



\$ over Ethics: Higher Education and the Private Prisons Industry, a Symptom of the Theology of Neoliberalism

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Abstract

Neoliberalism's impact on our everyday lives, culture, and institutions is powerful and ubiquitous. One might suspect that higher education, especially non-profit colleges and universities, would be less affected and more resistant to the expansion of market-driven logic and the hyper-capitalist ethos of neoliberalism, but much evidence points to college and university subscription to the tenants of this ideology and practice. This is especially the case as state policy leaders, particularly conservative and neoconservative Republicans, are aggressively disinvesting in higher education, reducing or removing completely governmental responsibility to ensure an educated population in favor of market-driven forces. While we provide a brief overview of the corporatized universities of today and its problematic nature, we focus on the impact of corporate donations on universities, with particular attention to the private prison industry's intertwinement with higher education, and specifically the relationship between the GEO Group and Florida Atlantic University.

Introduction

Neoliberalism's impact on our everyday lives, culture, politics, and economy is pervasive and all-encompassing.¹ While not ignoring the fact that Neoliberalism² is materially embedded within the capitalistic state, it is fundamentally an ideology that leads to the "penetration of capitalism into political and social institutions as well as cultural

¹ We would like to thank our reviewers for their suggestions, comments, and feedback. These have made our argument stronger and more succinct.

² We use the uppercase N rather than lowercase in recognition of the totality of Neoliberalism.

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consciousness itself” and involves the “elevation of capitalism, into an ethic, a set of political imperatives, and a cultural logic” as both a policy agenda and a moral ethos (Thompson 2005: 23). We draw from Kotsko’s (2018: 7) conceptualization that Neoliberalism has become a theology such that “it is a discourse that aims to reshape the world” and has become a “totalizing world order, an integral self-enforcing system of political theology... [that] has always had an apocalyptic edge” (Kotsko 2018: 95, 115).

Higher education is not immune from Neoliberalism theology and its totalizing affect, in fact, it is consumed by its theology and the subscription to the tenants of neoliberalism. This is especially the case as state policy leaders, particularly conservative and neoconservative Republicans, are aggressively disinvesting in higher education, reducing or removing completely their governmental responsibility to facilitate the development of an educated public (Donnermeyer and DeKeseredy 2018; Giroux 2014; White 2018). Consequentially, universities are reinventing themselves by giving way to the demands of the marketplace (Giroux 2002) and the inculcation of Neoliberalism’s theology where we are all a part and parcel of the process, making all of us more or less duplicitous (Kotsko 2018).

Historically, universities have undoubtedly contributed to the reproduction of capitalism and continue to do so today as the reign of Neoliberalism is part and parcel of all aspects of society, including higher education, though universities were “conceived as an institution detached from the Market and, in particular, from the accumulation of capital” (Rikap and Harari-Kermadec 2020: 372). Today, the blurring between the public and private spheres of social institutions such as universities seems ossified as neoliberalist tendencies have overridden the compelling public, democratic, and civil ethical duty of democratic states to promote education. Academe, as with all other institutions, now succumb to an iteration of capitalism that treats all social interactions as business interactions. Monetizing and commodifying education has rapidly accelerated throughout the world, and as Kotsko (2018: 44) writes:

...(whatever) remains of democratic rhetoric is hollowed out into neoliberal buzzwords- consent of the governed becomes stakeholder buy-in, public policy is reduced to the implementation of ‘best practices’, etc.- and education’s promise of self-cultivation and personal growth is replaced with the endless accumulation of human capital.

Universities are forced to compete for resources and growth becomes synonymous with success and ‘opportunity’. Academic labor is now adopted to the capitalist production process where precarious working conditions, actuarial grant expectations, and a hyper-focus on individual performance further foster the environment of competition (Jenkins 2014; Rikap and Harari-Kermadec 2020). One aspect of the totalizing effect of Neoliberalism on universities is the need to find and secure private donations from individuals and corporations, further blurring the lines between public and private.

