

Racial Code Words: A Technology of Racialization and Racism

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Abstract

Expressions of racial prejudice have become more covert in post-civil rights America. Despite various theories on covert racism, comprehensive knowledge on use of “code words” in seemingly “color-blind” race talk is lacking. This research helps to fill this gap by using content and discourse analysis to explore the forms and functions of contemporary racial code words. We first conduct a systematic review of recent cross-disciplinary research on race and verbal language in real world environments. We then examine the forms (the linguistic representations) and functions (the effects on racial equality) of the racial code words identified in this literature, paying particular attention to mechanisms that justify the symbolic or material exclusion and oppression of BIPOC communities and that perpetuate White privilege and affluence. We analyze how discursive techniques of euphemism, metonymy, compounding, and othering offer plausible deniability of race talk, reduce the communicative costs of racial discourse, and re-fix and reinvent racial meaning overtime. In an overwhelming majority of cases, these techniques allow users of racial code words to construct a “regime of truth” of White respectability and BIPOC pathology, justify policies and practices of racial domination, and perpetuate structural and cultural racism. After deconstructing the mechanisms of racial code words, we last develop the concept of racial code words as a technology of racialization and racism and reflect on the legal implications of this concept.

Introduction

Since the passage of major civil rights legislation in the 1960s, expressions of racially prejudiced thoughts and actions have become less overt and more covert (Omi & Winant 2015; Haney-López 2014; Bonilla-Silva 2022). Residents adjacent to a parcel that the local planning commission is considering rezoning to higher density to enable multifamily housing construction might express their anxiety about the *ghettoization* and *crime* that the construction might bring. Voters during a local primary might worry that a minority candidate would be *biased toward the community*. A nightclub owner might instruct his bouncer to turn away anyone in *big chains* or *Timberlands*. A tech company might reject a minority applicant who *cannot fit our corporate culture*. Nowhere in these settings are references to specific racial groups made. Yet, in certain contexts attributes like dress and cultural fitness may serve as seemingly race-neutral proxies for members of specific racial groups. Similarly, concerns about crime, ghettoization, and bias against community may mask residents’ racially motivated fears about how the presence of racial others as neighbors or officer holders might affect their way of life. As we can see from these examples, racially coded language infiltrates all areas of urban life.

Speaking racially coded language is more than an act of free speech in these instances. As a discursive practice, speaking racially coded language is part of a

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sociopolitical process that reenacts and reinvents racial meaning and, in a society still shackled by racism (like ours), perpetuates racial oppression. Concerns about ghettoization, crime, and bias against community may convey a subtext that equates BIPOC members with poverty, pollution, criminality, and ineligibility for political leadership, all of which justify racial exclusion and oppression. Racist meaning-making aside, acting on racially motivated concerns is a major cause of racial discrimination and exclusion. Denying a rezoning request, job application, or entry into a club may exclude racial minorities from housing and labor markets and social networking. Aversion to voting for minority candidates may weaken the political power of BIPOC communities. Together, these outcomes perpetuate longstanding trends of racial inequality in social, economic, and political terms.

Although constitutional and statutory legal texts prohibit racially discriminatory practices, the operating logic of this body of antidiscrimination law is not well equipped to address the deleterious discursive and mobilizing effects of racially coded language. The Equal Protection Clause prohibits intentional racially discriminatory acts by governmental entities (not private actors), and only if those acts satisfy the demanding standards for intent set by the Supreme Court (*Washington v. Davis* 1976; *Arlington Heights v. Metropolitan Housing Development* 1977; Haney-López 2014: 42-3).

Civil rights laws prohibit racial discrimination across many domains of social life, from voting and access to public accommodations, to federal funding, employment, and housing. Yet, racially coded language avoids making a direct connection between the allegedly discriminatory act and race, and thereby allows the actor to plausibly deny that race was a motivating factor behind the act. As a result, in an antidiscrimination lawsuit that lacks direct evidence of racist intent and that only involves evidence of the defendant speaking potentially racially coded language, whether the plaintiff can get redress depends on their ability to prove that the potentially coded language is a pretext for the defendant's act (e.g., *McDonnell Douglas Corp. v. Green* 1973). If the plaintiff can prove pretext, the court declares that the defendant's act is racially discriminatory and the language is racially coded (e.g., *Greater New Orleans Fair Housing Action Center v. St. Bernard Parish* (2009)). If the plaintiff fails to prove pretext, the court declares that the disputed act does not reflect racist intent and the language is not racially coded (*Mensie v. Little Rock* 2019).

While pretext is one avenue to expose the racial code in *some* speech and verbally justified acts, it cannot decode many *other* types of covert racism. For one, a plaintiff may lack the data to prove that the defendant's potentially racially coded reason such as "crime" or "decreasing property values" is factually false, thus foreclosing one way to prove pretext. For another, if a defendant acts upon a racially coded reason consistently, the plaintiff will not be able to prove pretext by showing that the defendant acts upon this reason only selectively. In this case, pretext analysis counterproductively punishes "part-time" racism but leaves "full-time" racism to go free.

In short, antidiscrimination law and the courts that interpret it are largely "caught off guard" by the plausible deniability feature of racially coded messages. Seen from this perspective, racially coded language provides a legal "hack" for actors who seek to exclude or in other ways mistreat members of another racial group while denying charges of racism (Bennett & Walker 2018; Haney-López 2014).

Our research examines and seeks to decode this legal hack. At the start, we define our topic of study as "racial code words", which are 1) indirect signifiers of racial or ethnic groups that 2) contain positive or negative value judgements and 3) are contextually implied or salient. After this initial definition and delimitation, we survey academic literature published between 2000 and 2020 that documents use of racial code words in real-life

settings in post-civil rights America. We choose the 2000-2020 publication period to reconcile the need for a comprehensive literature review and the limited research capacity of our research team (Deirdre Pfeiffer and Xiaoqian Hu). We pick 1968, the year in which the last race-related civil rights law, *The Fair Housing Act*, was passed, as the end year of the civil rights movement. We then examine the forms (the linguistic representations) and functions (the effects on racial equality) of the racial code words identified in this literature using content and discourse analysis. We pay particular attention to mechanisms that justify the symbolic or material exclusion and oppression of BIPOC communities and that perpetuate White privilege and affluence (Goetz et al. 2020; Hohli et al. 2017).¹ Through deconstructing the mechanisms of racial code words, we develop the concept of racial code words as a technology of racialization and racism and reflect on the legal implications of this concept.

This paper proceeds as follows. First, we position our research within the vibrant academic discussion on race, racial formation, and covert racism in post-civil rights America (e.g., Omi & Winant 2015; Henry & Sears 2013; Staats et al. 2015, Dovidio & Gaertner 2004, Esposito & Romano 2014; Bobo 2017; Bonilla-Silva 2022, Haney-López 2003, 2014; Bennett & Walker 2018). Second, we detail our research process, including how we sampled scholarly literature and identified racial code words. Third, we reverse engineer the sampled code words by investigating their thematic, functional, and situational components. We end by introducing the concept of racial code words as a technology of racialization and racism and addressing its legal implications for realizing a right to nondiscrimination.

