

This article was downloaded by:[Northern Arizona University]
[Northern Arizona University]

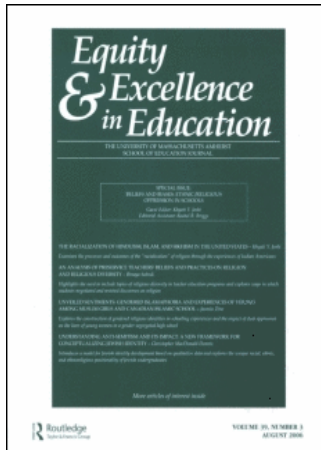
On: 8 February 2007

Access Details: [subscription number 731668304]

Publisher: Taylor & Francis

Informa Ltd Registered in England and Wales Registered Number: 1072954

Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Equity & Excellence in Education

Publication details, including instructions for authors and subscription information:
<http://www.informaworld.com/smpp/title-content=t713770316>

Native Mascots and Ethnic Fraud in Higher Education: Using Tribal Critical Race Theory and the Interest Convergence Principle as an Analytic Tool

To link to this article: DOI: 10.1080/10665680601057288

URL: <http://dx.doi.org/10.1080/10665680601057288>

Full terms and conditions of use: <http://www.informaworld.com/terms-and-conditions-of-access.pdf>

This article maybe used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan or sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

© Taylor and Francis 2007

Native Mascots and Ethnic Fraud in Higher Education: Using Tribal Critical Race Theory and the Interest Convergence Principle as an Analytic Tool

Angelina E. Castagno and Stacey J. Lee

This article examines one university's policies regarding Native mascots and ethnic fraud through a Tribal Critical Race Theory analytic lens. Using the principle of interest convergence, we argue that institutions of higher education allow and even work actively towards a particular form or level of diversity, but they do not extend it far enough. Once racial remedies no longer hold value or benefit the institution itself, the status quo is maintained. Ultimately, the university has an interest in "celebrating" diversity and supporting superficial multiculturalism, but it does not have an interest in critical, social justice-oriented policies that challenge the status quo, the current racial order, or the institution's privilege and power.

Within higher education, policies regarding racial diversity are among the most complicated, divisive, and contradictory. On the one hand, we have observed that institutions of higher education have made efforts to recruit and retain students of color, and most universities advance the rhetoric of celebrating multiculturalism. Still, there is evidence that little has been done to change the core culture of universities, to obtain equitable representation of students and faculty of color, or to improve campus climate. In this article we examine one university's policies regarding racial diversity, particularly with regard to Indigenous¹ students. As with other institutional policies, this university's policies both advance and limit racial equity and social justice. The university's policies reflect an attempt to celebrate multiculturalism without fully challenging the culture of whiteness. This article is framed around the following questions: What does the interest convergence principle tell us about diversity-related policies in institutions of higher education? And, how do one university's policies related to Indian mascots and ethnic fraud impact campus climate and the experiences of Indigenous students? Our central argument is that when situated within a Tribal Critical Race Theory framework (Brayboy, 2005a), the interest convergence principle can help to explain both progressive poli-

cies around race as well as policies that preserve the status quo.

RESEARCH METHODS AND CONTEXT

This article is based on research the first author carried out over the 2002–2003 academic year at Midwestern University (MU)² (Castagno, 2003, 2005). As a qualitative study designed to explore the experiences of Indigenous women at a large, predominantly white university, this research consisted of ethnographic interviews with 12 self-identified Native women undergraduate and graduate students,³ semi-structured interviews with five Native faculty and staff who work closely with the student community, participant observations at various American Indian and diversity-related events on campus, and document analysis. In conversations with Indigenous students and staff, concerns were raised regarding a number of university policies. In an effort to examine some of these particular policies, we reviewed official institutional documents, memos, and published policies. This article takes a subset of the findings from the larger study in order to analyze the ways the interest convergence principle can help make sense of ethnic fraud and Indian mascot policies in institutions of higher education.

Midwestern University is a public Research I institution located in a mid-sized city in the Midwestern United States, with students of color making up less than 10% of the over 40,000 student population. Approximately 0.5%

Address correspondence to Angelina E. Castagno, College of Education, Northern Arizona University, P.O. Box 5774, Flagstaff, AZ 86011, USA. E-mail: angelina.castagno@NAU.edu.

of the students at Midwestern University self-identify as American Indian or Alaska Native. In addition to struggling with the recruitment of students of color, Midwestern also struggles to retain students of color who do enroll. Although the 6-year graduation rate for white students is 77%, it is only 52% for students of color as a whole group, and 42% for Indigenous students specifically.

Midwestern University has long enjoyed a reputation for being socially and politically progressive. At the same time, however, the fact that 90% of the students are white has contributed to an image that Midwestern is a “white school.” As at other institutions with predominantly white populations, the dominant culture of Midwestern reflects the culture of whiteness—that is, whiteness sets the tone for what is considered to be “normal” and shapes conversations around racial diversity (Lee, 2005). Overt expressions of racial hostility do occur on the Midwestern campus, but these are relatively rare. Rather, most expressions of racism are more subtle and largely invisible to Whites. Commenting on the culture of Midwestern, one Indigenous woman remarked, “because [Midwestern] is supposed to be so liberal, it’s like undercover racism.” The culture of whiteness at Midwestern leaves Native American students feeling socially isolated. Indigenous women frequently tell stories of being ignored or stereotyped by non-Native students. One woman asserted, “There are so many things out there that are anti-Native or anti-people of color and it’s kind of, as much as I would never not admit to being Native . . . It’s hard too sometimes. Sometimes I just feel like it’s everybody versus me.”⁴ These experiences are a poignant reminder of the historical legacy of institutional racism veiled behind a rhetoric of meritocracy, colorblindness, and equal opportunity within institutions of higher education (Allen, 2005; Anderson, 1993).

INTEREST CONVERGENCE AND TRIBAL CRITICAL RACE THEORY AS A THEORETICAL FRAMEWORK

We structure our analysis using the interest convergence principle because it allows us to both explain the social phenomenon at hand and to critique Midwestern’s persistent failure to work toward greater equity and social justice. The interest convergence principle is part of a larger body of work called Critical Race Theory (CRT).⁵ While there is a fairly substantial body of CRT work in the field of education, this work primarily utilizes the counter-storytelling methodology rather than taking up specific analytic principles as tools for making sense of data. As DeCuir and Dixon (2004) argue:

In this particular historical moment when attacks on remedies for education inequity, such as affirmative action, are on the rise, it is essential that we utilize the full

power of CRT, including Whiteness as property, interest convergence, and the critique of liberalism. (p. 30)

We take this call seriously and focus on the explanatory power of interest convergence to analyze and understand the contradictory policies and practices of universities regarding race and racial diversity.

