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Understanding the Construction of Compliance with Anti-"DEI" Legislation

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Abstract
Despite documented harms of anti-"DEI" laws, little is known about the mechanisms that shape implementation to give these laws expanded and suppressive meaning. Guided by legal mobilization theory and repressive legalism, we examine how institutional actors implement legislation restricting diversity, equity, and inclusion initiatives at a public university. Findings reveal a three-phase implementation process shaped by legal ambiguity and external threats that give the law its meaning, extending beyond its text to advance its "spirit." We show how anticipatory appeasement, managerial processes, and race-evasive norms create the conditions for repressive legalism to generate a suppressive form of compliance that normalizes restrictions on permissible activities. We discuss implications for equity, institutional autonomy, and higher education's mission to serve the public good.

Keywords: equity, diversity, higher education, legislation, compliance

Across the United States, colleges and universities face a wave of state-level legislation aimed at restricting how issues of race, diversity, and inequality can be discussed, taught, and institutionally supported (Chronicle Staff, 2025; PEN America, 2025). Although these efforts have intensified in recent years and have escalated at the federal level, they reflect a longstanding, historically patterned form of regressive backlash politics in which racial equity efforts are reframed as threats to quality, merit, and fairness through race-evasive policy tools (McCambly & Mulroy, 2022, 2024; McCambly et al., 2026). In the current coordinated campaign of anti-"DEI"[1] legislation, conservative actors revive this recurring narrative to justify policy shifts that narrow the scope of permissible inquiry, erode institutional autonomy, and undermine equal access and opportunity (Kamola, 2024; McCambly & Mulroy, 2022, 2024; McCambly et al., 2026). To date, this campaign has already produced sweeping outcomes, with 16 states censoring race-related course content and 19 states enacting laws that ban or defund diversity, equity, and inclusion ("DEI") programs (Chronicle Staff, 2025; PEN America, 2025). These state laws embed race-evasive logics into educational policies and practices that cast concepts like structural racism as "divisive" and label diversity-focused programs, such as cultural centers, as "preferential" or "discriminatory" (Jones & Briscoe, 2025; Shook & Lizarraga-Dueñas, 2025).

As these racialized logics are implemented through state laws, they have reshaped equity-focused policy and degraded the learning and working environment for faculty members, staff, and students, particularly those from minoritized communities (Epstein, 2024; Equality Texas, 2025; Johnson et al., 2024). Despite academic freedom protections, these laws have prompted faculty members to preemptively remove race or gender-related course content, revise syllabi and curricula, and alter their research topics and dissemination practices to avoid scrutiny or

institutional sanction (Briscoe & Jones, 2024a, 2024b; Finley & Tiede, 2025; Goldberg, 2024; Pedota et al., 2025). State anti-"DEI" laws have also triggered widespread closures of vital identity-based student-support centers, programs, and initiatives (Alonso, 2024; Grim et al., 2025; Kepner & Jimenez, 2024; Schachle-Gordon et al., 2025; Srivastava & Dilley, 2024). Yet despite evidence of their harms, the mechanisms by which institutional actors interpret and implement these laws—and the race-evasive logics embedded within them that generate such consequences—remain underexamined.

To address this pressing need, our study analyzes how institutional actors interpret restrictive, racialized legislation and construct compliance practices that reshape equity work. The implementation of these laws and the harmful consequences they produce are neither static nor predetermined. Instead, their implementation is enacted by organizational actors through a dynamic process shaped by legal norms, political pressures, and organizational values (Castrellón, 2022; Coburn & Stein, 2006; Lauby & Ross, 2022; McLaughlin, 1987; Neinhusser, 2018; Spillane et al., 2002). These factors influence how actors implement mandates and construct compliance with the law, ultimately determining its meaning and its wide-ranging consequences for policy and practice. Understanding this implementation process is essential for explaining how anti-"DEI" legislation becomes institutionalized and for identifying leverage points to disrupt the normalization of *suppressive compliance*, the distinct organizational response our findings reveal. In doing so, this study advances theoretical understandings of how racialized backlash politics shape organizational behavior and legal compliance.

Guided by a legal mobilization framework (Edelman et al., 2010), which explains how external actors leverage the legal environment to force institutional policy changes, and the lens of repressive legalism (Garces et al., 2021), which illustrates how perceived legal or political pressures drive overly suppressive responses, we examine how institutional actors implement restrictive legislation targeting diversity, equity, and inclusion initiatives. We focus on anti-"DEI" legislation specifically because its prohibitions have university-wide implications that extend beyond teaching and research, including hiring, student support, institutional policies, and the broader campus climate, and because such mandates continue to expand across both state and federal policy arenas. Our case study focuses on the University of Texas at Austin, a key site where the state's anti-"DEI" law, Senate Bill 17 (SB 17), has been in place since January 2024. We ask: (1) *How do institutional actors (faculty, former diversity-focused administrators, and student leaders) describe the implementation of anti-"DEI" legislation?* (2) *How, if at all, do actions by organized actors on and off campus shape the implementation of the law? and (3) What are the consequences of institutional actors' implementation for racially conscious policy?*

We build on policy, higher education, and sociolegal scholarship to document the interpretive and dynamic processes that emerge in implementing restrictive, vague legal mandates like anti-"DEI" legislation. Our findings illustrate that the law was not simply followed as written—it was interpreted and institutionalized to suppress equity work. By tracing three distinct phases of implementation, we illustrate how repressive legalism takes hold and suppression of racial equity becomes routine through commonsense compliance practices. The law's vague terms and risk-averse institutional interpretations triggered an initial phase of implementation that led to widespread program closures, online content removal, and restructuring of student-facing roles and units. This initial determination of compliance then expanded through external political surveillance, internal legal oversight, and a climate of fear to include more widespread program closures, staff layoffs, and the suppression of legally permissible activities that led to disengagement from campus life. By the end of our data

collection, race-evasive norms became embedded into organizational practices, normalizing structural inequities and signaling a retreat from institutional commitments and values of diversity, equity, and inclusion.

In this study, we demonstrate how compliance with restrictive legislation comes to encompass not only the letter of the law but also its "spirit" or underlying political intent. We show how external pressures and meso-level compliance processes produce a distinct form of suppressive compliance, in which the university interprets legal ambiguity and political pressures to expand the law's reach. This organizational dynamic illustrates how repressive legalism manifests under enacted legislation, intensifying the suppression of equity-focused work through anticipatory appeasement, managerial processes, and race-evasive norms. By theorizing how these interactive processes institutionalize suppression, we illuminate mechanisms through which political actors impose their ideology upon higher education—mechanisms that can emerge in other policy contexts such as campus speech regulations and K-12 curriculum mandates, where vague legal directives and political surveillance constrain sector autonomy and equity-oriented practice. We demonstrate the need for policymakers, educational leaders, and scholars to critically examine how compliance itself becomes a vehicle for repression and develop strategies to resist the normalization of suppressive compliance and safeguard institutional values. These findings are particularly timely given escalating political interventions in higher education through federal actions and state policies targeting shared governance and curricula.

Literature on Political Backlash to Racial Progress and Restrictive State Legislation

This study builds on policy and higher education scholarship by situating anti-"DEI" legislation within a long history of political backlash that leverages race-evasive norms to legitimate policy shifts that undermine racial equity and harm minoritized campus communities.