From Overt to Covert Racism

Michael Omi and Howard Winant observe that “race is a master category—a fundamental concept that has profoundly shaped, and continues to shape, the history, polity, and economic structure, and culture of the United States” (2015: 106). Not as a biological fixity but as an ever-evolving social construction (Schneider & Ingram 1993), race relies on constant race making or racial formation— “the sociohistorical process by which racial identities are created, lived out, transformed, and destroyed” (Omi & Winant 2015: 109). Yet, race and racial identities are not only discursive significations, but also, through racial projects, influence institutions as a fundamental organizing principle of social stratification (ibid.).

The civil rights movement delegitimized blatant, biologically based, segregationist racism in America. However, the victories were partial in that they treated racism as irrational/immoral individual actions motivated by bigotry rather than also as a structural force that organizes American social, economic, and political life (Freeman 1978). The victories were partial also because race is “an unstable and ‘decentered’ complex of social meanings constantly being transformed by political struggle” (Omi & Winant 2015: 110); thus, once one form of racialization is delegitimized, another is reinvented. Coded language is such another form. It allows actors to rearticulate racial difference and institutionalize racial power dynamics in superficial masquerade of de-racialization.

¹ In this paper, we follow a common practice in social science literature that capitalizes all racial groups, including Whites. Our analysis highlights the discursively constructed nature of race and racial identity. The construction and reenactment of themes, images, and tropes necessary for the creation of BIPOC identities also are necessary for the creation of the White identity, and as other scholars have observed, the creation of the White identity was co-dependent upon the creation of BIPOC identities. Omi & Winant 2015; Roediger 2007.

Against this background, scholars have developed numerous frameworks to explain the drivers, practices, dimensions, and outcomes of covert racism. Several theories analyze racism as an individual psychological phenomenon resulting from social learning. Symbolic racism posits that contemporary racism is driven by a belief that America is a largely fair and equitable society; Black-White inequality is caused by Black people not ascribing to White values of individualism and meritocracy (Kinder & Sears 1981; Henry & Sears 2013). Modern racism, like symbolic racism, highlights racially prejudiced acts that are justified on ostensibly non-racial grounds (McConahay 1986) and that thereby provide the actor with “plausible deniability” of racist intent (Liu & Mills 2006). The theory of implicit bias examines the psychological roots of racism that lay hidden and unformed beneath human consciousness and that go beyond conventional understanding of racism as malice, intent, or conscious purpose (Haney-López 2014). Scholars of implicit bias have extensively documented how unconsciously racist behaviors serve to advantage Whites and disadvantage BIPOC members across many domains of life, from policing, sentencing, and public reporting of suspected terrorist activity, to housing, health care, and education (Carson & Hailey 2021; Eberhardt 2019; Staats et al. 2015; Levinson & Smith 2012).

Covert racism transcends political partisanship. Scholars note that symbolic or modern racism is more commonly found among White political conservatives (Henry & Sears 2013), while aversive racism is more commonly found among White political liberals (Dovidio & Gaertner 2004). The latter form of racism is aversive in two senses: the person consciously believes in egalitarian principles but privately harbors feelings of discomfort, uneasiness, disgust, and sometimes fear toward minorities (particularly Black people); yet the person would find aversive any suggestion that they are racist (*ibid.*). Like aversive racism, benevolent racism espouses values of racial equality, but advocates racially harmful practices in the name of empowering and protecting racial minorities (Esposito & Romano 2014).

Other theories seek to understand covert racism from systemic, societal, and material perspectives. For example, laissez-faire racism posits that the transformation of America from an agrarian to an industrial and post-industrial society caused Jim Crow racism to evolve into a new racism, where “longstanding values of meritocracy, individualism, majority rule and competition in a free marketplace weave together as rationalization for persistent racial inequality in a putatively anti-discrimination, race-neutral democratic state” (Bobo 2017: S91). Color-blind racism, which interprets covert racism as driven by a systemic color-blind racial ideology and material racial structure, justifies racial inequality and oppression through four frames: abstract liberalism (equal opportunity, individualism, etc.), naturalization (in-group preference is universal), cultural racism (racial inequality happens for cultural rather than biological reasons), and minimization of racism (Bonilla-Silva 2022). The theory of common sense racism attributes racism to acculturation under widely accepted social knowledge about race; such knowledge is common sense because of its “overwhelming ordinariness, pervasiveness, and legitimacy,” to the point of making actions “automatic” and “unconsidered” (Haney-López 2003: 110, 112, 113).

Lastly, Ian Haney-López presents the theory of strategic racism, where the strategic racist purposefully manipulates Whites’ racial animus and antipathies toward racial minorities and constructs racial projects to gain material wealth, political power, or heightened social standing (2014: 46-7). For example, certain politicians use coded language such as “force busing”, “law and order”, and “criminals” to invoke Whites’ common sense racism and manipulate their economic anxieties, garner them votes, and gain political power, with the result of pushing for policies that empower the ultra-rich, strip the social safety net,

weaken the middle class, and entrench structural racial inequality (ibid.). This theory inspired us to examine the functions of racial code words.

Another study on race and politics is influential to our research. Dylan Bennett and Hannah Walker examine how certain race-neutral words were imbued with racial meaning and became part of the coded racial lexicon in American politics (2018). Examples of such words include “fundamental rights”, “gun ownership”, “welfare”, “crime” and “criminal justice”, and “states’ rights” (ibid.). This study prompted us to examine the mechanisms of how words become racial code words.

While situated in this rich conversation, we do not set out to evaluate the explanatory power or limits of theories of covert racism. Nor do we adopt any single theory as our overarching framework. Instead, we accept all these theories as interpretive tools each offering an insightful perspective. Our contribution is to identify and examine a common linguistic device of covert racialization in post-civil rights America, drawing insights from existing theories. We ask and, in this and subsequent papers, seek to answer the following questions: What forms do racial code words take? What functions do they perform? Do they vary across settings subject to different types and degrees of legal treatment? If so, how?

Our research makes empirical, theoretical, and legal contributions. Empirically, we disassemble the discrete parts of a machinery of covert race talk and examine how they coordinate to achieve certain racialization ends. Theoretically, we use these findings to develop the concept of racial code words as a technology of racialization and racism. Legally, we bring our analysis to bear on antidiscrimination jurisprudence and, in this and subsequent papers, offer some tools for evaluating whether certain practices constitute intentional discrimination punishable under antidiscrimination law.

Excavating Racial Code Words from Scholarly Literature

Our sample of contemporary racial code words comes from a systematic review of scholarly texts published between 2000 and 2020 that address race and verbal language in real-life environments in post-1968 America. A systematic review attempts to answer questions about the state of existing knowledge pertaining to a topic using existing academic literature. A systematic review is different from a cursory or casual literature review in that it uses rigorous sampling, data extraction, and analysis procedures, including keyword searching and inclusion criteria, database management, thematic coding, and iterative validation processes such as cross-checking and verification among multiple researchers (Xiao & Watson 2019). We believe that this is an appropriate method for gathering data on racial code words given 1) the accumulating disparate investigations into covert racial communication in post-civil rights America, which warrants synthesis, and 2) the analytic difficulties studying coded racial communication across domains of life that receive different types and degrees of legal evaluation. This section introduces our review procedures before delving into the characteristics of our sample and findings.