The interest convergence principle is found throughout Derrick Bell’s (1979, 1980a, 1980b, 1987) writings, and as Taylor (1999) has noted, the interest convergence principle has its roots in the Marxist theory that the bourgeoisie will tolerate advances for the proletariat only if those advances benefit the bourgeoisie even more. Simply put, this principle states that people believe and support what benefits them so the majority group tolerates advances for racial justice and greater equity only when such advances suit the self-interests of the majority group. Bell (1979, 1980a, 2004) uses the *Brown v. Board of Education* (1954) case to illustrate the interest convergence principle. He explains how the interests of Whites to promote the United States as a democratic nation abroad and to uphold the freedom of the black soldiers who had defended the country in WWII converged with the interests of Blacks to have access to equal educational opportunity. The result was a unanimous ruling in support of school desegregation in the mid 1950s.⁶ Bell (1979, 1987, 1989) further argues that Whites will not support civil rights policies that appear to threaten their superior social status. Again referring to the civil rights era, Bell (1979) notes, “most Northern Whites do not oppose desegregation in the abstract. What they resist is the price of desegregation” (pp. 11–12). In other words, any progress toward greater social justice must not be seen as a “major disruption to the ‘normal’ way of life for the majority of Whites” (DeCuir & Dixon, 2004, p. 28). Thus, although the converging of interests sometimes results in movement toward greater equity, this movement stops when the price of the change becomes too high for the dominant group.

Although the interest convergence principle originated in Critical Race Theory, we are situating it within a Tribal Critical Race Theory (TribalCrit) framework because TribalCrit provides a more culturally specific and, hence, accurate perspective on issues relating to Indigenous people and communities (Brayboy, 2005a). CRT grew out of a Black-White binary understanding of race that fails to capture some important issues and nuances applicable to the experiences of other racialized groups. TribalCrit, on the other hand, includes tenets and principles that are culturally specific to Indigenous people and communities. The TribalCrit tenets that are most relevant for our purposes here include the idea that colonization is endemic, Indigenous people are not just racialized but also occupy a unique political status within the United States, and that policies and practices aimed at tribal nations are generally rooted in assimilationist and

white supremacist goals.⁷ Tribal nations have a unique history and a unique political relationship with the federal government, and both of these factors must be central to analyses of educational policies and practices involving Indigenous students (Brayboy, 2005a; Tsosie, 2000).

In this article, then, we use the analytic lens of interest convergence within a Tribal Critical Race Theory perspective to examine race in higher education and particularly the policies and practices impacting Indigenous students at a predominantly white university in the Midwestern United States. We illustrate how an interest convergence theoretical frame helps explain the “logic” behind institutional policies and practices from the point of view of the university and the problems of these same policies and practices from the point of view of Indigenous people in the academy. Situating interest convergence within a TribalCrit perspective allows us to highlight and make sense of the nuances particular to the experiences of tribal nations and Indigenous students.

An examination of Midwestern’s rhetoric surrounding race reveals that their policies and practices reflect their perceived interests. At a recent campus-wide “summit” to discuss the progress and direction of the university’s diversity initiatives, the Provost asked the rhetorical question, “Why diversity?” That is, why is the university concerned with issues of diversity overall and, particularly, the recruitment and retention of students of color? He answered this question by explaining how the institution “owes it to the state” to serve its diverse constituents, has an educational obligation to produce qualified citizens for the diverse workforce, and then concluded with “in short, it makes us a better and more competitive university.”

Just as the Provost used this last statement to sum up his thoughts (and one would assume the institution’s position) regarding MU’s concerns with diversity initiatives and increasing racial equity, this statement also illustrates our primary argument. Using the interest convergence principle, we argue that institutions of higher education allow and even work actively toward a particular form or level of diversity, but they plateau at a level beneath true equity. Once racial remedies no longer hold value or benefit the institution itself, the status quo is maintained. The concern is rooted in the institution’s self-interest of being a “better and more competitive” institution rather than in a social justice rationale. This is, of course, explainable in that the institution most likely views issues of diversity and multiculturalism from its own perspective (as we all do), but it is crucial to point out that this is a perspective of power and, particularly, of whiteness.⁸ If efforts for diversity are entirely driven by the needs of the institution, we will continue to have a situation that favors those in charge. Furthermore, while it is true that diversity may make the institution more competitive, it does not necessarily follow that a diverse

institution will either address all the concerns faced by students of color or work toward greater equity and social justice.

While the principle of interest convergence could prove useful in analyzing a number of diverse policies and practices in higher education, in this article we focus specifically on two institutional policies that directly affect Indigenous students and faculty at Midwestern University. In what follows, we use an interest convergence and TribalCrit theoretical framework to analyze MU’s policy regarding Indian mascots and the absence of a policy regarding ethnic fraud. We follow Taylor’s (1999) recommendation that in order to really assess whether interest convergence is at work, we must provide a “tally of Black gains versus those of Whites; or more precisely, what interests of Blacks were allowed as long as White interests were also promoted” (p. 195). In the end, our use of the interest convergence principle allows us to make sense of the university’s position while also critiquing that position for failing to embrace and act upon the interests of Indigenous people and, thus, failing to uphold social justice as an institutional priority.