Political Backlash to Racial Progress in Education

Decades of scholarship show that moments of racial progress in U.S. education are frequently followed by political backlash in which efforts to expand racial inclusion are reframed through race-evasive policy tools (Garces & Gordon da Cruz, 2017; McCambly & Mulroy, 2022, 2024; McCambly et al., 2026). Across K-12 and higher education, conservative groups have routinely portrayed equity initiatives, such as school desegregation and expanded college access under the Higher Education Act of 1965, as undermining academic rigor, institutional prestige, or White community interests (Bronfenbrenner, 1967; Freidus, 2022; Freidus & Ewing, 2022; McCambly & Mulroy, 2022, 2024). Following civil rights-era reforms, federal policymakers increasingly used "institutional quality" discourse to craft policies that legitimized racial hierarchies by attributing negative outcomes to minoritized groups (Feagin, 2006; Garces & Gordon da Cruz, 2017; McCambly & Mulroy, 2022, 2024; McCambly et al., 2026; Wilkins & Kaiser, 2013).

Censorship and Anti-"DEI" State Legislation and Consequences

Current censorship (e.g., anti-critical race theory laws) and anti-"DEI" laws represent a continuation of longstanding racialized backlash politics that undermine equity by mobilizing colorblind or race-evasive claims about quality, merit, and fairness to preserve the dominance of historically advantaged groups (Annamma et al., 2017; Bonilla-Silva, 2021; McCambly & Mulroy, 2022, 2024; McCambly et al., 2026). These laws recast any acknowledgment of race as inherently divisive or discriminatory, effectively erasing the historical and structural dimensions of racial inequity (Miller et al., 2025; Jayakumar & Vue, 2025; Jones & Briscoe, 2025; Jones et al., 2025; Shook & Lizarraga-Dueñas, 2025; Wilson et al., 2025). Interpreting and complying with these vague legal mandates thus requires institutions and individuals to engage with—and

often internalize—race-evasive frameworks, redefining racial equity efforts as forms of discrimination.

These restrictive and racialized laws have already produced measurable consequences across higher education to reshape or dismantle equity efforts. A study of 40 Chief Diversity Officers identified three primary strategies in response to anti-"DEI" legislation: (1) strategic inaction, such as "wait and see" approaches; (2) proactive restructuring, such as renaming and reorganizing offices and programs; and (3) forced elimination of "DEI" offices and initiatives (Grim et al., 2025). These guarded measures have deepened the suppressive climate for faculty members (Pedota et al., 2025), while renamed programs or professional roles with terms like "opportunity" or "belonging" (Briscoe, 2024) signal a retreat from explicit equity commitments. Students from minoritized groups have borne the most significant harm (Beatty et al., 2025; Epstein, 2024; Equality Texas, 2025). For instance, anti-"DEI" legislation intensified racial battle fatigue among Black student leaders in Florida and Georgia, leading to emotional withdrawal, hypervigilance, and diminished trust in university leadership (Beatty et al., 2025). Across states like Texas, students experienced heightened isolation and fear due to the loss of safe campus spaces and the firing of dedicated support staff (Epstein, 2024; Equality Texas, 2025).

Despite growing evidence of the harmful consequences of anti-"DEI" laws, existing research has not fully explained how interpretive meso-level processes and race-evasive logics operate in combination to produce these outcomes. Prior work offers limited insights into how or why compliance decisions take shape under vague legal mandates. This study advances this scholarship by tracing the conditions and processes through which institutional actors construct compliance, revealing how race-evasive norms become institutionalized and how compliance itself becomes a suppressive mechanism that reshapes campus conditions and reorients the university's mission around race-evasive ideology.

Theoretical Frameworks

In this study, we draw on legal mobilization theory and the lens of repressive legalism to examine how external pressures and interpretive meso-level processes give meaning to restrictive state laws as institutional actors implement them.

Legal Mobilization Framework

In our design and analysis, we employ a legal mobilization framework (Edelman et al., 2010) that offers a powerful lens for understanding how law is interpreted, enacted, and institutionalized within organizations, particularly when legal mandates intersect with organizational norms and practices. This framework draws from social movement, sociolegal, and organizational theories to emphasize, respectively: (1) how collective action and advocacy shape legal change, (2) that legal meanings are not fixed but shaped by social contexts and actors, and (3) that compliance is constructed and institutionalized through routine practices and norms that shape how law is understood and applied within the organization.

In this study, we use the legal mobilization framework to conceptualize the passage of the anti-"DEI" law as an exogenous shock to higher education policy that is the result of a collective set of external actors who challenge the pursuit of diversity, equity, and inclusion as a legitimate goal of higher education. These collective set of actors leverage state legislation and other political pressures to advance a race-evasive approach to policy and enact an alternative vision for higher education. In the case of anti-DEI legislation, conservative actors like the Heritage Foundation, the Manhattan Institute, and the Texas Public Policy Foundation mobilized within the political system to provide model legislation that states, such as Texas, enacted to legitimize

race-evasive ideology and practice in higher education (Kamola, 2024). The law itself imposes a set of race-evasive norms and values (Shook & Lizárraga-Dueñas, 2024) that discredit empirically grounded practices through ambiguous language enforced by coercive sanctions, surveillance, compliance audits, certification processes, and delegated authority for compliance.

These components of the law overlap with the meso-level processes that organizational actors use to interpret, manage, regulate, and respond to it (Edelman & Suchman, 1997). As scholars have demonstrated, these meso-level processes often emerge when legal mandates are vague or contested. Studies of Title IX and affirmative action, for example, reveal how legal ambiguity and sociopolitical pressures shape administrators' interpretations of the law and encourage reliance on legal counsel, race-neutral practices, and managerial strategies designed to mitigate risk (Berrey, 2011, 2015; Cruz, 2021; Edelman, 2016; Edelman & Cabrera, 2020; Edelman et al., 2001; Porter et al., 2023). These processes produce distinct forms of compliance that reshape the law's meaning and impact. "Symbolic compliance*"* (e.g., Edelman & Cabrera, 2020) signals legitimacy without substantively advancing the law's goals, whereas "resistant compliance" (Foley, 2023) meets the letter of the law while strategically limiting its impact.

In our study context, the passage of anti-"DEI" legislation catalyzes a similar endogenous shift through organizational meso-level processes (e.g., reviews with university legal counsel, website scans) used to interpret and implement its mandates. These institutional processes, shaped by context and political actors (e.g., threats from legislators), ultimately construct a form of compliance that gives the law its meaning and produces consequences for higher education policy. The interactive and interpretive processes may involve formal or politically symbolic pronouncements of its requirements and institutionalized bureaucratic practices (e.g., audits, trainings) that shape how the law is understood and applied. Our findings show that these meso-level processes generated a suppressive form of compliance that amplified constraints on equity-focused work and reoriented organizational values toward the race-evasive norms embedded in the law. This suppressive form of compliance is distinct from previously documented forms of symbolic or resistant compliance.