We identified appropriate scholarly literature by first developing a set of keywords to capture four dimensions of the research: race, communication, code, and bias (see Figure 1 below). We captured texts that contained at least one of the keywords in each category anywhere in the manuscript using Boolean search operators like “and” and “or”. For instance, a text that contained the keywords ethnic (race), talk (communication), tacit (code), and preference (bias) would be included in our sample but a text that only contained the keywords ethnic and preference and no keywords pertaining to communication or code would not.

Figure 1: Keywords Used in Systematic Review Sampling

"And" operators					
"Or" operators	Race	Communication	Code		Bias
	race	rhetoric	code	implicit	inherent
	racially	language	coded	implied	insinuate
	racial	word	double entendre	assume	alluded
	racism	message	barbed	tacit	connotate
	racist	messaging	covert	signify	connotation
	ethnic	talk	hidden	signified	indicated
	ethnicity	expression	hinted	suggest	understood
	color	speech	euphemism	symbolic	undeclared
		communication	unconscious	symbolized	unexpressed
		discourse	overtone	latent	unspoken
		slang	undertone	inarticulate	unsaid
		insult	innuendo	inferred	unstated
			commonsense	dog whistle	

We searched for texts in three online scholarly repositories: 1) Google Scholar, and the 2) Arizona State University and 3) University of Arizona library databases.² Results were sorted by relevance. We extracted the first 200 texts appearing in the library search engines and the first 10 texts appearing in 190 iterations of searching in Google Scholar (due to limitations in combining all terms in a Boolean string). Similarities among texts appearing in the later stages of these iterations indicated that no new information was being obtained and that stopping was appropriate (Xiao & Watson 2019). These efforts resulted in an initial sample of 1,356 texts.

We next applied a set of inclusion criteria to identify texts that were most able to answer our research questions. The included texts:

1) were published on or after Jan. 1, 2000, in English in an academically recognized press/journal,

2) used empirical data to address race or ethnicity and verbal language in real-world environments that were from

- a) the United States
- b) in or after 1968, and
- c) not from fictional, simulated, or other controlled experimental settings, and

3) contained racial code words identified

- a) by the research team as
 - i) indirect signifiers of racial or ethnic groups that
 - ii) contain positive or negative value judgements and
 - iii) are contextually implied or salient,
 or
- b) by the author of the reviewed text.

² The library databases capture texts from a range of other repositories, including HeinOnline, JSTOR, Web of Science, EBSCO, ProQuest, and others.

Ninety-three of the 1,356 texts met the inclusion criteria. They represent scholarship from a range of disciplines, with most from sociology, communication, and education (see Table 1). Most texts were journal articles that were published after President Barack Obama's election in 2008 and that drew findings from textual (and often archival) data, such as news media reader commentary and presidential speeches. A large proportion used interview data (e.g., interviews with university students and dating app users), followed by observational data (e.g., in school settings).

Table 1: Characteristics of Sampled Texts (n=93)

Characteristic	%	Characteristic	%
<i>Discipline</i>		<i>Format</i>	
Sociology	27	Journal Article	58
Communication	22	Book	32
Education	17	Book Chapter	10
Law	12		
Political Science	11	<i>Data</i>	
Psychology	5	Text & Archives	77
Other	26	Interviews	30
		Observation	18
<i>Period</i>		Other	6
Pre-Obama (<2008)	17		
Obama (2008 - 2015)	39		
Trump (2016 - 2020)	44		

Source: Authors

Note: Texts may be from multiple disciplines and use multiple kinds of data. Other disciplines include anthropology, criminology, ethnic studies, general social sciences, health, history, justice studies, media studies, philosophy, public affairs, social policy, and English.

Extracting and determining racial code words was tricky due to the limited capacity of our two-person research team and differences in our positionality. We used several strategies to reduce the potential for bias. First, we independently extracted code words from a pool of 30 texts selected from our initial sample and, upon completion, discussed and resolved discrepancies and enhanced our inclusion criteria (e.g., adding illustrative examples). Then, we sorted the entire initial sample by author last name, divided it between us alphabetically, and independently reviewed all the texts in our assigned half and extracted potential code words closely following our criteria. We recorded all potential code words in a data base, along with their contextual elements, such as the 1) lines of text within which the code word was embedded, 2) citation, 3) temporal and geographic setting, 4) motivating event, 5) characteristics of the referred-to subject, user, and audience, including racial identity if available, and 6) author's insights on the code word or context if available. We then independently evaluated the code words extracted by the other researcher based on the contextual elements recorded in the data base. Finally, we discussed each unconfirmed code word, revisited its fit with our criteria, and decided whether to include it, and if so, whether additional revisions to the criteria were warranted. Code words in the data base were harmonized to comply with the revised criteria, as needed.

We confirmed 734 (61%) of 1,197 potential code words extracted from these texts (henceforth called the "sample"). Most of the unconfirmed words were racial stereotypes embedded in an expression where the user already identified (i.e., decoded) the racial subject.

For example, former President Donald Trump infamously said: “When Mexico sends its people, they’re...sending *people that have lots of problems* (our emphasis) ...” (Konrad 2018: 14). Here, *people that have lots of problems* is an explicit stereotype of people from “Mexico”. Other words were unconfirmed because the word alone was insufficient in conveying the value judgment, whose meaning was complete only with the aid of a supplementary material. For example, we excluded *people who work* from our racial code word sample because it was able to convey the meaning that only Whites work through the aid of a concurrent video showing White people.

Table 2 below shows the sampled code words’ temporal and racial dimensions. While it is understandable that 36% of racial code words appeared between the forty-year-span of 1968-2008, we were a little surprised to see that almost as many racial code words (35%) were used during the 8-year Obama Presidencies, more than double the racial code words during the five years in which Trump appeared as a presidential candidate and then President. Code words for Black people were most prevalent (45%), followed by White (25%) and Latinx (11%) people. A sizable proportion of code words referred to people from other racial and ethnic groups, which include Asian, Native American, Middle Eastern, Mixed Race, or Jewish people, as well as People of Color in general. The user and audience for the code word were most often White people when race was known (56% and 31% of code words, respectively). Yet, in a sizable proportion of cases yet, the race of the user was not discernable (e.g., a police officer, a schoolteacher, or a news media commentator) or the race of the audience was irrelevant, because the audience was the public in general (e.g., American voters or viewers of mainstream media like NBC News).

Table 2: Characteristics of Sampled Code Words (n=734)

Characteristic	%	Characteristic	%
<i>Period</i>		<i>Subject of Code Word</i>	
Pre-Obama (<2008)	36	Black People	45
Obama (2008 - 2015)	35	White People	25
Trump (2016 - 2020)	15	Latinx People	11
Multiple Periods	8	Other People	28
Unknown	6		
<i>User</i>		<i>Audience</i>	
White People	56	White People	31
Black People	11	Black People	9
Latinx People	2	Latinx People	8
Other People	7	Other People	4
Unknown	28	General Public	40
		Unknown	25

Source: Authors

Note: Code words' subjects, users, and audiences may be of multiple racial groups. Other race refers to Asian, Native American, Middle Eastern, Mixed Race, Jewish, or People of Color in general.