INTEREST CONVERGENCE AND INDIAN MASCOT POLICIES

Many elementary, secondary, and postsecondary schools and a handful of professional athletic teams across the country have Indian mascots, names, and logos. The use of Native mascots, team names, and logos sparks heated debate in many communities throughout the United States. While the arguments in favor of such mascots generally revolve around the longstanding identity of a particular team and the way in which such teams are “honoring” Indigenous people, the most common arguments against the use of Native mascots include that Indigenous people should have control over societal definitions of themselves; that most sports-related representations misuse cultural symbols and practices for entertainment purposes; and that they represent racist stereotypes of Indigenous people as either noble or bloodthirsty savages, a historical race that only lived in the past, and a homogeneous group of people (King, 2004; Staurowsky, 2004). The number of schools that have Native mascots has dropped significantly over the last 30 years in response to calls from the United States Commission on Civil Rights and countless Native communities and organizations, but according to various sources, there are still 2,000–2,500 schools that have Native mascots (Clarkson, 2004). The continued acceptance of these mascots highlights one way in which schools are constructed as white public spaces and the lengths to which people will go to protect such spaces (Farnell, 2004). The emotional and economic investment in these spaces and their associated privileges is further

evidenced by white people who either claim Indian identity themselves in the process of defending the use of Indian mascots or actively seek an Indigenous person who will support their cause (Springwood, 2004; Strong, 2004).

At Midwestern University, many Indigenous people express strong opposition to the continued use of Indian mascots, names, and logos. Although MU does not have a Native mascot, it does regularly play against other schools with Native mascots, and many non-Native students on campus wear clothes displaying various Native mascots. One Indigenous woman who is a student at Midwestern shared the following:

One time, I was sitting in this big lecture and I totally needed to pay attention because I just wasn't understanding what the professor was talking about and this guy comes and sits in front of me, and he has on his hat backwards with like, the [Cleveland] Indian's logo and I just stared at it and I was getting real mad. I was like, "who does he think he is, sitting in front of me. Like of all the people to sit in front of, he comes to sit in front ME." I was just like, no. I got so upset. I was just sitting there and I was kind of laughing at the same time because I was so mad, it was just funny. But I didn't even pay attention in class. I was just like, man, when it starts to affect like, my academic career, it needs to stop.

This student found Indian logos so offensive that their public display interrupted her ability to learn in the classroom. In a similar vein, another women said, "Imagine if we took a cross and started dancing around with it . . . like in response to eagle feathers." Although it is common for Indian mascots to wear feather headdresses and dance around the basketball court at half-time to entertain the crowd,⁹ this student asks us to imagine the public outcry if a mascot were to take a large crucifix, which is a symbol with similar cultural and ceremonial value among many white Americans, and dance around with it for entertainment purposes.

These issues hit particularly close to home for Indigenous students at Midwestern because one of its conference rivals, the University of Illinois at Urbana-Champaign (UIUC), has a "chief" as its mascot, and the Midwestern student newspaper regularly publishes articles in defense of UIUC's mascot. The Indigenous community on campus also regularly writes letters to the editor about the inappropriateness and offensiveness of such mascots and, more importantly, of such articles being printed in the campus newspaper. When UIUC came to Midwestern for a men's basketball game in the spring of 2003, the Native student group on campus sponsored a well-attended teach-in and protest the evening of the game.

Midwestern University has a policy regarding Native American logos, mascots, and names that was developed in the early 1990s in response to pressure from Indige-

nous faculty, staff, and students. After another university's "scalping braves" mascot came to campus for a men's basketball game, many Midwestern community members asked the Athletic Board to ban all athletic competition against any team that used American Indian mascots or team names. The Great Lakes Intertribal Council, which represents most major tribal nations in the area, also requested the ban. After months of committee meetings and discussions between various constituents, the Athletic Board and the University administration adopted a policy that "discourages all teams from bringing their American Indian mascots to [Midwestern] athletic facilities," "discourages planned events using an American Indian mascot, symbol, names and activities if that use is disrespectful," discourages the sale of athletic wear with Indian mascots or logos on campus, and refuses to schedule with teams using such mascots "unless the team is a traditional rival or a conference member."

In order to use the interest convergence principle for analyzing this case, we must ask ourselves what are the interests of the institution, what are the interests of the Indigenous community, and where do they converge? It is important to note, first, that Midwestern University adopted *some* policy regarding the Native mascot issue. By adopting a policy at all, the institution has acknowledged that this is an important issue. By responding in some manner to the concerns raised by the Indigenous community over the use of Native mascots on campus, the university stands to gain the support of Native people both on campus and throughout the state, they are able to demonstrate publicly that they are a progressive university that "cares" about social justice issues, and they can "prove" that they are a responsive institution that takes the concerns of all of its "clients" seriously. On the other hand, the Native community's interests lie both in the reduction of harmful and offensive stereotypes and misinformation and in the possibility of greater autonomy in determining cultural representations of themselves. Because the institution has something to gain by adopting a policy in response to concerns over Native mascots, their interests converge with the interests of those who first brought forth the concern in the first place.

Unfortunately, however, the adopted policy fails to go far enough in eliminating Native mascots on campus and, therefore, meeting the needs of the Indigenous community. The policy consists of weak language that "discourages" rather than "prohibits" the use of Native mascots on campus and the sale of athletic wear with Native logos. What does it mean for an institution to simply "discourage" such behavior? Unfortunately, the policy evades this question and leaves the issue open to different interpretations. What is clear, at least, is that in discouraging behavior, the institution has no responsibility or accountability to demand any real change. The interest convergence principle helps us make sense of this policy by highlighting how the institution is willing to

make concessions toward greater social justice but only up to the point at which it stands to lose something. An even clearer example of the interest convergence principle at work in this policy is the concession that the Athletic Board will not schedule games with teams that have Indian mascots *unless the team is a traditional rival or a conference member*. Here the institution clearly recognizes and honors the interests of the Native community on campus by refusing to schedule games with some teams who have Native mascots, but the institution is even more protective of its own interests by still scheduling games with teams with whom they have “long standing commitments”—a clear demonstration of advancing social justice only up to the point at which it is no longer convenient or in the best interests of the institution.

The potential losses to the university are significantly increased if the policy would have been stronger—that is, had the university *prohibited* the use of mascots and the sale of athletic wear with Native logos and refused to schedule *any* games with teams with Native mascots, they would most likely also experience a loss of revenue from missed games, alumni discontent, and disapproval from other conference schools. In the end, then, this policy likely leaves Indigenous people feeling like their interests are being neither heard nor protected by the institution—and indeed, perhaps they are not. The investment on the part of the university in protecting its own interests is certainly neither new nor surprising. TribalCrit reminds us of the long history of colonization and assimilatory policies aimed at tribal nations in the United States, and Midwestern’s mascot policy continues in this tradition by controlling and disseminating images of Indigenous people and co-opting sacred symbols and practices for entertainment purposes.