Repressive Legalism

We complement a legal mobilization framework with the lens of repressive legalism (Garces et al., 2021) to highlight how perceptions of the sociolegal environment shape understandings of the law's requirements to overly suppress equity. Repressive legalism emerged from a study examining administrators' responses to campus hate speech incidents, revealing how legal threats from First Amendment advocacy groups led them to interpret what was legally possible in ways that unduly constrained lawful actions aligned with institutional equity goals (Garces et al., 2021). The concept has since been used to explain how overly cautious and unnecessarily suppressive responses to anti-LGBTQ policies in K-12 (McQuillan et al., 2024), Title IX mandates in K-12 (McQuillan et al., 2022) and higher education (Porter et al., 2023), affirmative action laws (Fernandez & Garces, 2023; Ngaosi & Garces, 2024), and *proposed* anti-"DEI" state legislation (Pedota et al., 2025) undermine educational equity. We build on this body of work by using the lens of repressive legalism to examine *enacted* legislation, shedding light on how external pressures by political actors (e.g., state legislator publicly threatening freezing of state funds) and the law's vague and coercive elements (e.g., disciplinary legal actions and job loss for noncompliance) together lead institutional actors to suppress equity-promoting efforts beyond those required by the law's text. The resulting organizational processes produce a form of suppressive compliance that broadens the law's impact to restrict permissible equity-focused teaching, research, student success services, and student-led activities.

Study Design and Methods

In this two-year project, we employ a descriptive and explanatory single case study design (Yin, 2018) to examine the work of faculty, former diversity-focused administrators, and student leaders at one university as they interpret and enact the state's anti-"DEI" law. Case study allows us to explore underexamined "how" questions related to the law's implementation, which are the focus of our study (Yin, 2018). The descriptive and explanatory approach enabled us to describe the phenomenon in-depth and explain how and why institutional actors responded as they did (Yin, 2018). The empirical focus of the case centers on these actors' implementation of the anti-"DEI" law from when it was signed into law (June 2023) to nearly two years later (April 2025), spanning three academic semesters after it was formally effective (January 1, 2024).

We bounded our case by time (June 2023-April 2025), institution (UT-Austin), and state political context (Republican-controlled legislature that passed an anti-"DEI" state law). We selected Texas as our state context because prior analyses identify it as a leading site for "DEI" restrictions (e.g., Haynes et al., 2025). We selected UT-Austin as our site because, as the state's public flagship institution, it is a focal point of the state's anti-"DEI" law's implementation (e.g., Mangan, 2024). To protect participant anonymity, we present a summary of interview, focus group, observation, documentary, and archival data by role and source in Table 1 rather than individual participant demographics.

Interviews and Focus Groups. We conducted 81 one-hour, open-ended, semi-structured interviews (Khan & Fisher, 2014) with key actors involved in compliance efforts, including 38 faculty members who study race or racism or advanced diversity, equity, and inclusion practices on campus, 21 former diversity-focused administrators, and 22 student leaders of organizations focused on diversity, equity, and inclusion at the university. We also conducted three focus groups with a total of 13 student leaders across areas of student governance and diversity, equity, and inclusion-focused campus advocacy. Collectively, perspectives across these roles provide a multi-level understanding of how the law's mandates are interpreted and enacted across organizational units (academic units, student affairs programs, and student organizations), through interactions with senior administrators responsible for certifying compliance (e.g., Deans, Vice President for Student Affairs). Faculty members' perspectives informed how the law's vague mandates were expanded to include academic areas. Former diversity-focused administrators provided key insights as *de facto* compliance officers (e.g., Briscoe, 2024) responsible for enacting changes to ensure their units met certification requirements. Student leaders' perspectives illuminated how the law's restrictions affected student organizations working to advance equity for minoritized students.

The first, second, and third authors, with support from the other authors, conducted all the open-ended semi-structured individual interviews, and the first author conducted all student focus groups. Interviews lasted an average of 60 minutes, and the student focus groups ranged from 60 to 90 minutes. Across interviews and student focus groups, we included questions about (1) participants' prior engagement with diversity, equity, and inclusion efforts at the university; (2) participants' involvement in and directions for implementing SB 17; and (3) the challenges they faced in the implementation process. We protected participants' confidentiality by using pseudonyms and omitting identifying information (e.g., specific professional titles) from all data.

Observations. All authors collectively conducted 42 hours of formal observations across recurring administrative meetings, university-wide committees, faculty councils, trainings, and major public events related to diversity, equity, and inclusion and academic freedom, including legislative hearings, press conferences, rallies, and student-led teach-ins. We also observed select

events organized by external advocacy or professional organizations (e.g., AAUP, NAACP Legal Defense Fund), such as webinars and conferences, to capture their engagement with campus stakeholders. Across these observations, we guided our field notes using an observation protocol that focused on (1) those in attendance (e.g., senior leaders, external advocacy organization); (2) topics discussed and how those topics were framed (e.g., how restrictions on diversity, equity, and inclusion were framed); (3) interpretive and organizational dynamics referenced related to compliance (e.g., how attendees described practices undertaken to demonstrate compliance) and (4) notable strategies and coalition building efforts in response to state-level pressures (e.g., which organizations or actors were mentioned as collaborating with faculty, staff, or students).

Archival and Contemporary Documents. From September 2023 to January 2025, we used the Wayback Machine (Arora et al., 2016) to collect 182 archival institutional documents and webpages (e.g., mission and core values, diversity, equity or inclusion-related committees or strategic plans) from 2016 to 2023 to understand established institutional norms, values, policies, and practices before the law's signing. Additionally we collected 62 documents reflecting our study period, including institutional webpages and documents (e.g., diversity- and inclusion-focused policies, faculty op-eds, public statements and letters), legislative testimony, external communication about laws and law-based threats to diversity, equity, and inclusion (e.g., communication by state legislators, national media coverage, external actors' press releases), and other internal documents (e.g., emails from president to staff, faculty, students) that participants shared (e.g., certification form attesting to compliance). These data informed the case context and illuminated how recent shifts unfold in relation to the university's longstanding diversity, equity, and inclusion goals and commitments.

Data Analysis

Our analytic process followed a series of iterative steps to uncover the interactive, interpretive, and structural processes that shape institutional actors' responses to the anti-"DEI" law. To generate an initial synthesis of documentary, interview, and observational data, we developed analytic memos (Saldaña, 2021) to illuminate patterns and connections. Anchored in our frameworks of legal mobilization (Edelman et al., 2010) and repressive legalism (Garces et al., 2021), these memos enabled a preliminary analysis of elements of the law (e.g., sanctions, ambiguity) and organizational processes (e.g., restructuring, renaming, monitoring compliance) used to manage, regulate, and give meaning to the anti-"DEI" mandates. Through this process, we identified three distinct phases of the law's implementation: (1) preparatory changes before enactment, (2) actions that broadened legal mandates, and (3) ongoing surveillance.

Organizing data into these implementation phases, all authors used Dedoose to conduct multiple rounds of inductive and deductive coding of interviews, observations, and documentary data to uncover specific mechanisms at work in each phase (Saldaña, 2021). To develop a codebook, we first generated an initial set of deductive codes drawn from our frameworks to focus on elements of the law (e.g., ambiguity, delegated authority for compliance, working norms and values), external forces (e.g., legislative, surveillance) and organizational responses to the law's mandates (e.g., reframing and rebranding, creating managerial processes, elimination, leading with values). We then added inductive codes (e.g., communication (mis)management, leveraging the law's exceptions, internal guidance seeking) that emerged directly from participants' accounts, observation field notes, documents, and our analytic memos. We continually refined codes through team discussions, coding calibration, and memoing.

