

Driving Past Flaws DEI: A Legal Imperative

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In a currently developing political landscape, it's necessary for workplaces nationwide to champion diversity, equity, and inclusion—yet are current DEI practices worth the domestic and diplomatic struggles that accompany them? Have these DEI policies, in other words, proved workable and fostered genuine benefits to those they were created to aid? In recent political debates and newly established regulations, it has become more evident that these practices have fallen short of their intended purpose. In other words, latter-day DEI practices lack the nuance to tackle real-world issues composed of multifaceted ideas like inequity. These current standardized practices are also only implemented on a surface-level basis, proving insufficient when accounting for many of the integral cultural prejudices that remain unchanged.

Considering these regular challenges and shortcomings demonstrated by current DEI practices, some leaders and critics have come to label them as ultimately divisive, or even “woke.” For instance, in May of 2023, Florida Governor Ron DeSantis signed a bill essentially banning DEI practices, stating that the acronym's influence nationwide implied its representation of “discrimination, exclusion, and indoctrination,” rather than diversity, equity, and inclusion. In full, by signing Senate Bill 266, which prohibits state and federal funds from being utilized for DEI programs and initiatives, the Governor voiced his stance on the true importance, relative to the desired impact, of DEI.

DeSantis's recent ban on the DEI system's funding and utilization shed light upon structural flaws embedded within the programs it fostered. This revelation was accounted for in the 2023 Senate Bill 266 itself, in which principles taught in DEI institutions were also restricted, notably the Critical Race Theory. This ideology examines systemic racism, literally acting as a

legal framework denoting that this kind of racism is present in American society, within education, housing, healthcare, etc. The aforementioned structural flaws of the DEI practices promoted divisive concepts, according to the Florida Governor.

A multitude of other Republican figures, many of whom are governors, senators, and representatives, upheld DeSantis's ideas, mirroring beliefs that DEI practices imposed the opposite effect of the one they were designed to implement. Such practices have been deemed reverse discrimination, hyperfocusing on "equality of opportunity" rather than "equality of outcome", one of the founding principles of the system. These unmet goals of DEI practices were further expanded upon in 2024, regarding their presence at the University of Florida. Following Governor DeSantis's issuing of Senate Bill 2661 in 2023, the institution reportedly closed its diversity department and fired all DEI staff, clearly displaying its significant shift from the system and its programs.

The University's seemingly sudden (although arguably initiated by the governor's publicized opinion) dissolution of its DEI facilities came to be seen by many as a direct response to political/social pressure and the institution's varying priorities. A similar event occurred in the same year, this time taking root in the University of North Carolina, for which the Board of Governors conveyed that their priorities also lay beyond DEI initiatives. These priorities were conveyed once UNC's System Board of Governors voted to repeal the college's DEI policies and effectively replace them with another policy; this initiative would be centered around equality within the university. The funding of DEI campaigns within the school was also slashed largely, with 2.3 million dollars being entirely redirected to public safety.

Despite the creation of a new policy and redirection of DEI funding in UNC, as well as political pressure bolstered in UF, many other renowned institutions recently began to scale

down on their respective DEI efforts. For instance, the Massachusetts Institute of Technology (MIT) and Harvard (in 2024, the same year as UNC and UF) reduced DEI practices on their campuses. MIT reportedly discarded diversity statements when hiring faculty, as Harvard's greatest division alike dropped DEI hiring statements. The recent actions of these respected universities have coerced many into reevaluating the current prevalence and effectiveness of modern DEI frameworks, and whether the funding of these initiatives is truly necessary or impactful.

Beyond educational and pedagogical concerns amongst certain universities and their funding, practices in the name of diversity, equity, and inclusion have declined in popularity among prominent retail chains and companies over the last few years. Several major corporations, including Ford, Lowe's, Walmart, and Target, have publicized (as early as 2019) cutbacks and alterations to their DEI systems. While the reasoning behind these cutbacks isn't completely consistent between companies, a coherent trend of fostering analysis and reevaluation of the necessity and efficiency of these DEI practices has arisen.

In full, latter-day political environments among institutions from universities to retail chains have exhibited the shortcomings of the DEI program, with many drawbacks in efforts to assert ideologies within these initiatives also present. Additionally, while many authoritative figures have spoken out publicly regarding the systematic failures and integral flaws of DEI practices, newly introduced and more complex solutions to morally-based problems (centered around diversity, equity, and inclusion) have recently come up. A notable solution has manifested through an operation via women in the workplace, called Catalyst. This nonprofit organization has continually demonstrated the effectiveness of women in leadership positions, with trends showing better financial performance and a more focused workforce. Their recent data,

compared to companies with robust DEI practices, has proved that companies with other methods of implementing core moral and social glean more success.

Further methods of maintaining these core principles are portrayed through relatively simple initiatives, like inclusive hiring practices among large corporations. These inclusive hiring systems can entail adopting blind resume reviews as well as diverse interview panels; hence, interviewers and employers are faced with a more representative candidate pool for jobs nationwide. Despite progress still being largely inevitable and necessary, recent data has displayed the correlation between racial and cultural diversity in leadership and improved economic outcomes. This data, derived from reports by McKinsey, a global management consulting firm, and Credit Suisse, an international financial services company, has more efficiently demonstrated the significance of workforce diversity not only nationally but on a multinational scale. Therefore, mediocre DEI practices and their decreasing utilization nationwide are further justified. The largely argued issue of underrepresentation in the workplace is also addressed via inclusive hiring practices, with companies that actively implement these initiatives producing a tangible increase in representation of otherwise overlooked groups in powerful positions.

Further workplace enterprises that correspond to latter-day ethical and moral concerns, similar to DEI but without ineffective implementation or lacking prioritization among large institutions, include ERGs. These Employee Research Groups are largely voluntary and feature an employee-led environment that aims to foster diversified and inclusive workspaces. For instance, ERGs specifically central to LGBTQ+ employees can successfully advocate for an increase in inclusive benefits and policies, subsequently making way for greater satisfaction amongst these groups.

Overall, the ideas set forth by DEI (diversity, equity, and inclusion) remain key values of workplaces and corporations nationwide, while their employment and utilization have proved lacking and inefficiently coordinated. Often, superficial and surface-level implementations of DEI have resulted in many failures among the systems on a national and local scale. Such shortcomings have fielded recent criticisms, which bring to light possible alternatives to address certain core principles that DEI had promised to address, but ultimately failed to produce a true positive influence on behalf of.

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