INTEREST CONVERGENCE AND ETHNIC FRAUD POLICIES

Ethnic fraud is another contentious issue within Indigenous communities and has many implications for institutions of higher education, particularly around admissions, scholarships, and faculty hiring. Ethnic fraud is the deliberate falsification or changing of ethnic identities in an effort to secure personal advantage in the form of, for example, scholarship funds, admission to special programs, research considerations, or faculty positions at mainstream universities (Gonzales, 2001; Pewewardy, 2004). Ethnic fraud is a significant concern among Indigenous communities because tribes are sovereign nations with the sole right to determine their own constituents, and any other institution or group of people who attempts to define membership in tribal nations violates this precedent (Churchill & Morris, 1992; Morris, 1992). TribalCrit reminds us that the relationship between tribal nations and the U.S. is one of “government

to government” in nature. Rebecca Robbins (1992) makes this abundantly clear:

Insofar as the federal government is constitutionally prohibited from entering into treaty relationships with any entity other than another fully sovereign national government, it follows that each treaty entered into by the United States with an Indian nation served the purpose of conveying formal federal recognition that the Indian nation involved was indeed a nation within the true legal and political meanings of the term. Further, given that these treaties remain on the books and thus are binding upon both parties, it follows that North American indigenous peoples continue to hold a clear legal entitlement—even under U.S. law—to conduct themselves as completely sovereign nations unless they themselves freely determine that things should be otherwise. (p. 90)

Given the sovereign status of tribal nations, it should be undisputed that they have the sole right to determine membership within their nations (Jaimes, 1992). Unfortunately, however, a number of institutions and government entities have infringed upon this right by failing to guard against ethnic fraud among Indigenous students, faculty, and staff.

Institutions of higher education show blatant disregard for tribal sovereignty when they base hiring, admissions, and funding decisions on the self-identification of American Indians and Alaska Natives rather than on some verifiable proof of tribal enrollment. As Grande has argued, “claiming one’s ancestral background is not, in and of itself, problematic, but when such claims are opportunistically used to cash in on scholarships, jobs, set-aside programs, and other affirmative economic incentives, it becomes a highly questionable practice—particularly when such ‘fraudulent Indians’ quickly discard their new identity as soon as it no longer serves them” (Grande, 2000, p. 352; see also Machamer, 1997).¹⁰ It is important to note that Indigenous people and communities hold differing opinions regarding “ethnic fraud”; some believe that only individuals can and should determine their self-identification, while others believe that tribal governments ought to determine the criteria through which individuals can identify with a particular tribal nation.

This range of opinions was present among the Indigenous women at Midwestern, and the women who said they were more assimilated and less tribal-culturally connected adamantly opposed policies requiring proof of tribal affiliation, while women who were far more tribal-culturally connected supported such policies. After sitting through a focus group during which the vast majority of the women were less tribal-culturally connected and all agreed that Midwestern should not adopt a policy guarding against ethnic fraud, the one woman present who had grown up and attended schools on a reservation told the first author in an individual conversation

that “it does matter.” She elaborated by talking about how historically “reservation Indians” have been denied many opportunities available to Native people who are more assimilated into the mainstream and if there are only so many resources available for Indigenous people, they should not be taken by people who “use their Native identity” to claim the limited resources when they really are not “part of any community.” Much like this woman’s views, a number of Indigenous scholars and activists believe ethnic fraud is a national problem in higher education (Pewewardy & Frey, 2004).

Although not all Indigenous people agree on the degree to which self-identification policies should be usurped by proof of tribal enrollment policies, at least some universities are beginning to recognize the problems with self-identification. For example, the American Indian and Alaska Native Professors’ Association has a policy statement on ethnic fraud that encourages universities to follow the example of the University of Oklahoma and the University of Washington who have formal verification policies adopted by university administration. At Midwestern University, a group of faculty, staff, and students presented information to the Provost and Vice Chancellor for Student Affairs in Fall 2002 requesting that Midwestern implement a policy requiring proof of tribal affiliation from students who self-identify before allocating limited financial resources to such students. They presented the University of Oklahoma’s policy and argued that first, the institution must recognize tribes as sovereign nations with the sole right to determine their own constituents, and second, that given limited financial resources set aside for Indigenous students, the institution ought to ensure such funds are distributed appropriately. According to one staff member intimately involved in this process, the university was extremely resistant to the idea, and in a written statement in December 2002, the Provost wrote, “At present, we do not think it is within the purview of the state . . . or the university to establish the bureaucracy and procedures to identify members of American Indian tribes.”

As with the mascot example, the interest convergence principle can help make sense of the institution’s reluctance to adopt a policy that would guard against ethnic fraud. The interests of Native people and the institution converge in the sense of wanting to recruit more Indigenous people to the university: both want improved recruitment and retention of American Indian and Alaska Native students. But the cost to the university of implementing a policy guarding against ethnic fraud is simply too high. In the case of admissions, the institution clearly has a vested interest in not requiring proof of tribal enrollment because that would decrease the number of people they can “count” as Native and, therefore, as students of color. Given that the numbers of Indigenous students at Midwestern University are already disproportionately low in comparison to the state’s population and number

of reservations and given that the university has made the recruitment of underrepresented students a fundamental goal of its campus-wide diversity plan, an enrollment verification policy would set the university back even further in terms of its stated goals. Indeed, as one Indigenous woman student at MU explained:

The university wants to keep the numbers up. I don’t think they care how or whatever. But I think [the American Indian student services] office called and at one point questioned the number of people who check the box and then kind of disappear off the face of the earth. And I think they were going to try to implement something like . . . [where you have to] show you have some tie to your community . . . The university was very opposed to that idea. I think with [the diversity plan], I think they just want the numbers to be as high as possible. (emphasis added)

Although ethnic fraud is a concern at the level of admissions, it is far more crucial when it comes to allocating limited financial resources such as scholarships and awards to Indigenous students. Like many universities around the country, Midwestern has a number of scholarships and programs that “foster diversity”—that is, funds that target and assist underrepresented groups of students on campus. Two of these scholarships that target American Indian and Alaska Native students are controlled and disseminated by Indigenous people themselves, and all the other funds (which, needless to say, total significantly more money) are controlled by other groups of people and often target all students of color. Interestingly, the two scholarships disseminated by Indigenous people themselves do require verification of tribal enrollment or affiliation with a federally recognized tribe. Indigenous people who are enrolled in tribal nations have an interest in advancing such a policy because they believe that the limited resources should be going to appropriate people. However, none of the other scholarship funds that are controlled by others and target all students of color at MU require self-identified Indigenous students to demonstrate proof of tribal enrollment. As with the admissions example, the interests of the institution and Indigenous people converge around financially supporting a more diverse student body. But they diverge about the particularities of allocating the money, with the result being institutional practices that are not in the best interests of culturally connected and tribally enrolled Indigenous people—which, in turn, fails to support the self-determination and sovereignty goals of tribal nations.