In the first round of coding, the first and third authors, in consultation with the second author, independently coded nine transcripts to calibrate interpretations, ensure intercoder

reliability, and finalize the codebook. We used the same calibration approach for documents and observations and then applied the finalized codebook to all data sources during the second round of coding. The first two authors then clustered codes under broader conceptual categories (e.g., risk-averse responses, race-evasive norms and actions, political scrutiny) to examine relationships among codes and categories that give meaning to how compliance is constructed across the phases of implementation. Additionally, the authors revisited observation field notes and institutional documents to identify evidence that confirmed or challenged emergent categories (Lincoln & Guba, 1985). Throughout this process, all authors continued writing analytic memos to capture new insights and connections among categories (e.g., risk-averse responses shaped by political scrutiny).

Next, the first two authors organized categories into preliminary themes that described the processes and consequences of implementing the law. We revisited these themes through iterative team discussions to ensure their robustness, seeking both confirming and disconfirming evidence across all data sources to ensure they accurately reflected the organizational responses to the anti-"DEI" law (Lincoln & Guba, 1985). Drawing on our conceptual frameworks, we examined how the preliminary themes captured organizational processes involving legal ambiguity, coercive pressures, and race-evasive norms to construct compliance, and we identified the resulting outcomes across each implementation process. For instance, categories related to "external surveillance," "post-certification changes," and "expanded prohibitions" were integrated into a theme that demonstrates how pervasive monitoring by political actors forced additional compliance reviews that expanded prohibitions to activities exempted under the law. We then compared final themes across data types to strengthen the internal validity of the findings (Yin, 2018) and incorporated archival materials to refine our case narrative. To ensure validity and trustworthiness, we conducted member checks, peer debriefing, and additional triangulation with observational data and institutional documents (Lincoln & Guba, 1985).

Author's Perspective on the Research

We are a research team of five women scholars—two Latina, one White, one Pilipina, and one Arab American—whose collective research centers on issues of race and equity in education. In our role as researchers, we seek to uplift the unique first-hand experiences of our participants (Dwyer & Buckle, 2009; Kanuha, 2000). Our proximity to the site shaped how we engaged participants and interpreted data, requiring ongoing reflexivity to balance what we knew through lived experience with what participants shared. We were also attentive to the ethical boundaries of what could be shared publicly versus what should remain private, especially as we navigated overlapping professional and research relationships across the university. During data collection, additional external pressures emerged, including the violent police response to campus protests (McGlinchy, 2024). These developments further revealed the political interference (Plohetski & Wagner, 2024) and organizational logics shaping the broader campus climate, as well as participants' experiences of safety and administrative support. We created space for participants to process these overlapping dynamics while remaining grounded in the study's purpose. We were acutely aware of the sensitivities and risks participants faced, particularly given that we named the university, and took these concerns seriously by engaging in practices that minimized harm and exposure while still prioritizing institutional transparency and responsibility. Grounded in our commitments to care and equity, we approached this work with critical and ethical engagement, humility, and accountability to those most affected.

Case Context

The case context that follows draws on archival and documentary data analysis to situate the institutional and political conditions that shaped the implementation of Texas Senate Bill 17 (SB 17). Before SB 17 was proposed in March 2023, the University of Texas at Austin (the university) was widely recognized as a national leader for diversity, equity, and inclusion, earning multiple Higher Education Excellence in Diversity (HEED) awards from 2012 to 2023. Through strategic planning, equity-focused grants, and community initiatives housed in the Division of Diversity and Community Engagement, the university built a robust infrastructure for supporting "excellence and diversity" to "achiev[e] the university's mission and core purpose of transforming lives for the benefit of society." These efforts also included appointing a Vice Provost for Faculty Diversity, Equity, and Inclusion and establishing university-wide equity councils and committees for Faculty Gender Equity, LGBTQ+ Inclusion, and the university's Diversity Officers.

Despite months of legislative advocacy and resistance to the proposed bill (Epstein, 2024; Valenzuela et al., 2025), the Texas legislature passed SB 17 in May 2023, and Governor Greg Abbott signed it into law in June, with an effective date of January 1, 2024. Like other state laws across the country (e.g., Iowa, Ohio, Florida, South Carolina), SB 17 prohibited the funding of "DEI" related work, including: (1) "DEI" offices; (2) hiring, assigning or contracting with an individual to perform duties of a "DEI" office; (3) mandatory "DEI" trainings, programs, or activities; (4) requiring or soliciting "DEI" statements; and (5) giving preference on the basis of race, sex, color, ethnicity, or national origin to applicants, employees, or participants. The law defined a "DEI" policy, program, or activity, in part, as one "designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation" or as one "promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity." The law exempted, in part, recruitment or admissions practices, data collection, academic course instruction, scholarly research or creative work of students, faculty, or research personnel and the dissemination of that research or work, registered student organization activities, and short-term guest speakers or performers. The law also introduced compliance mechanisms, including required annual certification of compliance by governing boards to the Texas Higher Education Coordinating Board, audits, complaint reporting, disciplinary actions, and extending a right for students or faculty to initiate legal action against institutions.

In September 2023, the University of Texas System (UTS) released "SB 17 Working Guidance," (later formalized as policy UTS 197), which provided additional instructions for public colleges and universities in the system about how to comply with the law. The document's stated purpose was: "to maintain an environment that promotes learning, academic freedom, and the creation and transmission of knowledge free from any requirements to exhibit or reflect a specific ideology." The guidance defined prohibited activities, such as "special benefits" as a "condition, opportunity, or privilege that is unavailable or substantially better than what is available or provided to others," and clarified that "grant applications to support research that are submitted by an institution's students, faculty, or other research personnel" fall "within the exception to SB 17's prohibitions." The guidance also tasked each university's Office of General Counsel with determining compliance with the law.

Following the law's enactment in June and guided by the Working Guidance issued in September, administrators, faculty, staff, and students, including participants in this study, had been working "hours and hours" since July to ensure compliance with its requirements. By December 2023, the university began removing race-specific language in websites (e.g., Latina/x Indigenous Leadership Institute and Heman Sweatt Center for Black Males webpages), revising

job titles, and renaming its Division of Diversity and Community Engagement (DDCE) to the Division of Campus and Community Engagement (DCCE) to "better reflect" the unit's "new scope, nature, and reach. . . to serve all Longhorns and all Texans." While not part of the initial closures, over winter break during late December, the university closed the Multicultural Engagement Center, which had served as a hub for six identity-based and equity-focused student groups.

By the time SB 17 took effect on January 1, 2024, administrators had signed certifications of compliance and implemented further cuts, including plans to eliminate the McNair Scholars and Monarch Programs, which supported low-income, first-generation, and undocumented students. The university later partially reversed these plans, relocating the McNair Scholars to Academic Affairs. Soon thereafter, in February, a conservative media outlet released a hidden-camera video recording of "DEI" administrators at other Texas universities discussing ways to "skirt the lines," "reclassify some of that work," and "be creative" in continuing their efforts (Rodrigues, 2024). In response, on March 26, 2024, state legislator Brandon Creighton issued formal letters to university chancellors and regents warning of "legal ramifications for non-compliance," with a subsequent press release warning that "attempts to circumvent [the law]. . . by merely renaming DEI offices or positions will not be tolerated." The letter announced a hearing on May 14, 2024, for leaders to testify to their compliance.