We used qualitative content and discourse analysis to discover contextual trends in code word usage, including variation based on the racial and ethnic background of the subject, user, and audience (when available) and the setting (e.g., media, politics, schools, etc.) (Gee 2014; Gaber 2020). We observed the manifest and latent qualities of the code words (i.e., information that was explicit and directly observable versus implicit and implied) and used a combinatory inductive and deductive process to group them into thematic

categories. Themes from studies of microaggressions informed our starting categories, which included perceptions of criminality, deviance from White European Protestant culture, hierarchies of American citizenship, and personal deficiencies, like intelligence (Sue et al. 2007). We then independently identified additional categories and sub-categories through iterative and systematic engagement with the data while drawing inspiration from theories of covert racism. These efforts revealed dimensions like perceptions of economic threat and contagion and Whites' tactics of responding to perceived threats. We discussed and integrated our insights into a codebook, which captured mutually exclusive or overlapping dimensions, when appropriate. Time and again we reviewed groupings for internal consistency and revised the organization of code words or the themes and subthemes as needed. Finally, we stratified the code words based on their contexts, like racial subject and setting, and examined trends in their forms and functions to gain insight into how they operate differently across contexts.

The sections that follow tell a laboriously researched but imperfect story about the emerging machinery of contemporary racial code words. Our procedures were informed by professional standards and planned and implemented to maximize the reliability and validity of our findings. We were conservative in only confirming code words that we both strongly agreed on. However, practical challenges in comprehensively capturing the existing literature and confirming code words introduce numerous kinds of bias. For instance, our procedures do not apply best practices like bolstering the originally sampled texts with appropriate texts from their lists of references and citations or parallel data collection by multiple researchers due to the size of our initial sample (1,356 texts, many of which were books) and the limited capacity of our small team. There are likely gaps in the forms, functions, and settings of our sampled code words and some fluidity and instability to the set that we convey. We emphasize that our story is a first attempt to comprehensively understand a complex and evolving phenomenon, given capacity constraints. Further, our story offers the most insight into *what* people say and *how* they say it, but our insight into *why* people say what they do is limited. Understanding this dimension of coded language requires methods beyond textual content and discourse analysis. Lastly, we do not have categorical insight as to what to do about uses of racial code words. For one, we find that not all racial code words are synonymous to or automatic proof of racism and that some code words do not produce racist effects and may in rarer cases, produce antiracist effects. For another, whether a phrase is a racial code word and what specific effect a racial code word produces depend on the context in which the word is spoken, including details about the user, the subject, the audience, the event, and the goal of the speech. We do not see the possibility of a universal rule on racial code words that would take us to a racially more equitable world.

Reverse Engineering Racial Code Words in Contemporary America

This section disassembles the machinery of the sampled racial code words to explore their forms and functions across a range of settings. We reveal how they express distinct forms and messages that vary by racial referent group and function to give users plausible deniability of race talk, often but not always, to a racially stratifying end.

Forms

By forms, we refer to the verbal representation of racial code words; plainly, what they are. To reduce redundancy without losing much of the nuance, we combined into one

We first categorized the various forms of racial code words by the race of the referred-to subject: White, Black, Latinx, and Other Race/Ethnicity. Figure 2 below presents this categorization of the racial code word sample. Note that words in red appeared at least 10 times in the sampled data; words in blue and green appeared five to nine and two to four times, respectively; and words in black (most of the sample) appeared only once. For each category of racial code words, we further divided them by the different themes they reflect. Our cataloging and phraseology of these themes were heavily influenced by existing literature on race studies. It should come as no surprise to the reader that all the themes reflected in our sample have a long history in America and remain alive and well today.

[illegible]

Note: Code words' color coding reveals their frequencies. Those in red appeared at least 10 times; those in blue and green appeared between five to nine and two to four times, respectively. Those in black appeared once. Other race refers to Asian, Native American, Middle Eastern, Mixed Race, Jewish, or People of Color in general.

In our sample, code words for White people were mostly expressed by White people to other White people or to the public at large. They convey beliefs about Whites' respectability and privilege and their possession of American lifeways. The family of code words that we call "White Respectability and Privilege" expresses the idea that Whites occupy a respectable and privileged position in American society and deservedly so because

they create community affluence and fulfill their economic and civic duties (Mills 1951; Hobsbawm 1975).³ About 27% of the 180 code words for White people convey this theme. Code words expressing the affluence of White communities ground this quality in the bedrock of suburban single-family homeownership. Examples include *upper areas*, *affluent readers [in] the suburbs*, and *kids in a rich suburb*. Code words about White people's economic citizenship express their knack for generating and consuming goods and services, as well as their perceived higher human capital and rejection of public social welfare services. Examples include *workers*, *business community*, *buying public*, *university or professional looking people*, and *make your own way in life*. Code words addressing White people's stronger perceived civic citizenship address their tendency to follow laws and pay taxes, which create safer and better resourced communities. Examples include *law abiding citizens* and *taxpayer*.

We dub another family of code words that describe White people “White Possessiveness” (Moreton-Robinson:2015: 49-50). These code words express the idea that America belongs to White people, as opposed to America belonging also to people of other racial groups or White people belonging to America. Being American in this worldview requires being from or adopting what is considered European (male) Protestant culture—values like individualism, hard work, and advancement through merit, and personal mannerisms like calmness and stoicism. “White nationalism” can be defined similarly. For example, Omi & Winant define it as equating the American nation with the White race shaped by Anglo-Saxonism and “anglo-conformity” (2015: 77). However, we avoided this term because its stronger, more incendiary connotation makes the term too politically loaded and distracting for our analysis. White Possessiveness was present in 21% of code words that referred to White people. Code words reflecting this theme can be further divided into four subcategories. Citizenship equates White European Protestant culture with American citizenship, as expressed in code words like *Americans*, *traditional American voters*, and *the community at large*. Governance identifies White (male) European Protestant culture as the basis for American governance, as expressed in code words like *the American way*, *founding fathers*, and *right philosophy*. Nostalgia conveys longing for a past time when White (male) European Protestant culture and power dominated American society, to the detriment of BIPOC and other marginalized groups, as expressed in code words like *Strom Thurmond*, *the good old days*, and *Make America Great Again*.

Many code words are linked to Whiteness but not exclusively referring to White people. Some of these words reflect a theme that we call “White Defense”, borrowing from literature on America's racial, immigration, and foreign war histories (Gold 2012; Darda 2019). To the extent the race of the code word user is known, 96% (117 out of 122) were White.⁴ These code words capture the White user's reaction to perceived threats posed by racial minorities and immigrants to their respectability, privilege, or possession of American lifeways. Notably, White Defense, along with BIPOC Villain (a theme we later discuss), is the most common theme and comprises 20% of the total code word sample. Given that perceived minority/immigrant threat is a precondition for White Defense, this family of code words refers to subjects of all races—31% for White, 26% for Latinx, 19% for Black, and

³ Although C. Wright Mills and Eric Hobsbawm extensively describe White respectability in their work, both take Whites as default subjects of study and completely or virtually ignore other racial groups in their descriptions. We apply a racially conscious lens to their insights and dub the theme “White Respectability and Privilege”.

⁴ For the 5 instances in which the user of the code word was a racial minority, 1 involved a Black Republican candidate discussing “illegal immigration” during his campaign, and the remaining 4 were authors discussing the racial code word.