Concern over ethnic fraud is an important issue in terms of faculty hiring at mainstream colleges and universities. Though he does not explicitly name his framework as such, Pewewardy (2004) essentially makes an interest convergence argument in his discussion of faculty hiring:

If the institution does not ask for tribal documentation or does not support the call for implementing a policy on ethnic fraud, then it is allowing the charade to continue, because often it has much invested in the fraud and exposure would put the institution in jeopardy. Both the institution and the individual benefit from this arrangement. The school gets diversity credit and satisfies the affirmative action office. The institution employs someone who is most unlikely to challenge the status quo. They acquire the quota without the problems. And, the individual has a better chance of getting the faculty position, research grant, committee assignment, or awards that she or he is seeking in higher education. (p. 202)

In other words, by not requiring prospective faculty to demonstrate proof of tribal enrollment, the university benefits by getting to “count” more of its faculty as Native, and the new hires who would otherwise not be considered “targeted minorities” benefit by being eligible for particular funds, positions, and recognitions. On the other hand, this harms both tribal-culturally connected faculty members because of stiffer competition and tribal nations who have few, if any, members represented on university campuses.

A less obvious way self-identification policies serve the interests of the university is illustrated by Pewewardy’s statement above that, “the institution employs someone who is most unlikely to challenge the status quo.” In this context he is referring specifically to the status quo regarding the policy, but a number of Native students at Midwestern allude to the idea that the university prefers Indigenous students who will be supportive of the status quo in general. By admitting and then financially and socially supporting Native students who are more assimilated and have minimal ties to Indigenous communities, worldviews, and cultures, the university engages in a kind of preventative practice that guards against it being subject to severe critique and, therefore, called upon to change. Many of the most publicly active Indigenous women students at Midwestern come from predominantly white communities with minimal ties or knowledge of their tribal nations. For Indigenous women who come to Midwestern with weak tribal-cultural ties, the university generally facilitates their increased awareness and knowledge of Native cultures, histories, and peoples. These women speak positively about their experiences on campus and their “new found identities.” One woman, for example, explained, “since coming here, my Native identity has really taken center stage because I grew up in such a white setting. You kind of grow up and conform to those sets of values . . . So, I think since coming to campus I’ve grown much more comfortable and further into my Native identity.” Many women shared this sentiment and explicitly cited the “cultural diversity,” “big events,” and “Native clubs and activities” as contributing to their perception of Midwestern as a diverse institution that facilitates their cultural learning

and identity. Not insignificantly, these events and activities reflect a fairly superficial approach to multicultural education that does nothing to challenge or change the core culture of the institution. Despite the limitations inherent to this approach to multicultural education, these women are generally impressed—or at least content—with the educational and cultural experiences offered at Midwestern University. Importantly, it is these women’s opinions that the institution promotes in order to validate its efforts toward multicultural education.

Although many Native women from predominantly white communities who have minimal tribal-cultural ties find the university to be a place of increased opportunities for interacting with other Indigenous people and for gaining cultural knowledge, Native women who come to the university with much stronger tribal-cultural connections find the university to be a place of limited cultural expression and growth. Their time at Midwestern generally results in the marginalization or bracketing of their Indigenous cultural knowledge and practices. One woman described how “you could feel like you have to lose your identity in order to fit in,” and another woman said, “I don’t think it was a decision that I made. It was just that, whether I wanted to do it or not, I was going to naturally conform into this environment because . . . [the kind of environment I was] used to being in just wasn’t available here. So it’s kind of difficult to kind of stay grounded in your culture in the university where it’s just basically non-existent.” These women who are more tribal-culturally connected and critical of the institution speak about how issues of race, power, and culture are rarely talked about or even acknowledged among the majority of students, faculty, and staff at Midwestern. One woman said, “It’s like they want us to be here but they don’t want us to be of color.”¹¹ These women’s concerns reflect the fact that superficial approaches to multicultural education leave the culture of whiteness unchanged. These concerns, however, go largely unheard by the institution.

This brief discussion of the different experiences of both less and more tribal-culturally connected women and how they are differently positioned within the university highlights how the absence of a policy protecting against ethnic fraud contributes to the likelihood that less tribal-culturally connected women will be more numerous, publicly active, and thus visible within the campus community.¹² Since these women are generally supportive rather than critical of the institution, MU can cite their voices as evidence of progress toward cultivating a more welcoming and diverse campus community. So the interest of the university in maintaining the status quo and the interests of those who cannot prove tribal enrollment *also* hit a point of convergence around self-identification policies. Overriding self-identification policies with enrollment verification policies would likely lead to many fewer “official” Indigenous students and faculty, protest

among those who feel the institution should not require them to prove their identity, and potentially more intense pressure from the smaller group of tribally enrolled students and faculty for a university that is responsive to their needs. A policy guarding against ethnic fraud would potentially facilitate greater equity in the distribution of funds, jobs, and resources. But, because the price is too high for the university to require proof of enrollment, self-identification policies remain intact.

LIMITATIONS OF THE INTEREST CONVERGENCE PRINCIPLE

Our analysis suggests that universities like Midwestern are willing to embrace policies that reflect a superficial approach to multicultural education, an approach that acknowledges and even celebrates cultural diversity. Policies that actually challenge the status quo and reflect a critical approach to multicultural education, however, are neither considered nor adopted. Importantly, Indigenous women's experiences of being stereotyped and feeling socially isolated demonstrate the limitations of superficial approaches to multiculturalism. Although we have focused on two particular policies that primarily impact Indigenous students and faculty at Midwestern University, it is important to recognize that the interest convergence principle can also be used as an analytic tool for examining other policies and practices in institutions of higher education.