Before the hearing, on April 2, 2024, the university announced in an email the dissolution of the DCCE and the termination of over 60 staff members "to reduce overlap, streamline student-facing portfolios, and optimize and redirect resources" to teaching and research. These terminations disproportionately affected women, people of color, and queer employees (Moore & Severson, 2024) whose roles had already been revised to ensure compliance. The DCCE's closure and firings sparked numerous responses, including a "Rally for our UT" organized by students, a letter of no confidence signed by over 600 faculty members, and faculty and staff council resolutions condemning the mass firings. The Texas State Employee Union and the Black Legislative Caucus issued statements denouncing "yet another overreaction to SB 17's implementation." These events unfolded as the university also faced student protests related to the Palestine Solidarity Movement, which drew a militarized response under legislative pressure (Plohetski & Wagner, 2024).

Following campus unrest, the Senate Subcommittee on Higher Education convened the hearing on May 14th and invited the UT System and Texas A&M System Chancellors and their general counsels, "to ask questions about compliance with SB 17," with the UT System Chancellor reporting "311 positions and 600+ programs eliminated across the UT system." By late 2024 and into spring 2025, the university's additional compliance efforts included pre-clearance of grant proposals announced in June and website "scans for DEI-related terms," such as "equitable", "LGBTQ," and "safe space" in October (Ahmed, 2024; Washington, 2024). In November 2024, the university rolled out mandatory SB 17 compliance webinar trainings for all employees to complete every two years—a training that concludes with a reminder of legislative oversight and enforcement provisions, including required "discipline up to and including termination" for employees who violate the law.

Findings

Set against this institutional context, we present our findings via four interrelated themes that illustrate how the law was interpreted and institutionalized to suppress equity work beyond the scope of the law's text. Our first theme illustrates how vague definitions of "DEI" and risk-averse interpretations amid political scrutiny trigger widespread scrubbing of "DEI" related

language, dissolution of committees, and the dismantling of structural and programmatic supports for marginalized students. Our second theme illustrates how initial determinations of compliance shifted in response to political actors who wield power through surveillance tactics, leading to more widespread closures and firings and creating a campus climate of heightened fear and disengagement. Our third theme documents the adoption of managerial processes (e.g., reviews of syllabi, grant proposals, and student events) that justify further suppression of equity-focused policies and practices into areas explicitly exempted by the law, such as research and teaching. Our final theme illustrates how the underlying norms of race-evasive ideology embedded in the law begin to seep into the organizational logic of compliance, rendering as legitimate the suppression of equity-focused research, teaching, and student support structures.

Vague Mandates and Risk-Averse Interpretations Generate Widespread Purging and Closures

As university administrators prepared to meet the law's requirements, participants described how vague language and overly cautious interpretations led to widespread online content removal and program cuts that often exceeded explicit prohibitions in the law's text.

"Intentionally" Vague to Generate Confusion

Across numerous accounts during observations and interviews, participants described vague key terms like "DEI office" as "intentionally" creating confusion about what was allowed. As Emil described, the vagueness generated a "level of fear," with Jay, a student leader, stating: "it's vague on purpose . . . they can just classify whatever they want as DEI." This perception of intentional ambiguity made compliance, as Yiana described, "almost impossible." Sherie, for example, emphasized the lack of shared definitions: "DEI is something really specific, and that case has not been made well. . . it wasn't defined well by the legislature or by those implementing the legislation."

As participants sought to address the confusion, they turned to institutional guidance, which, to many faculty, staff, and academic administrators, was delayed and sparse, leaving them without clear direction. Some college deans and department chairs, still operating in a "grey area" and awaiting clarification themselves, attempted to reassure their units by communicating what they knew. A department chair in Liberal Arts, for instance, circulated an email emphasizing that "SB 17 DOES NOT IMPACT classroom teaching, research or creative activity, or invited speakers." Yet efforts to clarify the law's reach were limited and uneven across units. As Adele explained, "people didn't know how to interpret and apply [key terms] to a variety of settings." Issa added that administrative silence exacerbated the confusion: "We would ask questions, and they would very intentionally refuse to answer them."

Risk-Averse Interpretations that Constrain Permissible Work

Participants consistently described an implementation process in which the legal affairs team effectively controlled how the law's requirements were interpreted, despite the formation of a publicly announced consultative committee of faculty, staff, and students. Although the university framed the committee as a participatory implementation mechanism "to provide insight on issues [of] concern" and "facilitate the necessary changes mandated by SB 17," participants like Mayur characterized it as "pointless" because "legal handled the entire implementation." Public observations of events and meetings echoed this skepticism.

Guidance by legal affairs prioritized minimizing perceived risk and "protect[ing] the institution from the inevitable lawsuit," as one participant described; this approach narrowed what faculty, staff, and students understood as permissible under the law. Milla described extensive back-and-forth with the legal team over a program and website content, noting: "Some

[programs] should not have had to change, but the legal team felt otherwise." Others described how the legal affairs team's interpretations often collapsed research activities into prohibited areas like "trainings." Aria, a faculty member studying gender and sexuality, described how even listing identity-related terms on department websites was interpreted as constituting a training. Yara experienced similar expansive, risk-averse interpretations when legal affairs discouraged her from relying on the exceptions within the law because it could be seen as "trying to circumvent the rest of the prohibitions." The guidance left Yara wondering, "Then, why are the exceptions there?" Students experienced this disregard for the law's exemptions, noting during a campus event: "despite supposed exemptions, registered student organizations [are] being denied funds." The pressure to minimize risk intensified as the deadline for certifying compliance approached, with participants recalling how legal affairs urged units to "stay under the radar" and "not attract attention" to avoid political scrutiny.

Widespread Purging and Fear-Based Closures

The law's vagueness, combined with risk-averse interpretations, triggered widespread purges and fear-based closures, with some extending beyond the law's scope into areas participants considered permissible. Units were asked to conduct inventories, audits, and website scrubs to remove anything that might be construed as "DEI"-related. Mayur described the dissolution of committees and editing of job descriptions as attempts to "purge any record of having done [DEI work]." Similarly, Decima described how her department was asked to "scrape [the] website of every word, diversity, equity, and inclusion," changes that she clarified involved descriptions of "all of our classes." Even student organizations had to make changes; Student Government, for instance, announced online that they had to "remove the Minority-Focused Mental Health Resource" from their website.

These sweeps were reinforced by required public attestations of compliance that deepened the climate of fear. After getting "redesigned initiatives" approved by legal affairs, leaders were required to sign a certification form and "commit that it is [their] intent that the [college, school, or unit] will continue to be in compliance with SB 17's requirements." Florian described the certification process as a coercive, "very strong stick" designed to "assure in writing under threat of legal recourse that we were in compliance." While some administrators signed without concern, others, like Mayur, found the process of signing "a loyalty oath" deeply troubling. Participants noted that this heightened scrutiny and fear of sanctions drove program closures that far exceeded legal requirements, including the abrupt dissolution of the Monarch Program supporting undocumented and mixed-status students. Despite earlier assurances from legal affairs that the program was "safe," it was still dissolved without transparency. As students emphasized in their petition to reinstate Monarch, the program "did not implement any race or gender-based programming," illustrating how fear of political scrutiny, not legal requirements, drove many institutional decisions.