16% for Other racial/ethnic groups, respectively. Government policies that sought to foster racial equality or that were racialized to defend racial power asymmetries loomed large among this family of code words. Examples include busing during the Nixon election and the war on terror during the George W. Bush and Obama administrations. Some code words in this family convey White resentment toward policies perceived to benefit BIPOC communities, implying a need for action *but not* directly calling for it. Other code words in this family go one step further and call for a response to modify or eliminate these policies to benefit White people. The difference can be subtle though. Take code words discussing affirmative action, for example. Resentment code words include *reverse discrimination*, *preferential treatment*, and *'diversity'* (quoted by the speaker to convey absurdity), and response code words include *competency based education* and selection based on *merit* and *qualifications*. Overall, White Defense code words reflect White speakers' desire to maintain White respectability, privilege, and possession of America through "color-blind" governance that "happens to" weaken BIPOC power and success in society.⁵

Another family of code words is linked to Whiteness but refers to racial minorities. These words reflect the theme of "Passing", namely, perceptions of Black, Latinx, Asian, or Middle Eastern people succeeding or not to various degrees in adopting what is recognized as White European cultural traits. These code words are relatively rare (4% of all racial code words) and were variously used by White people and racial minorities. Subcategories include "Acting White" (e.g., *talk proper*, *wear a baseball cap*, and *Western friendly kind of persona*), "Becoming White" (e.g., *whitewashed* and *coconut* (brown on the outside, white on the inside), and rejecting traits that diverge from Whiteness (e.g., *not ghetto* and *no people walking around with their pants [down]*).

B. Code Words for BIPOC

Similar to code words for White people, code words referring to BIPOC members and communities were often expressed by White people to other White people or to the public at large. They mostly convey that BIPOC members cause indirect, direct, or possible future harm to White people and to society more broadly. This is especially evident in the families of code words that we call "Parasite", "Contagion", and "Villain". All three are well-documented and well-studied themes in American racial and immigration history. As tropes for immigrants, they gained ideological development and prominence in the anti-Chinese movement in the second half of the nineteenth century, culminating in the passage of the 1882 Chinese Exclusion Act (Gold 2012; Shah 2001). As tropes for African Americans, they gained prominence particularly in the post-Reconstruction era, culminating in the Jim Crow regime (McIlwain & Caliendo 2014; Roediger 2007; Liz 2018; Haney-López 2014; Scott 2022). In the subsequent century and half, these themes continued to motivate oppressive policies against BIPOC members and immigrants (Tchen & Yeats 2014; Haney-López 2014; Anderson 2016).

In our analysis, we define Parasite as perceptions that racial minorities *exploit* communities, institutions, services, amenities, or other aspects of the U.S. social system. Code words reflecting this theme close to equally referred to Black, Latinx, and Other minority racial groups (16%, 15%, and 13% of code words for these groups, respectively). Most code words in this category present BIPOC members as "Takers not Makers", more specifically, as exploitive recipients of social welfare programs and not as taxpayers and

⁵ Carol Anderson analyzes this type of White reaction as "White Rage" (2016). We chose "White Defense" to highlight the substantive message that these code words convey.

contributors to these programs. Relatedly, these code words are strongly centered on economics and the perceived personal and cultural deficiencies (e.g., work habits, human capital) of BIPOC members within economic spheres. Examples of “taking” include *welfare queen*, *living on Section 8*, and *freeloaders*.⁶ Examples of “not making” include *lazy* and *don’t work*. A small portion presents BIPOC members as “Cheaters”, conveying their perceived exploitation of job markets and higher education through biased hiring, promotion, and admissions processes. Examples include *affirmative action hire* and *getting all these grants*. A family of code words closely related to Parasite is “Deficiency”, which expresses anxieties that BIPOC members lack personal traits necessary to contribute to the economy, which may lead to future indirect harm to White people and society when they become dependent on welfare programs (i.e., a Parasite). Children and their parents are most often the targets of these code words. Examples include *at-risk*, *problems*, and *low-income inner city kids*.

Contagion expresses perceptions that BIPOC members *spread something harmful*, including attitudes, values, behaviors, and conditions within communities, institutions, services, amenities, or other aspects of the U.S. social system. These code words most referred to Latinx people (25%), followed by Black and Other racial groups (about 9%, respectively). Like Parasite, Contagion code words are centered within socioeconomic spheres of life, but the object of harm is geographic: 1) the physical “invasion” of White and potentially other racial and ethnic communities by BIPOC members, and 2) the “corruption” of these communities by conditions associated with BIPOC members. Code words describing BIPOC members as “invaders” include *these people*, *those communities*, and *illegals*. Those expressing BIPOC members as “corruptors” include *bad element*, *keep Compton in Compton*, *problem neighborhoods*, and *kung flu*. Notably, some Parasite and Contagion code words are integrated in part or in whole into those associated with White Defense, when users give them an activist spin, such as *anchor babies*.

The family of code words that we call “Villain” expresses the belief that BIPOC members cause *direct harm* to White people and potentially other racial and ethnic groups by threatening their personal safety or private property. As mentioned earlier, this theme and the theme of White Defense are the most prevalent in our sample, each comprising 20% of all racial code words. These code words most referred to Black people (25%), followed by Other racial/ethnic groups (21%, mostly Middle Eastern) and Latinx people (19%). Crime is a common subject of Villain code words, expressing fear that BIPOC members will commit crimes against White people and potentially others in society. Although Contagion code words also often convey fear of crime, they express fear that BIPOC communities will infect White communities or society at large with crime; personal victimization is only indirectly implied (e.g., *inner-city crime*). Within Villain, the subcategory “Suspect” expresses suspicions of BIPOC members engaging in crime based on their comportment, place of residence, or behaviors. Examples include *cause all the trouble*, *wearing a dark hoodie*, *lived in a gang area*, and *uncle crashed into the Twin Towers*. The subcategory “Offender” addresses perceptions that BIPOC individuals commit violent or property crimes against White people and others. Examples include *gangbangers*, *thugs*, *criminals*, and *terrorists*.⁷

⁶ The use of welfare as a code word originated during Ronald Reagan’s administration in the early 1980s as a strategy to weaken support for social safety net spending; it primarily describes Black single mothers in poverty (Gilens 1999; Quadagno 1994).

⁷ Use of the word “criminal” and variants to refer to Blacks dates to the Black convict leasing system that filled the economic labor gap in the postbellum South (Haney-López 2014).

A final, less prevalent family of code words for BIPOC members—Nonconformance—pertains to ways that BIPOC members are not assimilating to White European Protestant culture but that are not harming White people. Nonconformance may happen through communication, like *Street English*, physical appearance, like *don't...dress in business manner*, eating and drinking habits, like *eats Jollibee* and *chugging 40s*, and residence, like *inner city*, *kids from the projects*, and *the Bronx*. Many of these code words acknowledge and reproduce cultural and common sense racism and spatial racial segregation, topics we explore below.

Functions

Racial code words achieve two functions in our sample. First, they imbue racial meaning while giving users varying degrees of “plausible deniability” of race talk. This is most often accomplished through linguistic techniques of figurative speech, like euphemism and metonymy, and new word formation, like compounding. Second, most promote racist effects, like supporting a racially oppressive policy or practice or perpetuating cultural or commonsense racism. This is oftentimes accomplished through the discursive practice of othering.