But interest convergence analyses are not without their limitations and, in particular, they present a dilemma for those of us with anti-racist and social justice agendas. On the one hand, the interest convergence principle exposes the selfishness behind many policies and practices that may advance greater racial equity—this is the bad news interest convergence analyses bring. On the other hand, perhaps some good news lies in the idea that if those of us working for greater social justice can convince those with power that certain policies and practices that bring about greater equity are *also* in their own best interests, then we may have found a promising strategy for social change. Unfortunately, however, such strategies are limited by their reliance on liberal assumptions about the process of social change. Thus, although interest convergence helps make sense of the policies and practices outlined in this article, CRT and TribalCrit remind us that greater racial equity and social justice will not be achieved within this liberal framework of individual property rights, a focus on equality, and colorblindness.

Critical Race Theory, in fact, poses a widespread critique of liberalism's slow pace for social change and emphasis on sameness and equal treatment (Delgado & Stefancic, 2001; Dixson & Rousseau, 2006). Within the field of education, access to the same schools, for ex-

ample, is not enough to redress past injustices when racism, tracking, and white privilege continue to disadvantage students of color. CRT also critiques liberalism's emphasis on rights because rights are usually procedural rather than substantive and because rights are almost always restricted when they conflict with the interests of those in power (Bell, 2004; Delgado & Stefancic, 2001; Ladson-Billings, 1998)—as is clear in the passing of the USA Patriot Act (2001), for example. Since civil rights are intimately connected to individual property rights, change is too slow to be effective, and white people have largely benefited from the construction of whiteness as the ultimate property (Harris, 1995; Ladson-Billings, 1998). Thus, as Ladson-Billings and Donnor (2005) recently reasserted, CRT's emphasis must be on taking issue with liberalism's willingness to "only go so far" in the struggle for greater equity and social justice. In a similar vein, Tribal Critical Race Theory highlights the patterns of colonization and assimilation that have resulted from well-intentioned liberal "friends of the Indians" (Brayboy, 2005a). Throughout history (and in the present day), the liberal-minded democratic principles of freedom and equality have often stood as obstacles to tribal nations' pursuits of sovereignty and self-determination. Keeping these limitations in mind may help us think through alternative strategies for achieving equity and social justice in our institutions of higher education.

In sum, we have argued that the interest convergence principle helps make sense of not only Midwestern University's partial action regarding Indian mascots but also their inaction regarding ethnic fraud among Indigenous students and faculty. Though we can find some justification of these policies and practices from the perspective of the institution, interest convergence also allows us to critique them on the grounds that they are primarily in the interests of the institution and, fundamentally, of white supremacy. Tribal Critical Race Theory pushes us to recognize how these policies and practices are part of a legacy of racism and colonization—a legacy that unfortunately will not be disrupted by relying on the good intentions of those in positions of power.

NOTES

The authors thank the anonymous reviewers and Bryan Brayboy for feedback on earlier drafts of this article.

1. Throughout this article we use the terms "Indigenous," "Native," "American Indian," "Indian," and "Native American" interchangeably to refer to the peoples indigenous to what is now the United States. Scholars, educators, and other Indigenous people have not come to an agreement over the use of these terms, and we do not use specific tribal affiliations (the generally preferred practice) in an effort to protect the identities of the women who participated in this study.

2. All proper names have been changed to protect the anonymity of the participants in this study. Although ideally

we would like to name Midwestern University in order to “out” the institution with respect to what they are and are not doing around diversity and social justice, IRB protocol does not permit us to do so.

3. This research was originally designed to explore the experiences of Indigenous women on a predominantly white campus. The research design focused on self-identified Native women because the first author was interested in the range and variation of experiences among this diverse group of women, and because this is currently the way Midwestern University identifies American Indian and Alaska Native students. We recognize, of course, the irony in this aspect of the research design given our examination of ethnic fraud in this article.

4. This is an illuminating example of the racial battle fatigue that often results from the countless experiences of racial microaggressions at “liberal” universities such as Midwestern. Although overt forms of racism are rare on these campuses, research has shown the multiple and varied ways students of color are marginalized and assaulted in predominantly white communities (Solórzano, 1998; Solórzano, Ceja, & Yosso, 2000).

5. Because of space limitations, we are unable to elaborate on CRT here, but we offer this brief explanation: Critical Race Theory begins with the notions that racism is ordinary (Delgado & Stefancic, 2001), and that race still matters in contemporary U.S. society (West, 2004). It recognizes, however, that differential racialization processes and experiences of racism certainly exist within and between groups (Delgado & Stefancic, 2001). Proponents of CRT argue that it is a tool for uncovering racial subordination and the marginalization of people of color and that in adopting a CRT frame, researchers necessarily are called to expose and challenge the racism inherent in everyday social life (Lynn, Yosso, Solórzano, & Parker, 2002; Parker & Lynn, 2002; Villenas & Deyhle, 1999). The main goals of CRT include presenting narratives and storytelling as valid forms of data and legitimate approaches through which to understand race and racism, eradicating racial subjugation while recognizing that race is a social construct that has very real impacts on people’s lives, challenging dominant ideologies and working towards social justice, and making connections between race and other axes of oppression (Ladson-Billings, 1998; Solórzano & Yosso, 2002).

6. More recently, Guinier (2004) has argued that interest convergence is limited in its ability to explain the partial progress towards racial equity because of its sole focus on the interests of powerful white elites and Blacks. In doing so, interest convergence theory has overlooked other positionalities (e.g., social class, geography, etc.) that affect perceived interest divergences between and among groups. For example, Guinier highlights the fact that working class Whites resisted desegregation efforts and were also the ones to be directly affected by desegregation. While this is a helpful contribution to our understanding of efforts at greater racial equality, our work—like Bell’s original focus in developing interest convergence—highlights the relationship between the interests of the powerful White elites and the interests of a group of color.

7. In order to keep our argument as straightforward as possible, we do not elaborate on the other aspects of Tribal Critical Race Theory. For a full description of this theoretical framework, see Brayboy, 2005a. It is also worth noting that other scholars have extended CRT into LatCrit, FemCrit, and AsianCrit in order to highlight the particularities of other groups.

8. While definitions of whiteness abound among scholars, we mean here to reference ways institutions, structures, and social relations are organized such that white people consistently benefit at the expense of people of color.

