Studies classes I took (Chicano Literature for 2 years) had the most impact on my life of any class I've taken in college or high school to date. The most significant effect was probably in the way I perceive and think about race in both a societal and an individual context. I always felt the 'white guilt' due to my observation of racial discrimination and segregation. This guilt often negatively affected my interactions with minorities making communication difficult and awkward.... Discussing racial issues with other students and analyzing these issues in assigned texts helped me to obtain a more constructive and critical view of race.... Raza Studies converted my guilt into motivation for taking action and working to promote social justice continues to be one of the most important life aspirations."¹¹

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Against Horne's images of racialized and politicized publics, HB 2281 immediately dictates *individualism*. Its Declaration of Policy states: "The legislature finds and declares that public school pupils should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people."¹² Individualism is strategically placed in contradistinction to "resentment" and "hate," as though people who do not ascribe to individualism are necessarily prone to hatred.¹³ The law prohibits classes that do any of the following:

1. Promote the overthrow of the United States government.
2. Promote resentment towards a race or class of people.
3. Are designed for pupils of a particular ethnic group.
4. Advocate ethnic solidarity instead of the treatment of pupils as individuals.¹⁴

As such, the law misrepresents ethnic studies through a now-familiar ruse that claims that any attention to race or racism, even as a topic of study, is itself racist. The ruse is familiar because it has been used in the apparently endless attacks against affirmative action. For instance, here in Arizona we vote this November 2 on Prop 107, which reads as follows: "This state shall not grant preferential treatment to or discriminate against any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting."¹⁵

Michael Omi and Howard Winant's *Racial Formation in the United States*, a foundational text in the field of ethnic studies, provides some leverage for understanding what this law is doing, beyond what it appears to be saying. The law undertakes what Omi and Winant called a "racial project," or "a project that is simultaneously an interpretation, representation, or explanation of racial dynam-

ics, and an effort to reorganize and redistribute resources along particular racial lines.”¹⁶ It does so by deploying the public/private divide that is a central feature of liberal political theory and the constitutive ambivalence about equality that is actualized through that divide.

That classical liberalism is fundamentally ambivalent about equality is clearly revealed in John Locke’s *Second Treatise of Government*, one of the cornerstones of liberal theory and a direct inspiration to our so-called founding fathers. It is echoed in the U.S. Constitution and Declaration of Independence in obvious

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ways. Locke opens his main argument, in “Chapter II Of the State of Nature” by saying

all men are naturally in... *a state of perfect freedom... A state also of equality*, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and thus of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another...¹⁷

Having inserted a variety of caveats with regard to potential differences of “species and rank,” “advantages of nature,” and “faculties,” he goes on, in “Of Paternal Power”—a chapter that specifically articulates the public/private divide by distinguishing the power dynamics of the family from those of the “political” realm:

Though I have said above, *Chap. II. That all men by nature are equal*, I cannot be supposed to understand all sorts of *equality*: *age* or *virtue* may give men a just precedency: *excellency of parts* and *merit* may place others above the common level: *birth* may subject some, and *alliance* or *benefits* others, to pay an observance to those to whom nature, gratitude, or other respect, may have made it due: and yet all this consists with the *equality*, which all men are in, in respect of jurisdiction or dominion over one another.¹⁸

It is clear that, while Locke means to articulate some limited form of political equality (meant to set up his argument against arbitrary and absolute government power), he certainly has no intention of promoting social equality. On the contrary, his fundamental understanding of the purpose of government is to preserve

and protect unlimited and unequal distributions of property, property rights that he legitimates over the course of a long chapter, “On Property,” in which he naturalizes and legitimizes this inequality as a result of the unequal industriousness of individuals on the one hand and of our consent to the use of money on another.¹⁹

The ambivalence about equality and establishment of a public/private divide such that abstract equality of individuals exists in a limited public realm while inequalities based on wealth and various “group characteristics” (e.g., age, birth, rank, gender)—inequalities that impact the ability of individuals to participate in

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the public political arena—are deliberately preserved in the private realm continues to be a key feature of our liberal political/economic system. And it sets up the ongoing debates we witness between liberals (not to be confused with the classical liberalism discussed above) and conservatives, Democrats and Republicans, that are ostensibly arguments over where the line between public and private should be drawn. Conservatives generally want to move the line so as to make smaller government (smaller “public”) when it comes to providing social welfare or regulating business but extend the reach of government when it comes to regulating private personal behavior such as sex or reproduction.

Ambivalence about equality enacted through the public/private divide undergirds the particular meaning of individualism promoted in HB 2281. Classical liberalism has always presumed that individuals are the basic unit of political analysis. As Wendy Brown states, “The liberal subject is the individual.... Liberal individuals are conceived as bundles of power, as origins of power.”²⁰ But the version of individualism developed under neoliberalism articulates individuals not so much as sites of power but responsibility; and thus neoliberal individualism has helped promote the expansion of inequality through privatization. The notion that we individually rise or fall on our own merit, that we are each individually responsible for all aspects of our lives, has been deployed to legitimate the decimation of social welfare provision and the privatization of many government services, producing a dramatic upward redistribution of wealth.²¹

Omi and Winant use the term “neoconservative” to locate the position in the liberal spectrum (from liberal to conservative) exemplified by anti-affirmative action efforts. But their definition suggests that the term “neoliberal” as we have been using it would serve as well: “The neoconservative perspective... deliberately restrict[s] its attention to injury done to the individual as opposed to the group”

and actively advocates “color-blind racial policy.”²² While the neoconservative/neoliberal evocation of “color-blindness” might seem like a step in the right direction, it actually has the insidious effect of promoting and preserving “the continuing organization of social inequality and oppression along racial lines. Worse yet, it tend[s] to rationalize racial injustice as a supposedly natural outcome of group attributes in competition.” As Locke might have put it, it implies that “they” are somehow less “industrious.”²³