A. Plausible Deniability

We find that in our sample racial code words were coded through linguistic techniques that obscure the racial nature of the discourse. Figurative speech was a common technique in our sample, with euphemism and metonymy being most prevalent. A small minority of the code words showed new word formation through compounding. These techniques often worked in tandem to offer speakers plausible deniability of race talk.

Euphemism involves using agreeable, milder, or inoffensive language to refer to something disagreeable, harsher, or potentially offensive about a racial group or members of a racial group. A large minority of code words in our sample exhibited this quality. Euphemist racial code words have two components: the nicer-sounding expressed language and the harsher unexpressed language. An example is describing a place using the softer phrase *not diverse* to refer to the harsher fact of the absence of BIPOC members. Euphemist code words in our sample mostly took on three, often overlapping forms: understatement, under-specification, and overstatement (Crespo-Fernández 2018).⁸ Understatement is use of fuzzy language to make light of a serious topic (ibid:797). An example is use of *old boys network* to refer to practices of hiring only White men. Under-specification is use of general language to refer to something more specific (ibid:800). An example is use of *certain group of people* to refer to Black male athletes. Euphemist code words commonly exhibited both understatement and under-specifications; examples include use of *the element* or *problem neighborhood* to refer to “crime-prone” BIPOC individuals or BIPOC neighborhoods with actual or imputed higher crime rates. Overstatement is use of upbeat exaggerations to highlight something desirable about the referent (ibid:801). An example is use of *premium market* to refer to White buyers.

Euphemism is a “verbal hygiene practice” (Cameron 2012:120). In our sample euphemism was often used to achieve one of three ends. The first was to conduct a polite conversation that avoided the more serious issue of race or racial injustice, such as when a

⁸ Periphrases and metaphoric or metonymic expression are other examples, see (Crespo-Fernández 2018).

White college student used generalized geographies as cover for the racially marked communities feeding into their school, stating “[I]t was almost like they didn’t want the sort of *lower areas* to assimilate with the *upper areas*...” (Bonilla-Silva 2022: 157 (originally reviewed on p. 109 of 2006 edition)). The second was to hide or downplay the racial dimension of the subject matter, such as when a White female denied the racism of White boys who staged a mock lynching at school as a group of “*good ole southern boys*” who “made a bad decision” (Foster 2013:128). The third was self-protection or self-exculpation from charges of racism. For example, a Southern politician expressed his disapproval of growing struggle for racial justice in America with a remark that had the rest of the country voted for Strom Thurmond (a presidential candidate campaigning on racial segregation) like his state did, “we wouldn’t have had *all these problems* over all these years” (Giroux 2003:203). This latter scenario also exhibited “dog whistle politics” or “dog whistle racism”, where politicians knowingly convey racial meaning while denying the very act of race talk (López 2014; Bennett & Walker 2018). Other examples of dog whistle racism in our sample include *Make America Great Again*, *heritage*, *law and order*, *states’ rights*, and *border spending*.

While all thinking and all languages are metonymic, we categorize a racial code word as metonymic if it talks about a racial group using a feature that is well-understood in the context as belonging to or closely associated with that racial group (Radden and Kövecses 1999; Littlemore 2015).⁹ A metonymy racial code word has two parts: the descriptor (a racially salient feature) and the described (a member, the entirety, or another feature of a racial group).¹⁰ The descriptor-described may be part-whole (e.g., *Timberland* (a shoe brand) for a Black man), whole-part (*people* for White people), or part-part (*bussing* for school racial desegregation). The relationship linking the descriptor and the described may be physical (e.g., *towel head* for an Arab man) or conceptual (e.g., *gifted and talented* for White students).

Common kinds of metonymies in our sample were Racializing the Location and Inflating the Social Member or Subgroup. Racializing the Location involves using a physical location associated with a racial group to refer to that racial group, and most frequently was used to refer to Black people, followed by White people. Examples include generalized geographies like *inner city*, *ghetto*, and *urban* (racialized as Black) and *suburban* and *neighborhood schools* (racialized as White), and specific geographies like *Chicago*, *Compton*, *Detroit*, and *the Bronx* (racialized as Black) and *the West Coast* (racialized as White). The utility of these location metonymies stems from and speaks to enduring spatial racial segregation in America of all scales, starting from the house (e.g. *the project* racialized as Black) and neighborhood (e.g., *the perfect American neighborhood* racialized as White), going up to a section of the city (e.g., *South Side* racialized as Black) and an entire city (e.g., *West Sierra Linda* racialized as People of Color), and all the way up to larger areas (e.g., *rural* racialized as White).

Inflating the Social Member or Subgroup involves using a notable member or widely perceived subgroup of a racial group to refer to a specific or generalized member of that racial group. Notable members in our sample include 1) real persons (e.g., *Osama* racialized

⁹ We follow a common practice among linguists and adopt a broad definition of metonymy that encompasses synecdoche and metalepsis (Littlemore 2015; Radden and Kövecses 1999).

¹⁰ Although this categorization builds on Ferdinand de Saussure’s well-known concepts of sign, signifier, and signified, it is not a direct application of Saussure’s framework because in defining the described, we deliberately conflate the physical object with the mental construction (concept) of that object to simplify our analysis for a largely non-linguist audience. For Saussure, all signifieds are concepts in people’s heads (Saussure 1998). For our analysis here, the described is external, and refers to actual people, events, or patterns.

as Middle Eastern and *founding fathers*, *Jefferson Davis*, and *Strom Thurmond* racialized as White), 2) stereotypes of real persons (e.g., *welfare queen* racialized as Black), 3) archetypal fictional individuals (e.g., *Uncle Tom* as a Black person who betrays other Black people to curry favor with White people), and 4) generic fictional individuals (e.g., *Alice Tang* racialized as Asian, *Monica*, *Rose*, *Chandler*, and *Joe* racialized as White, and *Tyrone Jackson* racialized as Black). Subgroups often convey stereotypes about racial groups, such as *university or professional looking people* (racialized as White and conveying respectability), *people on food stamps* (racialized as Black and conveying parasitism), and *terrorist* (racialized as Middle Eastern and conveying villainy).

Metonymies facilitate race talk not only by achieving plausible deniability through racial proxies but also by reducing the informational, emotional, and reputational costs of communication. They pare a “large amount of information” down into a simplified “manageable form”, enabling speakers to use this skeletal form to access the whole complex concept (Littlemore 2015:4-5). Like euphemism, they also relieve speakers from experiencing personal stress and adverse social consequences, like cancelation, that might stem from naming race.

Euphemism and metonymy are lexicalizing practices, realizing meaning in a single word or phrase rather than in a syntactic construction. Compounding capitalizes on the syntactic versatility of language by enabling users to stack multiple code words together, or graft one code word to a racially neutral expression, or remix parts of code words into a new expression to create a new code word. Stacking enables users to efficiently communicate richer or more targeted racial meaning. Examples include *professionals who were husbands, fathers, and upstanding citizens* and *suburbs in the more affluent communities [that have] college-going culture and much more academically rich environment*. They also allow users to recode language that has been decoded in public and academic discourse, like *inner city* and *crime* becoming *inner city crime* or *terrorist* and *street gangs* becoming *domestic terrorist street gangs*. Grafting and remixing enable users to create new code words to describe new racial phenomena, like *political thug*, *food stamp president*, *gangster government*, and *hip hop president*, which evolved after the election of the first Black President. Similarly, the remixing *kung flu* stems from the 2020 coronavirus pandemic, which first broke out in China.