(Anticipatory) Compliance that Expands Suppression, Deepens Fear, and Drives Disengagement

Following initial closures and compliance certifications, external surveillance tactics and political threats prompted additional institutional changes, which further expanded determinations of what the law prohibited and intensified fear and disengagement on campus.

External Surveillance Tactics Expand Interpretations of What is Prohibited

In the months following the law's effective date, participants described a climate of heightened scrutiny and external surveillance tactics. One of the earliest incidents involved groups conducting covert surveillance across at least 24 Texas colleges and universities. After

the "conservative gotcha video," as Edgar called it, legislators seized the opportunity to intensify scrutiny. Zacarias explained:

> [The video] got in front of legislators [and] the legislators are like, oh no… this is not enough. We're gonna make sure you comply. As a result, Senator Brandon Creighton sent letters threatening to pull funding unless visible changes occurred.

Abramma explained that "people actually felt like [the Creighton letter] was a real threat." Adele added that there was "perceived pressure that some of the changes that [had been] made were not adequate," a perception that, as Alex noted, fueled the narrative that "[the university] is not complying even if they are… [which] creates the potential for some really intense negative political backlash." Cassia described the anticipatory actions during this time as "decisions about politics" rather than "compliance," echoing others who observed that the university was now following "the spirit of the law [which] is a political process rather than a legal one. . . to stay on the right side of the regents and legislators."

The combination of surveillance and political escalation pushed university leaders to preemptively dismantle additional programs and practices to avert scrutiny. Linsey characterized these post-certification changes as a "moving target… increasing the expansion of what was covered under [the legislation]." As Cassia noted, "it really felt like [identity-based centers] were put up for slaughter... to get [legislators] off our backs." Joaquin recounted the elimination of a program that encouraged high-need students like himself to pursue graduate and professional school—a program that "was helping just anyone and everyone… it didn't matter your race." Maci described how recruitment activities once aimed at Hispanic students "pretty much [went] by the wayside," even though participants believed "targeted recruitment was . . . allowable." Additionally, the university laid off about 62 professional staff on April 2, 2024, many of whom worked in areas that participants, including Aria, considered "still legal." The Faculty and Staff Councils publicly condemned the firings as an act of "political interference," while the university president later expressed remorse yet framed the mass layoffs as necessary to "mitigate imminent risk, that if unchecked, would threaten the basic operations of the university."

Amplified Fear and Campus Disengagement

The April 2 layoffs marked a turning point that generated pervasive fear and withdrawal among faculty, staff, and students. Participants described the mass firing of the 62 employees as a "purge" that signaled anyone could be targeted, leaving employees feeling unsafe and hypervigilant. Maci explained that after the firings, she "felt legitimately scared that someone was [going to] try to catch [her] doing something [deemed prohibited]," a fear shared even by tenured faculty. Several participants described "survivor's guilt" and a need to stay quiet to appear "grateful that we're still even here." Nicole described colleagues as "in survival mode," and Kenrick explained that withdrawal from campus engagement had become about "self-preservation." This disengagement was particularly pronounced among faculty and staff of color, who questioned why they should continue contributing to an institution that did not support them. Étan limited his engagement to teaching and research, refusing to "serve on any committees," while Decima admitted the mass layoffs "made [her] feel much less invested in staying." Students, particularly students of color, felt the impact as well. After the dismissals, Elena and Ezhil, both of whom supported other students of color on campus, described a climate of fear and emotional distress; as Ezhil put it simply, "we don't feel safe anymore."

Managerial Processes and External Pressures that Further Expand Suppression

Against the backdrop of fear and disengagement, university leaders instituted oversight processes within areas explicitly exempted by the law. These internal managerial processes,

combined with ongoing external surveillance, created a pervasive monitoring environment that intensified fear and constrained decision-making, ultimately discouraging legally permissible activities.

Institutionalized Oversight Processes Over Permissible Areas

As part of its compliance efforts, the university instituted oversight processes over areas exempted under the law, including research. For instance, an August 2024 memorandum expanded SB 17 compliance oversight by requiring certain sponsored projects that "do not fit within the research carve-out" to undergo legal review or pre-acceptance approval and establishing a process for "reporting and addressing compliance concerns" that could prompt a formal investigation. Faculty like Kaline explained how these reviews and audits "stoked some fear," with Yara noting that even "voluntary" invitations to submit grants for legal vetting encourage people "to err on the side of caution." Others recalled reviews that did not follow established research standards. Simon, for instance, shared that a legal affairs staff member told a colleague their study "had to be open to everyone" and could not focus only on ethnically minoritized groups—a directive the colleague argued went against the study's scientific design. Participants described how this additional oversight made equity-related projects harder to pursue, steering scholars toward "safer" topics, as Linsey explained. Several faculty members also described colleagues being required to return grant funds, raising doubts about whether faculty can pursue grants with "DEI"-related requirements (e.g., broadening participation in STEM fields) or meet existing obligations to funders. Yet, in a Faculty Council meeting, the university president asserted that no grants had been returned, a statement that stood in stark contrast to the experiences of several participants and their colleagues.

Administrative oversight continued to expand into academic content, admissions, hiring, and even student activities explicitly exempt under the law. Faculty described reviews of syllabi, Canvas pages, Teaching Assistant trainings, and department and faculty websites, which Mikari noted left "people who are teaching nervous." A university-wide website audit producing "approximately 13,000 individual hits for various DEI-related terms and phrases," combined with officials' clarification that "it's not about the words… it's about activity the words might represent," reinforced participants' view that the university was following "the spirit of the law" rather than the law's text. These oversight efforts amplified fear, making such scholarly language seem prohibited and prompting faculty, especially those in less secure positions, to act cautiously to protect their jobs. Oversight similarly affected student organization activities. Routine processes, such as reserving rooms and getting flyers approved, became increasingly difficult and time-consuming for students planning cultural and identity-based programming, as professional staff grew hesitant to assist out of fear of violating SB 17. As Kate explained, tasks that "would usually take a week, now [take] maybe a month," reinforcing students' impression that "the intention is to discourage us from doing this work."

Pervasive Monitoring Environment Amplifies Fears

The internal oversight mechanisms fostered an environment of pervasive monitoring in which participants and other faculty, repeatedly reminded of the sanctions of noncompliance, were afraid to engage in permissible work. As Herman explained, administrators "surveil you ever closely and monitor you ever closely and audit you ever more closely and ever more often." As a result, Florian noted that colleagues were "being more cautious about what type of readings they assign in their classrooms." Eli recalled faculty members feeling reluctant to participate in cultural or identity-specific student organization programs or even assist students with DEI-related research papers. Laurel described junior faculty "changing their class names [and]

scrubbing things off their CV" to avoid being targeted. During a Faculty Council meeting, faculty expressed concerns that publicly posting syllabi online placed those in "vulnerable fields" at greater risk of being targeted. Similarly, Conrad observed "more hesitation from faculty members about what they teach, research, and say because of fear of being scrutinized," while Henya described how, for minoritized faculty, the inclination was often simply "just don't bring the subject up 'cause there might be trouble for it."

