

Identifying Information

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Paper Information

Title:	The Race and Gender of School Branding: What Can Be Done About High School, College and University Mascots That Are Almost Always Male and Sometimes Racialized?"
Abstract:	<p>This paper explains that the vast majority of schools, public and private, at every level of education, brand themselves with mascots that are overwhelmingly depicted as male. When there is a “female” mascot, she is generally secondary, a subservient homologue to a male mascot, and highly feminized. Trademark laws could, but probably doesn’t at present, work in conjunction with Title IX of the Civil Rights Act to address this gender based representational discrimination. Paradoxically, some “primary” school mascots are racialized, but when they are, it is usually in a stereotypical and offensive manner. Efforts at addressing racist school mascots using civil rights laws have failed to gain traction in the past. In the wake of the Supreme Court’s decision in <i>In Re Tam</i>, without amendment, federal trademark laws have little to offer in term of addressing racist school mascots. After mapping the problems with overwhelming male and sometimes racist school mascots, the paper will propose several ways in which the problem could be addressed via lawsuits and legislation. Alternatives (or precursors) to lawsuits and legislation, such social media campaigns, boycotts and protests, are also discussed and evaluated.</p>