B. Racist Effects

“Race is strategic; race does ideological and political work” (Omi & Winant 2015: 111). In our sample, most code words (87% of the sample) intentionally or unintentionally contributed to racist effects.¹¹ The most common effect (65% of the sample) was to endorse a policy/practice that perpetuated racial inequality and White privilege. For code words that produced this effect, the speaker was frequently (57% of the time) a White person advocating a supposedly pro-White policy/practice or opposing a supposedly pro-BIPOC policy/practice.

Of the various policy-positions revealed by this group of racial code words, the most common was harsher policing and penalization of BIPOC members, particularly Blacks. Examples include a neighbor advocating for increased policing to stop *hooligans*; a gun

¹¹ Notably, code words may also produce anti-racist or not overtly racial effects. A small minority (61, or 8%) in our sample contributed to anti-racist effects. These mostly were instances of speakers decoding racially coded language, particularly in research settings. An even smaller minority (37, or 5%) had no discernable, direct racial effect. Examples include matter of fact references to racial groups through racialized locations or behaviors (e.g., the *inner city* or drinking *bubble tea*).

rights group calling for *responsible gun ownership* to intimidate Black people; a news article reader arguing for the continuation of the War on Drugs to stop *domestic terrorist street gangs*. Other common policy-positions included: 1) Delegitimizing or sabotaging policies, initiatives, or actors that sought to address racial injustices or empower minorities. For example, Rush Limbaugh referred to Barack Obama as *hip-hop president*. Or an employer would only hire a *team player*, implying that a racial minority candidate would have to overlook racial discrimination in the workplace in order to be hired. 2) Opposing welfare programs. For example, some White political candidates referred to welfare recipients as *welfare queens*, *people on food stamps*, and *people who are on crack*. 3) Opposing affirmative action programs. For example, some White research participants highlighted that beneficiaries of affirmative action *don't keep the averages up* and such programs are *designed to fail*. 4) Advocating stricter immigration policy. For example, some Republican politicians argued that *bad hombres* and *illegal aliens* stem from “open borders”. Less common policy-positions concerned Arabs/Muslims, taxation, school and residential integration, elections, and Confederate monuments.

Most private practices involved race-based exclusion, such as from a bar, shopping mall, neighborhood, newspaper, job, intimate relationship, or educational or medical resource. Examples include curtailing newspaper service for *inner city readers* while expanding service for *affluent readers [in] the suburbs*, and school children not wanting to be friends with a *terrorist* peer.

The second most common racist effect (58% of the sample) was to perpetuate cultural or common sense racism by promoting White respectability or BIPOC pathology. Examples include referring to White people as *gifted and talented* and *professionals who were husbands, fathers, and upstanding citizens* and Black people as *special ed kids* who have *no habit of showing up on Monday*.

Endorsing racist policy/practice and promoting cultural/common sense racism are inter-related. Code words perpetuating cultural/common sense racism sustain a racist social ecology, which supplies the substantive justifications for policies/practices that perpetuate racial inequality and White privilege. Conversely, policies/practices that perpetuate racial inequality and White privilege produce appearances of White respectability and BIPOC pathology, thus justifying cultural and common sense racism.

Euphemisms and metonymies both helped code words to produce racist effects in our sample. The former were slightly more often used to defend racist policies or practices, while the latter were more frequently used to perpetuate cultural or common sense racism. The discursive practice of othering also was present among a large minority of code words that contributed to racist effects. Othering creates a qualitative difference and ideological distance between two racial groups, placing them on the opposing sides of a contextually salient binary of us vs. them (Pandey 2004; Hall 2013b: 219). Othering contrasts sharply with euphemism by *explicitly using* disagreeable, harsh, or potentially offensive language to forge racial difference. An example is a Tea Party member remarking that “society is made up of *workers* and *nonworkers*, *productive citizens* and the *freeloaders*” (Gounari 2018:14). Through these words, the speaker created a binary of socioeconomic virtue and vice to oppose poverty assistance programs and perpetuate cultural or commonsense racism.

Differences forged through othering come in many types. 1) Total and insurmountable. For example, Black, Latinx, and Middle Eastern people were dehumanized or demonized through words such as *(wild) animal(s)*, *jungle*, *catch-and-release*, *demon*, and *terrorist*. 2) Moral. For example, White residents in Delaware described four Black men who committed a crime in their state as *immoral outsiders*, or some politicians portrayed Latinx

people as foreigners who took advantage of America's social services through producing *anchor babies*. 3) Legal. For instance, Latinx and Asian people's citizenship and belonging were questioned through words such as *illegal(s)* and *fobby*, respectively. 4) Cultural. For example, *eat dog* was racialized as an Asian practice, and *towel head* was a racial proxy for Middle Eastern men. 5) Interpersonal. For example, *rude*, *angry*, *loud*, *opinionated*, and *hypersensitive* were microaggressions against Black people.

"Stereotyping reduces people to a few, simple, essential characteristics, which are represented as fixed by Nature" (Hall 2013b: 247). We find that stereotyping was an important tool of othering and indispensable to the creation of total/insurmountable, moral, cultural, and interpersonal differences. Legal othering may use pure legal distinctions to convey nativist or xenophobic meaning. For example, a 1996 California Democratic Party advertised that *foreign workers* were stealing jobs from *American workers*. Stereotypes may be used to create legal differences too, in which case, another difference is also created. For example, a Tea Party-backed candidate claimed that "waves of *illegal aliens* [stream] across our border, joining violent gangs, forcing families to live in fear" (Banks 2014:131). Here, *illegal aliens* conveyed both legal and moral difference (i.e., citizenship and immigration status and criminality and threat to American society).

Euphemism helps create racial code words by cloaking race and value judgment in nicer-sounding substitutes and in this way offers the speaker abundant plausible deniability. Othering racial code words *amplify* value judgment but stop short of making a direct connection between value judgment and race. If the link is found in the speaker's other speech or act, the racial character of the message is laid bare, and the code word is decoded. For this reason, other things being equal, courts generally have a much easier time decoding othering racial code words than euphemism or metonymy code words. We explain this difference in the last section.

Although othering weakens plausible deniability, it was the third most common discursive technique in our sample. We suspect this is because othering is a powerful meaning-making tool. Meaning is relational; without binary opposites meaning could not exist (Hall 2013b: 224, 225). In addition, culture formation depends on making sense of things through differentiation and categorization, and cultural order depends on marking boundaries against intruding or impure symbolisms (ibid: 226). In other words, like metonymy, othering is fundamental to how we think, communicate, and form a cultural community.

Racial Code Words as a Technology of Racialization and Racism

A. The Concept of Racial Code Words

Based on our findings, we conclude that racial code words are a technology of race talk, and more specifically, of racialization and racism. We build upon and expand Omi & Winant's definition that racialization is "extension of racial meaning to a previously racially unclassified relationship, social practice, or group" (2015: 111). Our sample suggests that racialization goes beyond human actors, practices, and relationships, and into the spatial-physical world we live in (e.g., *rural*, *urban*, *suburban*, *Chicago*, *the West Coast*).