Persistent external surveillance—FOIA requests, public reports, doxing campaigns, and political actors "trolling websites" and funding databases—intensified the climate of fear and sense of surveillance. As Maci described, "everybody's just, 'Watch your back. You don't know who's in the room.'" Kaline added, "it's scary. Who knows what can happen? You can get blasted. You can get doxed." Faculty responded by avoiding university channels, shutting down certain conversations with their students, and even removing terms like "inclusive teaching" to avoid being put "on a red list," as Abramma noted. During a university-wide faculty-led meeting, organizers advised faculty to take precautions, including logging out of university accounts and avoiding institutional email, to protect themselves from potential monitoring or retaliation. Emil summarized, "we're walking on eggshells." Several faculty and staff described documenting every decision, not for being out of compliance, but because they feared their ordinary work could be misinterpreted, audited, or weaponized. Prime explained that even permissible activities were scaled back or abandoned to avoid triggering "someone's SB 17 lens and that can go up to legal affairs" and lead to "punitive measures." These dynamics expanded the perceived boundaries of prohibition, leading faculty and staff to suppress legitimate equity efforts to protect themselves.

Institutionalized Retreat and Normalization of Inequity Under Race-evasive Norms

Amid a climate of surveillance and fear, determinations of compliance with the law's provisions were guided by race-evasive norms that erased race and identity across programs and practices under the guise of "neutrality," "equal opportunity," and "merit" —and, in doing so, normalized discriminatory outcomes.

Interpreting Compliance through Race-evasive Norms

The law embeds race-evasive norms through terms like "preferential treatment" and "special benefit," which were interpreted to prohibit any consideration of race or identity. Joaquín, for example, recalled being told not to mention minorities or any specific racial group in an event description related to student outreach. Mikari similarly described being required to avoid any consideration of students' lived experiences, "as if race and gender was never part of human history and U.S. history." Faculty and staff grew uncertain about whether they could advise or connect students of color to professional development opportunities, fearing it might be perceived as "preferentially shar[ing] [resources]." Adele explained that in her work, she had to be "particularly mindful of not considering . . . systemic inequities in ways that might be perceived to be differential treatment of different populations." Given race-evasive norms, some departments even grappled with which commitments were still permissible to express on websites and mission statements. Linsey explained, "we're no longer allowed to say on our website that [the school] is a place free of hate, racism, and intolerance." She further noted how these efforts to demonstrate compliance often reinforced the law's underlying assumption that any consideration of race constituted "preferential treatment" or a "special benefit." She explained: "By not saying we aren't doing anything that's listed here [e.g., providing a special benefit or engaging in preferential treatment], we've been kind of saying we are doing these things . . . which really wasn't true." Her observation highlights how terms like "preferential

treatment" can be open to interpretation, but under race-evasive norms, these alternatives are not possible.

Several participants noted that the university framed compliance under these race-evasive norms as promoting "neutral" standards of fairness and "equal opportunity for everyone," claims participants understood as misleading. For instance, this discourse was codified in updated university procedures requiring any college, school, or unit to "develop neutral criteria that are evenly applied" when approving space for student organization events or programming. Yet student organizations centering racial or queer identities often encountered the most scrutiny and barriers when reserving rooms or proposing events. Kate described how student organizations were asked to make proposed programming appear more "neutral" to gain administrative approval, even when equity-focused content was academic or tied to academic departments. This dynamic reflects Doe's observation that so-called "content neutrality" is an ideologically driven, "inherently political" form of compliance—one that claims to promote a "merit-based goal of equal opportunity for everyone" while in practice "impos[ing] a political stance." Under these race-evasive norms, the very rationale for promoting equity becomes a tool for ignoring differences, normalizing inequity, and legitimizing ongoing exclusion.

Normalized Inequities and Discrimination

The resulting interpretation of compliance under race-evasive norms rendered invisible students' vastly different circumstances and the inequities they faced. As Abramma explained, "it's not gonna be equitable to offer . . . the same opportunity" to students in different circumstances, like "when you have students who[se]. . . mom's house is $3 million . . . and this other student who has worked three jobs, and his mom is in the hospital." Riley similarly emphasized that programs offering pathways to study abroad and advanced coursework existed precisely because some students had less preparation, fewer resources, and more barriers to overcome, particularly in fields like STEM. According to Juliana, even teaching assistant professional development removed references to race, gender, and microaggressions and instead used generic language of "learning brain" and "survival brain," reframing harms from systemic inequities as individual or behavioral issues and obscuring the inequities students face.

These shifts restructured programs and language in ways that made discrimination difficult to identify and address, stripping away structural supports for minoritized students by recasting them as impermissible "preferential treatment." Tailored events for underrepresented STEM groups were discontinued, with Octavian noting that they can no longer fund Hispanic or Black fall kickoff events "because the university sees it as showing preferential treatment." By suddenly dropping diversity, equity, and inclusion discussions from lab meetings, some faculty made these changes feel routine; as Michaela observed, "we're all just moving on." Faculty and staff similarly withdrew from informal mentoring and identity-affirming conversations out of fear that even supportive dialogue could be reported or seen as a violation of the law's prohibitions. This silencing was evident in the rebranded Equity Roundtable we observed, now the Accessibility Roundtable, where discussions shifted toward "broad" terms like "disability" that avoided "race" and "equity."

As these changes happened, participants described an environment that normalized ongoing harm to students of color. Laurel explained that when she raised concerns about a colleague whose advising disproportionately harmed students of color, her department chair "cited SB 17, I think wrongly" as a justification for not intervening. Kay observed that "it's just not safe for [queer students of color]," describing how student gatherings now felt like "relief" rather than empowerment. Esmee expressed frustration that student success funds could no

longer support groups like the National Society of Black Engineers: “If there are certain monies that can't go to certain students due to the fact of their color, that doesn't seem right to me.” Her observation underscores how removing resources from students of color can be considered racial discrimination; yet, under the university’s interpretation, the denial is necessary as a matter of compliance.

Discussion and Implications

In this study, we investigate how postsecondary education actors interpret and enact restrictive legislation targeting diversity, equity, and inclusion initiatives. Our findings reveal distinct conditions and meso-level processes that shape the parameters of what is considered prohibited under the law, what constitutes “compliance,” and, by extension, what is deemed noncompliant. Drawing on legal mobilization theory (Edelman et al., 2010) and repressive legalism (Garces et al., 2021), we show how the law’s vagueness, combined with risk-averse interpretations, external surveillance, managerial compliance processes, and race-evasive norms, construct compliance to suppress permissible work, normalize exclusion, and reshape organizational values.

Together, these mechanisms constitute a distinct organizational response that represents *suppressive compliance*. This form of compliance shows that the law was not simply followed—it was interpreted, institutionalized, and, in part, weaponized by political actors to suppress equity work. The result is a university environment marked by fear and disengagement, where permissible activities are abandoned to avoid political scrutiny and where repression is normalized through routine practices in the name of compliance. Ultimately, suppressive compliance shifts institutional values away from equity toward race-evasive norms, echoing longstanding patterns of political backlash to racial progress, to align the university’s mission with a broader political project rather than commitments to the public good. These insights advance prior scholarship by explaining how race-evasive ideology becomes institutionalized, extending theories of legal mobilization and repressive legalism to explain how suppression becomes routine within organizations under enacted anti-“DEI” legislation.