9. For more on the history of dancing for the entertainment of white audiences, see Browner, 2002, and Farnell, 2004.

10. The issue of opportunistically claiming Native identity has become increasingly complicated as there appears to be a growing industry of DNA testing companies who purport to inform individuals of their racial and ethnic background (TallBear, 2005). There also is some evidence that people may be using these products and services with the sole purpose of claiming “benefits” (e.g., affirmative action scholarships) set aside for members of racialized groups. A white business executive from Maryland with two adopted sons had his children’s DNA tested and found them to be 9% American Indian and 11% Northern African; in explaining his decision to have his sons’ DNA tested, the father said “naturally when you’re applying to college you’re looking at how your genetic status might help you” (Harmon, 2006, p. A1).

11. Although there is a growing body of research that examines Indigenous students’ experiences in institutions of higher education (Brayboy, 2004, 2005b; Castagno, 2005; Fixico, 1995; Garrod & Larimore, 1997; Huffman, 1991, 2003; Kirkness & Barnhardt, 1991; Miheuah & Wilson, 2004; Pavel, 1998; Pewewardy & Frey, 2004; Tierney, 1992, 1993; Wright & Tierney, 1991), we do not explicitly engage with this literature here because doing so would detract from our primary purpose of illustrating how differently positioned Native women experience Midwestern University and how that variability is in the best interest of the institution. In other words, while most published studies examine the personal experiences of Indigenous students, we are primarily concerned in this article with institutional policies as they relate to Indigenous students.

12. Brayboy (2004) uses the concept of visibility in order to analyze Indigenous students’ experiences at Ivy League universities. He offers an important and useful explanation of visibility and invisibility, but we are using the term here to mean simply that less tribal-culturally connected women are positioned by the institution as more visible because institutional leaders like what these women have to say.

REFERENCES

- Allen, W. (2005). A forward glance in a mirror: Diversity challenged—Access, equity, and success in higher education. *Educational Researcher*, 34(7), 18–23.
- Anderson, J. (1993). Race, meritocracy, and the American academy during the immediate post-World War II era. *History of Education Quarterly*, 33(2), 151–175.
- Bell, D. (1979). *Bakke*, minority admissions, and the usual price of racial remedies. 76 *California Law Review* 3.
- Bell, D. (1980a). *Brown v. Board of Education* and the interest-convergence dilemma. 93 *Harvard Law Review* 518.
- Bell, D. (1980b). *Race, racism, and American law* (2nd ed.). Boston: Little, Brown.
- Bell, D. (1987). *And we are not saved: The elusive quest for racial justice*. New York: Basic.
- Bell, D. (1989). The final report: Harvard’s affirmative action allegory. 87 *Michigan Law Review* 2382.

- Bell, D. (2004). *Silent covenants: Brown v. Board of Education and the unfulfilled hopes for racial reform*. Oxford: Oxford University Press.
- Brayboy, B. (2004). Hiding in the ivy: American Indian students and visibility in elite educational settings. *Harvard Educational Review*, 74(2), 125–152.
- Brayboy, B. (2005a). Toward a tribal critical race theory in education. *The Urban Review*, 37(5), 425–446.
- Brayboy, B. (2005b). Transformational resistance and social justice: American Indians in ivy league universities. *Anthropology and Education Quarterly*, 36(3), 194–211.
- Brown v. Board of Education. (1954). 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873
- Browner, T. (2002). *Heartbeat of the people: Music and dance of the northern pow-wow*. Urbana: University of Illinois Press.
- Castagno, A. (2003). *(Re)contextualizing Indian higher education: A qualitative study of Indigenous women at a predominantly White university*. Unpublished Master's thesis, University of Wisconsin, Madison.
- Castagno, A. (2005). Extending the bounds of race and racism: Indigenous women and the persistence of the Black-White paradigm of race. *The Urban Review*, 37(5), 447–468.
- Churchill, W., & Morris, G. T. (1992). Key Indian laws and cases. In M. A. Jaimes (Ed.), *The state of Native America: Genocide, colonization, and resistance* (pp. 13–21). Boston: South End Press.
- Clarkson, G. (2004, November 11). Using Indian mascots continues racial harm. *The Detroit News*.
- DeCuir, J., & Dixon, A. (2004). So when it comes out, they aren't that surprised that it is there: Using critical race theory as a tool of analysis of race and racism in education. *Educational Researcher*, 33(5), 26–31.
- Delgado, R., & Stefancic, J. (2001). *Critical race theory: An introduction*. New York: New York University Press.
- Dixon, A., & Rousseau, C. (Eds.). (2006). *Critical race theory and education: All God's children got a song*. New York: Routledge.
- Farnell, B. (2004). The fancy dance of racializing discourse. *Journal of Sport and Social Issues*, 28(1), 30–55.
- Fixico, D. (1995). American Indians (The minority of minorities) and higher education. In B. Bowser, T. Jones, & G. A. Young (Eds.), *Toward the multicultural university* (pp. 103–124). Connecticut: Praeger.
- Garrod, A., & Larimore, C. (1997). *First person, first peoples: Native American college graduates tell their life stories*. Ithaca, NY: Cornell University Press.
- Gonzales, A. (2001). Urban (trans)formations: Changes in the meaning and use of American Indian identity. In S. Lobo & K. Peters (Eds.), *American Indians and the urban experience* (pp. 169–185). Walnut Creek, CA: Altamira.
- Grande, S. (2000). American Indian identity and intellectualism: The quest for a new red pedagogy. *International Journal of Qualitative Studies in Education*, 13(4), 343–359.
- Guinier, L. (2004). From racial liberalism to racial literacy: *Brown v. Board of Education* and the interest-divergence dilemma. *The Journal of American History*, 91(1), 92–118.
- Harmon, A. (2006, April 12). Seeking ancestry, and privilege, in DNA ties uncovered in tests. *New York Times*, pp. A1, A17.
- Harris, C. (1995). Whiteness as property. In K. Crenshaw, N. Gotanda, G. Peller, & K. Thomas (Eds.), *Critical race theory: Key writings that formed the movement* (pp. 276–291). New York: The New Press.
- Huffman, T. (1991). The experiences, perceptions, and consequences of campus racism among Northern Plains Indians. *Journal of American Indian Education*, 30(2), 25–34.
- Huffman, T. (2003). A comparison of personal assessments of the college experience among reservation and nonreservation American Indian students. *Journal of American Indian Education*, 42(2), 1–15.
- Jaimes, A. (1992). Federal Indian identification policy: An usurpation of Indigenous sovereignty rights in North America. In A. Jaimes (Ed.), *The state of Native America: Genocide, colonization, and resistance* (pp. 123–138). Boston: South End Press.
- King, C. (2004). This is not an Indian: Situating claims about Indianness in sporting worlds. *Journal of Sport and Social Issues*, 28(1), 3–10.
- Kirkness, V., & Barnhardt, R. (1991). First nations and higher education: The four R's—respect, relevance, reciprocity, responsibility. *Journal of American Indian Education*, 30(3), 1–15.
- Ladson-Billings, G. (1998). Just what is critical race theory and what's it doing in a nice field like education? *International Journal of Qualitative Studies in Education*, 11(1), 7–24.
- Ladson-Billings, G., & Donnor, J. (2005). Waiting for the call: The moral activist role of critical race theory scholarship. In N. Denzin & Y. Lincoln (Eds.), *Handbook of qualitative research* (3rd ed.). Thousand Oaks, CA: Sage.
- Lee, S. (2005). *Up against whiteness: Race, school, and immigrant youth*. New York: Teachers College Press.
- Lynn, M., Yosso, T. J., Solórzano, D. G., & Parker, L. (2002). Critical race theory and education: Qualitative research in the new millennium. *Qualitative Inquiry*, 8(1), 3–6.
- Machamer, A. (1997). Ethnic fraud in the university: Serious implications for American Indian education. *Native Bruin*, 2, 1–2.
- Mihesuah, D., & Wilson, A. (Eds.). (2004). *Indigenizing the academy: Transforming scholarship and empowering communities*. Lincoln: University of Nebraska Press.
- Morris, G. T. (1992). International law and politics: Toward a right to self-determination for indigenous peoples. In M. A. Jaimes (Ed.), *The state of Native America: Genocide, colonization, and resistance* (pp. 55–86). Boston: South End Press.
- Parker, L., & Lynn, M. (2002). What's race got to do with It? Critical race theory's conflicts with and connections to qualitative research methodology and epistemology. *Qualitative Inquiry*, 8(1), 7–22.
- Pavel, D. M. (1998). *American Indians and Alaska natives in postsecondary education*. Washington, DC: U.S. Department of Education Office of Educational Research and Improvement National Center for Education Statistics.
- Pewewardy, C. (2004). So you think you hired an "Indian" faculty member? The ethnic fraud paradox in higher education. In D. Mihesuah & A. Wilson (Eds.), *Indigenizing the academy: Transforming scholarship and empowering*