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Insofar as HB 2281 prohibits the state from treating students differently by race or class, it would seem to be just another instance of this same strategy.²⁴ However, as it not only prohibits the state from seeing/acting on race but also seeks to prohibit or inhibit students from seeing, acting on, analyzing, experiencing race—declaring that “pupils should be taught to treat and value each other” in a particular way—it would appear to take another step in the neoconservative project. It attempts to forestall “ethnic solidarity” and, thus, any political action that might disrupt the status quo of inequality—by extending the deliberately limited abstract political equality of liberalism into what, in a liberal regime, would normally be considered private: the values, beliefs, and interpersonal affiliations of the members of society in their social rather than political identities.

Some scholars of ethnic studies challenge the ideology of individualism by proposing analyses of the social, historical, political, and cultural dynamics that would lead one to question whether in fact people have been treated, and enabled to act as, fully responsible individuals, and by instead suggesting that race (among other group categorizations) has played a large role in the distribution of power and resources. For instance, Columbia University’s Gary Okihiro seems to advocate such a version of ethnic studies in his critique of HB 2281: “Ethnic studies is not identity politics, multiculturalism, or an intellectual form of promoting affirmative action for people of color. Those detours trivialize the political claims of the discipline, reducing the analysis of power relations and their interventions to cultural celebrations and lessons in cultural competence.”²⁵

As evidenced by our use of Omi and Winant, we too prefer an ethnic studies that helps us to understand the racial formation processes (as they interact with the social formation processes that produce genders, classes, sexualities) that have made racial and ethnic groups socially significant, even intelligible, to begin with.

Ethnic studies in this mode equips students from all racial backgrounds with a set of interdisciplinary critical thinking skills for understanding, analyzing, and writing about social relations in the United States, as well as transnationally. Moreover, it calls them to just the sort of live citizenship that the “injured” members of Soto’s audience seemed to reject. [nea](#)

ENDNOTES

1. We would like to thank Lisa Duggan whose book *Twilight of Equality?* serves as a model for this essay in more ways than the endnotes can capture. As we will discuss in the essay, we borrow the term “live citizenship” from Lauren Berlant whom we also wish to thank.
2. Several lawsuits have been filed contesting SB 1070, including a federal suit, which has resulted in several key sections being enjoined by a district court judge. SB 1070 is expected to go through the Ninth Circuit Court up to the Supreme Court.
3. Although no teachers are directly under threat of being fired by virtue of HB 2281, the penalty for violating the law is budget reductions to the school district, so the possibility of being fired remains one step removed.
4. As several scholars have noted, women’s hair is a particularly salient site of racial meanings. See especially Negrón-Muntaner.
5. Odor Control, e-mail message to Soto, May 25, 2010.
6. These include: the Fox News segment (May 24, 2010), a news report posted on the website of a local television station, KVOA, “Video: UA professor booed discussing AZ immigration law at commencement,” (5/17/2010 at 5:20PM) and the blog posting by Becky Pallack, aka “The Campus Correspondent,” in the main Tucson newspaper, the *Arizona Daily Star*, among many others.
7. As Judith Butler notes, “To be injured by speech is to suffer a loss of context, that is, not to know where you are. Indeed, it may be that what is unanticipated about the injurious speech act is what constitutes its injury, the sense of putting its addressee out of control. The capacity to circumscribe the situation of the speech act is jeopardized at the moment of injurious address. To be addressed injuriously is not only to be open to an unknown future, but not to know the time and place of injury, and to suffer the disorientation of one’s situation as the effect of such speech.” p. 4.
8. Neoliberalism is an economic ideology that privileges free-market capitalism and deregulation in an effort to increase corporate profits for the few at the expense of the many. It also deploys what Lisa Duggan has called a “cultural politics,” shaping how we understand social formations such as race, gender, and sexuality.
9. Berlant, p. 60.
10. At the time of this writing, the November 2010 elections have not taken place.
11. Laurenzi, p. 2.
12. Arizona Revised Statutes § 15-111.
13. As Stanley Fish argues in his *New York Times* blog, “The declaration tendentiously, and without support either of argument or evidence, affirms a relationship between critically questioning the ideology of individual rights — and make no mistake, it is an ideology — and the production of racism and hatred.”
14. Arizona Revised Statutes § 15-112 (A).
15. Arizona Revised Statutes § 15-112 (A).
16. Omi and Winant, p. 56, emphasis added.
17. Locke, p. 4.
18. Locke, p. 54.

19. Macpherson provides a helpful reading of the chapter “On Property” in his “Editor’s Introduction” (Locke, pp. xvi-xix).
20. Brown, p. 145. However, as she and other feminists have argued, family is also presumed, serving as the basic unit of analysis relevant to the private sphere out of which individuals emerge into the public/political sphere and on which they are dependent. That is, public and private are interdependent.
21. See Duggan, especially pp. xiv-xv.
22. Omi and Winant, p. 70, emphasis added.
23. Omi and Winant, p. 70.
24. In Horne’s own words: “The issue as far as we’re concerned is that as Americans we’re all individuals; that what race we were born into is irrelevant and that what matters about us is we know what we can do, what our character is.” 8/03/10 interview with KGUN, Tucson news station.
25. Okihiro, p. 4.

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