The Spectacle of Corporate Philanthropy

While corporate benevolence has been criticized in general terms as an effort to rebrand or legitimate organizational image, or as nothing more than another venue to increase profit and visibility through the commodification of causes, such philanthropic endeavors are an oxymoron (Collins and Rothe 2019). Nonetheless, the corporatization of benevolent discourse under the guise of corporate social responsibility or social innovation is

now prevalent and widely regarded as counternarrative schemes for the primary purpose of the accumulation of capital (Einstein 2012). Product sales and profiteering are linked to a variety of social ills including global warming, cancer, heart disease and other illnesses, human trafficking, hunger, homelessness, tainted water supplies, inequality, racism, sexism, and poverty. The corporatized sector's inclusion of profiting from philanthropy serves to remove any discussion or dissent, rather we as consumers accept that "caring for others can be easy, then what happens to *real compassion*, to *real change*, to *real lives*?" (Einstein 2012). We argue, as with general criticisms of corporate philanthropy, their role with universities should come under greater scrutiny as university interests now give way to capitalist interests and as corporations continue to 'gift' donations and/or taking up causes to 'clean up their image'. As stated in an endorsement for the monograph by Joshua Hunt (2018), *Nike University*, so succinctly, "[n]ever before have our public institutions for research and higher learning been so thoroughly and openly under the sway of private interests, and never before has the blueprint for funding American higher education been more fraught with ethical, legal, and academic dilemmas."

Corporate donations have resulted in separate and marginalized outcries in some of the more extreme cases. Consider in the early 2010s that the University of California at Los Angeles and George Washington University accepted money from the Milken brothers, indicted on federal racketeering charges in 1989 (Diep 2019). Other examples include corporate donations from the fossil fuel industry and ties to the defense contractors, some of which have met with significant resistance. More recently Jeffrey Epstein, indicted for sexually abusing young girls, made donations to MIT and Harvard and Charles Koch who tied donations to popularizing his brand of libertarianism. Additionally, there is the Sackler family, the makers of Oxycontin, who donated millions to universities that were willing to put their names on buildings, and Harvey Weinstein's \$5 million contribution to the University of Southern California, which also came under scrutiny (Chinchilla 2017; Gluckman 2019; Mayer 2017).

Corporate and other philanthropic donations to universities can be characterized as four types: "Good people who earned their money in an innocuous way, good people who earned their money from companies whose ethics are "ambiguous," criminal or immoral people who earned their money harmlessly, and people whose money comes from criminal or immoral means" (Gluckman 2019). Others are voicing that philanthropic and corporate donation can be referred to as 'grey money,' 'white money,' 'tainted money' and 'bloody money.' As Diep (2019) and Gluckman's (2019) work demonstrates, rationalizing or neutralizing these donations as acceptable can be justified by beneficiaries in a utilitarian manner, i.e., 'bad' money can be used for 'good.' Or as questioned by Fottrell (2017), "can you morally cleanse 'dirty' money?" However, these dichotomies not only downplay the harms and violence of corporatized education they also assume the overall process is acceptable and the way it should be, as though it is merely a matter of taking good or grey monies. Discussing whether a donor's money is dirty, grey or white overlooks the extensive overlap of business, political, and private interests that shape higher education as well as public corrections policies. In addition, such conversations are indicative that the Neoliberalized University, where the economic role of serving corporate interests (community stakeholders) amidst a global field of competitiveness has become further legitimated. In other words, posing corporate 'gifts' as good versus bad, clean versus dirty, ignores the fact of the full intertwining between public/private under the theology of Neoliberalism. In addition, more mundane corporate donations impacting higher education largely ignored, critiqued or resisted. Consider large corporate high-ranking employees, presidents, CEOs, and others that serve on education boards, boards of trustees, university

foundations that are responsible for investments or day-to-day decision-making. Prior to discussing the private prison industry and higher education, we provide a brief overview of the rise of the private prison industry.

Criminal Justice Industrial Complex and the Private Prison Industry

The United States has the highest prisoner rate in the world, 655 per 100,000. Most criminologists rightfully recognize that mass incarceration disproportionately affects racial and ethnic minorities. For example, the Black imprisonment rate at the end of 2018 was near twice the rate among Hispanics and more than five times the rate among whites (Gramlich 2020). As racial injustices continue across the United States and in institutions such as the criminal justice system, there are also extreme social injustices surrounding immigrants, deemed ‘illegal immigrants or illegal aliens’. Under the Trump Administration, there was a massive expansion of immigrant enforcement policies, detentions, and family separations. The expenditures of states supporting this racially unjust system compared to investing in education are also noteworthy given this special issue is dedicated to a derailing discourse about neoliberalism’s impact on higher education. Consider, for example, that the majority of states spend roughly between \$7000 and \$15,000 per student while outlaying between \$20,000 and \$50,000 per inmate (CNN Money 2020).