Racial code words are a particularly *effective* technology of racialization for several reasons. First, the frequent integration of figurative speech like euphemism and metonymy offers users "plausible deniability" of race talk. This "plausible deniability" enables the speaker to engage in disavowal, "a strategy by means of which a powerful fascination or

desire is both *indulged* and at the same time *denied*” (Hall 2013b: 257). Hence, in a post-civil rights mainstream society that champions and is contented with “color-blindness”, a speaker can indulge in race talk while denying the very act of it through the aid of racial code words.

Second, racial formation through racialization deals with diffuse, rich, fluid and ever-evolving, and cross-cutting and cross-referencing sets of cultural meanings. These floating meanings are difficult to capture and articulate. Without a device to fix and simplify these meanings, racialization through discourse would incur extremely high information costs and would be well-nigh impossible in brief, spontaneous, and sometimes chaotic everyday interactions. Metonymy and stereotyping are such devices of fixation and simplification. Metonymy allows the speaker to use a low-information-cost concept (e.g., wearing *big chains*) to access a much higher-information-cost concept (e.g., all the perceived pathologies of a young Black man: criminality, irresponsibility, poverty, a lack of class, etc.). Similarly, stereotyping reduces the complexity, fluidity, and temporality of a person or a group to a few objectified traits. Stuart Hall summarizes succinctly, “*stereotyping reduces, essentializes, naturalizes, and fixes ‘difference’*” (Hall 2013b: 247). Stereotyping uproots the subject from the time and space that condition and complexify her, transforms her from a previously high-information-cost concept to a bit-size, low-information-cost concept. In this sense, metonymy and stereotype are classic signs in the Saussurean sense.

Third, the fluidity of meaning means that temporarily fixed meaning unravels over time and new meaning is in constant formation. Thus, new devices of fixating and reinventing meaning must be deployed. Compounding is such a new device. Through syntactic stacking, grafting, or remixing, compound racial code words allow speakers to re-fix an unraveling meaning (e.g., *inner city crime*) or to reinvent meaning for new purposes (e.g., *political thug*, *kung flu*).

While racial code words are a technology of racialization, not all racialization is racist. Many socioeconomic issues and policies have genuine racial dimensions by impacting different racial groups differently. Racial code words are a technology of racism only when the speaker is engaging in racialization that “creates or reproduces structures of domination based on racial significations and identities” (Omi & Winant 2015: 128). As mentioned earlier, 87% of the racial code words in our sample produced racist effects of endorsing a racist policy/practice and/or perpetuating cultural/common sense racism. 8% of the sample fostered an antiracist aim (resisting or undoing structures of racial domination) (ibid: 129), and 5% did not produce any discernable direct racist effect. Although the sample is far from exhaustive, it does indicate that close to nine out of ten times a racial code word is used as a technology of racism. Our sample also suggests that racial code words are not suited for antiracist aims. At best, they foster antiracism when the speaker uses them for the sole purpose of decoding them. In other words, “death” is their only contribution to antiracism. The unsuitability of racial code words for antiracist aims is likely because their built-in capabilities of “plausible deniability” and “disavowal” make them a dishonest, hypocritical way of engaging in race talk. Although 5% of the code words did not produce a discernable, direct racist effect, we do not think that the current U.S. society allows room for any neutral (neither racist nor antiracist) racialization. This is because racial code words, like language in general, are a discursive device. Discourses interpret and represent the world; they construct truth and do not reflect some absolute, objective truth (Hall 2013a). As all discourses are situated in power relations, the “regime of truth” produced by discourses is steeped in these power relations (ibid). As long as structures of White privilege and BIPOC disadvantage are intact, the racial power asymmetries that condition the discourses and the discursive production of knowledge will make neutral racialization impossible.

In short, discursive techniques of euphemism, metonymy, compounding, and othering offer plausible deniability of race talk, reduce the communicative costs of racial discourse, and re-fix and reinvent racial meaning overtime. In an overwhelming majority of cases, these techniques allow users of racial code words to construct a “regime of truth” of White respectability and BIPOC pathology, justify policies and practices of racial domination, and perpetuate structural and cultural racism.

B. Legal Implications

The disappointing news is that the capacity of existing antidiscrimination law to address the deleterious effects of racial code words is limited. First of all, racial code words that perpetuate cultural or common sense racism but that do not motivate a racially discriminatory or exclusionary policy or practice are out of antidiscrimination jurisdiction, and are by default protected as free or privileged speech, privacy, or general liberty. Second, as mentioned earlier, even if racial code words motivate a potentially discriminatory or exclusionary policy or practice, antidiscrimination law is restricted by 1) the strict standards for discriminatory intent under Equal Protection, 2) the judicial refusal to scrutinize defense beyond pretext under antidiscrimination statutes, and 3) the “plausible deniability” of race talk bestowed by racial code words.

But not all is lost. Othering racial code words, particularly those that deploy stereotypes, have the highest chances of being recognized as reflecting racially discriminatory intent. Despite a general refusal to scrutinize defense beyond pretext, courts adjudicating antidiscrimination lawsuits are more willing to recognize defendants’ stereotyping justifications as pretext.¹² In addition, when the defendant is a government entity, some courts have adopted a totality of the circumstances test and in a few cases, have found that use of certain code words reflected racial animus which then motivated the defendant’s disputed act and rendered it discriminatory (e.g., *Mhany Management Inc. v. County of Nassau* 2016; *Avenue 6E Investments, LLC v. City of Yuma, Ariz.* 2016). Our research compiles a sizeable empirical dataset of stereotyping racial code words that courts, policymakers, lawyers, and other actors can consult and draw from. We suggest that racial code words with themes of White Respectability and Privilege, White Possessiveness, White Defense, and BIPOC Parasite, Contagion, Villain, and Deficiency should be treated as evidence of racial prejudice.

More broadly, we believe that our identification and definition of racial code words can help courts, policymakers, lawyers, and other antiracist actors to not only discern, but also more reliably analyze color-blind coded race talk. We reiterate the definition here. Racial code words are 1) *indirect signifiers of racial or ethnic groups that* 2) *contain positive or negative value judgements and* 3) *are contextually implied or salient*. Piercing the racial veil and reconnecting value judgment with race require antiracist actors to confer with social science studies, including this study, that examine and map the racial ecology of American society. Although racial code words are not necessarily proof of racist intent, once use of racial code words is confirmed, it is evidence that race is a motivating factor of the user’s practice. In a judicial setting, this should trigger the court to determine whether race was considered in a discriminatory way. In a local governance setting, policymakers should be

¹² “Restrictions that are based upon unsupported stereotypes or upon prejudice and fear stemming from ignorance or generalizations, for example, would not pass muster.” *Bangerter v. Orem City Corp.* 1995, at 1504 (handicapped discrimination).

alert to the possibility of uncritically giving the racial motivation legal or administrative validation.

Above are the general legal implications that we can share at this stage of the research. Given the heterogeneity of racial code words and their contexts, we plan to examine in the next few articles the machineries and legal implications of specific subgroups of racial code words.

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