Our first theme highlights how vague legal language created confusion and enabled the centralization of interpretive authority within the university’s legal affairs team. In this process, legal teams prioritized concerns over political scrutiny, narrowing the scope of permissible activities and widening prohibitions. This included research-related work and academic content that participants believed to be allowable but was classified as prohibited trainings or dismissed as not constituting scholarly research. Our second theme illustrates how initial compliance determinations evolved in response to political actors who wield their power through surveillance and pressure tactics. In the absence of a large-scale, coordinated organizing effort among faculty, staff, and students, these external pressures became the dominant drivers of legal (re)interpretation and preemptive institutional actions.

The result was a shifting compliance landscape, where actions were taken not to meet the law’s parameters but to signal political appeasement and preempt future political backlash, as scholars of authoritarian regimes term it, “anticipatory obedience” (Snyder, 2017). In this context, compliance came to mean anticipating that the mere continued presence of structural support for minoritized or underserved students—or individuals previously engaged in diversity, inclusion, and equity-focused work—could be perceived as noncompliance and trigger allegations of violations. Compliance thus took the form of anticipatory appeasement: actions intended to prevent future repression that, paradoxically, enacted it. The resulting collective silencing and withdrawal among staff and faculty served as a structural condition that enabled

suppression to take a deeper hold across the university. Ultimately, institutional actions legitimized misrepresentations that the university had only changed terminology and evaded compliance, while additional mass closures and terminations gave meaning to the "spirit" of the law, extending its suppressive reach beyond its textual boundaries.

Our third theme documents the adoption of managerial processes that (re)determine compliance and shape actions and expectations of institutional actors. These processes fostered a culture of caution and self-censorship, discouraging faculty and students from engaging in permissible work out of fear of misinterpretation or retaliation. The university thus constructed compliance through institutionalized practices that sustained a climate of fear. This climate was reinforced by ongoing surveillance tactics, such as FOIA requests, doxing campaigns, and public audits, that prompted faculty and staff to document decisions, not to ensure compliance, but to protect themselves. The fear of being doxed or placed on a watch list led to the abandonment of legitimate academic and student support activities. These findings illustrate how law, when mobilized repressively, targets not only prohibited actions but also permissible ones through intimidation and surveillance.

Our final theme illustrates how underlying norms of race-evasive ideology embedded in the law permeated organizational logics, delegitimizing the very tools that address discrimination and unequal access. As administrators avoided specific language and rewrote mission statements, they obscured equity commitments under the name of "neutrality" and "equal treatment." In this context, compliance became synonymous with the erasure of race and identity, fostering a campus climate that left students, staff, and faculty from minoritized backgrounds feeling increasingly marginalized. The integration of race-evasive norms into routine practices contributed to the normalization of discrimination and a profound redefinition of organizational values. The inability to publicly affirm equity-focused values signals a shift in institutional identity shaped not by legal mandates alone, but by how those mandates were mobilized by political actors and enforced by the university.

Implications for Theory, Policy, and Practice

This study advances understandings of anti-"DEI" legislation and sociolegal and organizational theories of compliance by theorizing suppressive compliance as a distinct institutional response to restrictive and vague legal mandates. Building on documented forms of "symbolic compliance" (Bell, 2003; Berrey, 2011; Cruz, 2021; Edelman et al., 2001; Edelman & Cabrera, 2020; Lipson, 2007; Pappas, 2016; Porter et al., 2023) and "resistant compliance" (Foley, 2023), we identify a distinct form of compliance with enacted restrictive legislation, one that intensifies equity suppression in the interest of political appeasement and in anticipation of future restrictions. This suppressive form of compliance extends the reach of the anti-"DEI" law beyond its textual boundaries, enacting its "spirit" and normalizing policies and practices that overly suppress equity-focused work. Rather than treating policy implementation as a neutral or routine process, our findings show how political threats, surveillance, and race-evasive ideology powerfully and intentionally shape compliance decisions. This theoretical contribution underscores how political actors actively steer how the law is understood, while legal affairs professionals, administrators, faculty, and students institutionalize these interpretations under persistent threat of sanctions and surveillance.

The dynamic process of suppressive compliance also makes visible how repression becomes routine. Suppression is imposed through sweeping campus closures or mass layoffs, as well as through ordinary, legitimacy-seeking practices such as grant reviews, trainings, and institutional policies. These organizational routines come to be understood as "neutral" and

commonsense compliance by some, even as they reproduce harmful race-evasive norms and constrain protected activity. Future scholarship can apply *suppressive compliance* to examine other policies, such as anti-LGBTQ laws, campus speech restrictions, and "viewpoint diversity" mandates, where vague legal directives or political actions interpreted as formal legal mandates (e.g., February 14th Students For Fair Admissions v. Harvard Dear Colleague Letter), combine with political pressure to generate similar repressive dynamics and responses.

These findings carry urgent implications for higher education leaders, policymakers, and advocates, who must recognize how suppressive compliance legitimizes ideological projects that curtail access and equity and resist such efforts. Scholars and practitioners must critically examine the language in anti-"DEI" laws alongside the surveillance tactics and race-evasive framing through which political actors shape the meaning that institutional actors give to the law—and, in doing so, resist the normalization of repression under the name of compliance. The human consequences of suppressive compliance, particularly the disproportionate impact on women, people of color, and queer campus community members, must be addressed with efforts that rebuild trust, materially support those harmed, and reaffirm equity as central to higher education. In the long term, universities cannot sustain their core functions of teaching, research, or public service when fear drives large segments of their community to disengage and deter prospective students, staff, and faculty from joining. Compliance processes need not be suppressive; they can be guided by transparency, shared governance, and institutional values and mission.

Ultimately, the stakes extend beyond diversity, equity, and inclusion initiatives. The rise of suppressive compliance signals a restructuring of higher education governance that elevates political control over scholarly integrity and student learning. When compliance serves political ends, it cannot be considered "neutral." Instead, it serves as a vehicle for political interference. This shift threatens the foundations of academic freedom and institutional autonomy that are essential to a university's role in serving the public good. Countering this political interference requires coordinated advocacy, legal guidance, and grassroots collective action by institutional actors, alumni, civil rights groups, professional associations, and other intermediary organizations committed to defending institutional values amid intense scrutiny.

Notes

[1] We place "DEI" in quotes to highlight their status as a politically constructed terms within legislation.

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Table 1. Summary of Interviews, Focus Groups, Observations, Documentary, and Archival Data by Role and Source

Data Type	Number	Hours
Interviews		
Faculty	38	38
Former DEI administrators	21	21
Students	22	22
Total	81	81
Focus groups		
Student focus group 1	4	1.5
Student focus group 2	4	1.25
Student focus group 3	5	1
Total	13	3.75
Observations		
External organization meetings	7	18
State legislature meetings	2	10
Faculty council meetings	2	3.5
Student-led meetings	3	4.5
College/school/unit meetings	6	6
Total	20	42
Documentary (2023 – 2025)		
State policy	5	
University governance	16	
Internal email correspondence	25	
Institutional records (e.g., audit forms)	5	
University events and programs	4	
University communications and media	7	
Total	62	
Archival (2016 – 2023)		
State policy	1	
University governance	15	
Internal email correspondence	3	
Institutional records (e.g., toolkit)	4	
University events and programs	1	
University websites	158	
Total	182	