To understand the connections between the private prison industry and mass incarceration, consider that private prison companies have had a major role and continue to be a player in the expansion of mass incarceration since the 1980s, include the last several years with the Trump Administration’s attack on immigrants and refugee seekers. Politicians’ tough-on-crime approach led to overcrowded state prisons and jails across the United States as a result of this approach to crime and ‘the criminal’. This occurred during the same period with the onset of Neoliberalism and privatization ideology, of then-President Ronald Reagan and British Prime Minister Margaret Thatcher, that was pushed and promoted, and subsequently, their successors continued (Lilly and Defflem 1996). Reagan was such a believer in privatization he initiated the President’s Commission on Privatization (Selman and Leighton 2010). The 1980s and early 1990s tough-on-crime mantra resulted in a rash of strict sentencing laws including “Reagan’s creation of mandatory minimum sentences through the Anti-Drug Abuse Act of 1986” (Dickinson 2020).

Private companies saw the market potential and profit-generating possibilities by building and operating correctional facilities for state and local levels of the criminal justice industry as the privatization ideology was taking hold. Simply, as mass incarceration and prison and jail overcrowding, the private prison industry saw they could serve the void and provide private incarceration (Eisen 2019). While selling themselves as a cost-saving alternative for states and local political agencies, the reality is private prisons are making money off mass incarceration as they obtain more and more state and federal dollars, raking in enormous profits. “Private prison companies essentially admit that their business model depends on locking up more and more people” (ACLU 2020). They are able to rake in these profits not just through filling the facilities to obtain the negotiated per diem rate for each inmate, but due to their increasing political influences through lobbying, political donations, networks and connections (as will be discussed more later in relation to higher education). Yet, “it is not the search for capitalist profit that drives the stupendous expansion of the population behind bars in the US but the construction of a liberal-paternalist state, that is, a political project which requires that we bring economic deregulation, the

restriction of social assistance and the expansion of the penal sector” (Wacquant 2011). While this provides a very brief context of the criminal justice industry, mass incarceration and the onset of the private prison industry, one may be asking how or why we are linking this to Neoliberalism’s besiegement of higher education. A series of policies, appointments and investments link universities into the widening net of the criminal justice system including the private prison industry.

The Private Prison Industry and Higher Education

As criminologists, critical criminologists, in particular, it is prudent for us to examine corporate donations, interests, and increasing sway by the private prison industry and higher academe that are embedded in the theology of Neoliberalism. However, it must be recognized that the sway of the private prisons industry on academe is only a symptom of the larger problem of the specter of higher education and the totalizing effect of Neoliberalism’s theology. As such, we want to make it clear, our opposition to universities accepting ‘gifts’ from the private prison industry is due to the racist, classist carceral system but more broadly, as a rejection of all corporate donations. Of course, an explication of this position is beyond the scope of this article, so we limit our focus to the private prison industry and universities specifically drawing on the GEO Group and Florida Atlantic University as a symptom of the Neoliberal University and the totalizing impact of Neoliberalism.

As Hank Gold (2014) states “American universities do a fine job of selling themselves as pathways to opportunity and knowledge. But follow the traffic of money and policies through these academic institutions and you’ll often wind up at the barbed wire gates of Corrections Corporation of America (CCA) and GEO Group.” Moreover, as public government spending in any form beyond its carceral functions, has become weak, universities, including Florida Atlantic University, faculty, staff and students find themselves at the intersection where funding for prisons and the private prison industry are taking hold within the very confines of the Neoliberal University (Turner 2020). It is these types of entanglements between the private prison industry and policymakers that set the stage for the creeping of private prisons into universities. Consider some of the more direct ties between universities and the private prison industry. For example, the University of Florida’s Agricultural Science Department contracts prison labor to work on farms it has all across Florida (Freedom Campus 2020). Or the examples we provided previously including Vanderbilt University and their connection with CCA (now CoreCivic). Given that the Corrections Corporation of America and the GEO Group, are the two largest private prison industries in the United States, their donations seem to be particularly relevant to examine. Especially so given these corporations have long had health and safety issues, prisoner and staff complaints, discrimination lawsuits, use of forced labor, forcing detainees to work for food, lack of healthcare and basic hygiene products, unpaid labor practices, torture of detainees, psychological trauma to minors, and wrongful-death lawsuits to mention just a few examples.