- communities (pp. 200–217). Lincoln: University of Nebraska Press.
- Pewewardy, C., & Frey, B. (2004). American Indian students' perceptions of racial climate, multicultural support services, and ethnic fraud at predominantly white universities. *Journal of American Indian Education*, 43(1), 32–60.
- Robbins, R. (1992). Self-determination and subordination: The past, present, and future of American Indian governance. In M. A. Jaimes (Ed.), *The state of Native America: Genocide, colonization, and resistance* (pp. 87–121). Boston: South End Press.
- Solórzano, D. (1998). Critical race theory, race and gender microaggressions, and the experience of Chicana and Chicano scholars. *Qualitative Studies in Education*, 11(1), 121–136.
- Solórzano, D., Ceja, M., & Yosso, T. (2000). Critical race theory, racial microaggressions, and campus racial climate: The experiences of African American college students. *Journal of Negro Education*, 69(1/2), 60–73.
- Solórzano, D. G., & Yosso, T. J. (2002). Critical race methodology: Counter-storytelling as an analytical framework for education research. *Qualitative Inquiry*, 8(1), 23–44.
- Springwood, C. (2004). "I'm Indian too!" Claiming Native American identity, crafting authority in mascot debates. *Journal of Sport and Social Issues*, 28(1), 56–70.
- Staurowsky, E. (2004). Privilege at play: On the legal and social fictions that sustain American Indian sport imagery. *Journal of Sport and Social Issues*, 28(1), 11–29.
- Strong, P. (2004). The mascot slot: Cultural citizenship, political correctness, and pseudo-Indian sports symbols. *Journal of Sport and Social Issues*, 28(1), 79–87.
- TallBear. (2005, December). Native American-DNA.com: Marketing indigeneity? Presented at the American Anthropological Association's 104th annual conference. Washington, DC.
- Taylor, E. (1999). Critical race theory and interest convergence in the desegregation of higher education. In L. Parker, D. Deyhle, & S. Villenas (Eds.), *Race is... race isn't: Critical race theory and qualitative studies in education* (pp. 182–201). Boulder, CO: Westview.
- Tierney, W. (1992). *Official encouragement, institutional discouragement: Minorities in academe—the Native American experience*. Norwood, NJ: Ablex.
- Tierney, W. (1993). The college experience of Native Americans: A critical analysis. In L. Weis & M. Fine (Eds.), *Beyond silenced voices* (pp. 309–324). Albany: State University of New York Press.
- Tsosie, R. (2000). Sacred obligations: Intercultural justice and the discourse of treaty rights. *47UCLA Law Review* 1615.
- USA Patriot Act. (2001). Uniting and strengthening America by providing appropriate tools required to intercept and obstruct terrorism. Pub. L. No. 107-56, 115 Stat. 272.
- Villenas, S., & Deyhle, D. (1999). Critical race theory and ethnographies challenging the stereotypes: Latino families, schooling, resilience, and resistance. *Curriculum Inquiry*, 29(4), 413–445.
- West, C. (2004). Race matters. In M. Andersen & P. H. Collins (Eds.), *Race, class, and gender: An anthology* (5th ed., pp. 122–125). Australia: Wadsworth.
- Wright, B., & Tierney, W. (1991). American Indians in higher education: A history of cultural conflict. *Change*, 23(2), 11–18.

Angelina E. Castagno is assistant professor of Educational Leadership and Foundations at Northern Arizona University. Her scholarly interests and research focus on American Indian education, multicultural education, and critical race theories.

Stacey J. Lee is professor of Urban Education at the City University of New York, Graduate Center and professor of Educational Policy Studies at the University of Wisconsin-Madison. Her research focuses on the ways race, class, and gender inform the educational experiences of Asian American immigrant youth.