We are limiting our focus to the GEO Group, with headquarters in Boca Raton, Florida as illustrative of the power and sway the private prison industry has on universities, directly and indirectly (Gold 2014). We begin with a brief overview of the GEO Group, then, in order to provide some context for the ongoing current relations between Florida Atlantic University and the GEO Group, we provide a discussion of the history of the University that is most relevant to those relations, focusing what became known as “Owlcatraz,” to

help understand the past and current relations between the University and this for-profit prison company.

The GEO Group

For readers that are unfamiliar with the GEO Group, formerly Wackenhut Corrections, we begin with a brief overview including civil and legal claims of violence and harm against GEO. The GEO Group currently boasts of 130 ‘service’ locations operating across the United States and in several other countries including the United Kingdom, Australia and South Africa. These include jails, mental health and residential treatment centers, ICE processing centers, immigration detention centers including the infamous ‘illegal’ immigrant holding cells for children who have been separated from their parents (Fig. 1).

GEO Group has become an all-encompassing industry with their “continuum care” approach, which involves control of those imprisoned and continued supervision (giving ‘care’ or ‘rehabilitation’) during reentry into communities, and expanding services by buying small companies with contracts for psychiatric care, electronic ankle monitoring, and other forms of control. One need only do a quick Google search for GEO and litigation accusations (see also Appendix 1) to see the list of allegations against the group for forced labor, lack of basic healthcare products, lack of sanitation services, general mistreatment of migrants and other detainees, death, torture, and similar examples of malfeasance (Clarke 2019; Pauly 2019; Private Corrections Working Group 2020). In addition to the above, the United States Office of Inspector General of the Department of Homeland Security (2019) authored a report that raised concerns about four U.S. Immigration and Customs Enforcement (ICE) facilities that had egregious high-risk violations of detention standards, three of which are owned and operated by the GEO Group (Adelanto, LaSalle and Aurora). This includes nooses in detainee cells, overly restrictive segregation, inadequate medical care, moldy bathrooms, lack of clothing and hygiene products, unreported security incidents and serious food safety issues. As Lizbeth Abeln (2019), an immigration detention coordinator with Inland Coalition for Immigrant Justice notes: “GEO group profits from the incarceration and detention of immigrants and refugees. From medical negligence, sexual

Fig. 1 Graffiti image, taken in Boca Raton FL October 2019



abuse, physical and verbal harassment to preventable deaths the number of human rights violations under GEO are piling up.” Consider that in 2017 alone, according to federal government data, GEO received more taxpayer dollars for immigration detention than any other ICE contractor at \$184 million (Freedom for Immigrants 2020). With the COVID-19 virus, conditions at GEO facilities raise even more concerns. For example, a federal judge in Miami, Florida ordered the release of detainees from south Florida’s ICE immigration detention centers citing cruel and unusual punishment given the risk of COVID-19 and lack of social distancing, masks, soap and cleaning supplies, violating immigrants’ Fifth and Eighth Amendment rights (Adan 2020). This includes the Broward Transitional Center in Pompano Beach, owned and operated by the GEO Group (United States District Court Southern District of Florida 2020). However, between the time the lawsuit was filed on April 13 and the judge’s ruling, dozens of transfers of immigrants took place, busing them to detention centers in Georgie and Louisiana, putting them at ongoing risk to obfuscate the potential negative ruling (Madan 2020). In addition to those facilities, at the South Bay prison, another GEO Group institution, 50 inmates and 47 staff members tested positive, with 1071 in medical quarantine, yet only roughly 335 of the inmates have been tested. The overall capacity can house 1943 adult males (Rhodes 2020). Given these and the harm associated with the GEO group’s control apparatuses, their relationship and corporate benevolent donations with universities should come under scrutiny and critique.

The GEO Group and Florida Atlantic University

For nearly two decades, Florida Atlantic University and GEO Group “have been in indirect and direct partnerships” (Bruens 2018). George Zoley, founder of GEO Group and an alumnus of Florida Atlantic University, has served on the University’s Board of Trustees (2001–2007) and held the chairman position. Three other GEO employees, Abraham Cohen (2008–2009), Pablo Paez (2002–2003) and Jorge Dominicus (2001–2004) have also served on the Board, each at the same time (Florida Atlantic University Alumni Association Board of Trustees 2020). Zoley even served as Chair of the presidential search committee. Charles Wheeler, as a GEO group director held a position on FAU’s Foundation as did Pablo Paez, Executive VP of Corporate Relations (currently serving on the Alumni Association Board of Directors as the Immediate Past Chair) and along with Zoley, all three are structurally situated to exercise power into Florida Atlantic University fundraising and managing University assets. In addition, the Director of Research at GEO, taught as an adjunct in the School of Criminology and Criminal Justice, 2017–2020. GEO is also the sponsor of the College of Business’ annual Business Plan Competition (Gomez 2021). If one considers the financial connections and gifts between GEO and the University, there are obvious political and economic relationships primed in Neoliberalism. For example, the GEO Group and the GEO Group Foundation have gifted the University over \$800,000. If we include the gifts of Zoley and Paez, the total is much higher. Beyond this, the GEO group’s ‘philanthropy donations’ led to the 2013 ‘Owlcatraz’ storm (Gordon 2018; Ramadan and Chendek 2013).

Florida Atlantic University lacked both adequate public funding and private coffers to successfully support its students and programs, which opens it up to a high level of manipulation by outside political and economic forces. The Board of Trustees, mostly comprised of corporate executives or donors, has little to no experience with universities, thus forming a more direct political patronage system than existed before (Budd and Robe).

Consequently, Board decisions follow the corporatized management style, producing additional pressure to compete for public attention and resources. In the globalized competitive system of Neoliberalism, the ‘solution’ was to borrow large sums of money to build an expensive stadium in an attempt to make the big jump into NCAA Division I football. The University took on roughly \$46 million in debt in 2009, plus other obligations, to build a new \$70 million sports stadium (Budd and Robe 2020). “Meanwhile, low-paid working students were to be responsible for much of the direct and indirect costs for a stadium complex and its amenities. Faculty salaries stagnated and class sizes increased while university managers diverted money into paying off the large, newly acquired debt” (Budd and Robe 2020). The pressure was on to get it completed and opened in 2011 without a sponsored name, although in 2013 it appeared that it had a buyer, the GEO Group (Bishop 2013). As such, the Neoliberal University saw construction of the facilities to be competitive on a national stage, hoping the money that results from the TV rights, conference affiliations, sport commodities and merchandise would help palliate the risk associated with bringing on a corporate sponsor to ‘fix’ the burdening debt. The naming rights then became a necessary cog in FAU’s goals for financial success.

We also want to point out that the GEO Group’s headquarters are less than two miles north-east of the football stadium “as the crow flies.” While Mr. Zoley himself has close ties with FAU, it was really the company’s reputation that he wished to have coupled with the prestige of the university (Habib 2013). His pursuit of a GEO-Florida Atlantic University “marriage” led to a three-month media siege on the University’s campus in the spring of 2013 as the GEO Group attempted to donate to the University a large enough gift, \$6 million dollars, to secure the naming rights to the stadium.

In February, 2013 the University’s Board of Trustees held a special full board meeting with one action item on the agenda-approval to name the stadium ‘GEO Group Stadium’, which was presented by Dr. Jennifer O’Flanner Anderson, the Vice President of Community Engagement and Executive Director of the Florida Atlantic University Foundation. Dr. Anderson reported that the Foundation had received a \$6 million gift from the GEO Group’s Foundation that was to be paid out over a 12-year period (Board of Trustees Minutes 2013a, b). Dr. Anderson continued, “the FAU Foundation and FAU Administration request the Board of Trustees approve naming the stadium ‘GEO Group Stadium’ for the twelve-year term of the gift” (Board of Trustees Minutes, 2013a, b). The Board unanimously approved the request (Habib 2013; Ramadan and Chandek 2013). GEO’s \$6 million gift would come from its “charitable arm” and would be the largest of such ‘gifts’ in Florida Atlantic University’s history (Bishop 2013; Reutter 2016). From the point of view of the Neoliberal University, such a large external contribution is a major kudo as it competes for resources with the Florida flagship university and other regional campuses.

Many students had a different opinion, and they began mobilizing the very same day that the Board cast their votes to take the money and rename the stadium. Two on-line petitions against the merger began to be circulated demanding that the arrangement be terminated (Vint 2013). Faculty followed suit, although their efforts would not become organized nor receive public attention until almost a month after the initial Board of Trustees agreement was made.

The initial response from some in the general public about the decision to take the money was not completely negative. After all, when a university receives millions of dollars in a single donation, it is generally looked on as a uniformly positive development given public academic institutions embrace and participation in the theology of Neoliberalism. Some conceded that it would be difficult for any university to refuse such an enormous gift (Habibi 2013) no matter who it came from: In other words, there is no such thing as

dirty money. Yet, major negative responses came just as quickly following the announcement (Allen 2013a). A new Facebook page against the merger was created (Ramadan 2013) and there were calls from fans to not just boycott Florida Atlantic University football specifically, but all of the University's athletic teams and to continue to do so until all of the GEO/Florida Atlantic University relationships were terminated (Habib 2013).

Given GEO's well known and harshly criticized past, it is almost inconceivable to fathom that FAU's President, Dr. Mary Jane Saunders, was unfamiliar with the company's much publicized record of violating inmate's rights and the enormous profits that GEO had received to confine them. Rather, the monies themselves would symbolize her success as an Administrator/CEO garnering such a large capital investment in the corporatized University. When questions about the company's past came up, Sanders responded positively that "We think it's a wonderful company, and we're very proud to partner with them" (as quoted in Bishop 2013; and see Habib 2013). Note the use of the term 'partner'. Yet, the GEO group was attempting to do more than buy the stadium's name or 'partner' with the University. Rather, as Drennan stated, the Geo Group was:

Probably looking for a halo effect. I think they're looking to influence the politicians probably when they go in to bid on prison contracts. They hope whoever's reading the proposal reads part of their prospectus or marketing materials that mention their tie-in to this well-thought-of university. It's kind of like John D. Rockefeller setting up a private foundation to make everybody forget he was a robber baron (Drennan quoted in Habib 2013; and see Allen 2013a, b).

As with other corporate benevolent acts, GEO was trying to solidify the relationship with the University to create a more positive image of itself by being associated with the University (Allen 2013a) and "Despite any backlash," the Administration was going to get a lot of cash—"at a cost" (Habib 2013; Allen 2013a, b).

To protect their reputation, the day after the Board of Trustees meeting someone from the corporation attempted to "scrub" Wikipedia and cleanse the record of the company (Vint 2013, February 21; Gale 2013; Lava 2013). Most of the damaging content on the website was originally listed under a "Controversies" heading, which was deleted and replaced with more positive material "cut and pasted" from GEO's own shareholder's prospectus (Vint 2013; Gale 2013). GEO's new character and reputation were being re-written by Abraham Cohen (Vint 2013, February 21). Interestingly, GEO Group also had a spokesperson with that same name, who also just happened to be a past Florida Atlantic University student body president and past ex-officio Board of Trustees member (Vint 2013). At the time, a web search of the Abraham Cohen who made the changes led back to a GEO server (Vint 2013). When asked, GEO declined to comment and another Wikipedia user restored the original version of GEO's "controversies" and it stayed that way, for a while.

GEO Group's attempt to place its name on the University's football stadium not only unintentionally reignited adverse media attention about the company's then current and checkered past, but it also resulted in causing the University to "come under fire" (Vint 2013; Allen 2013a, b). The title of an article published in the first days after the University/GEO agreement sums up how the two partnering group's relationship was being viewed by the media and the general public. It read: "FAU is a \$6 Million Whore" (Ant 2013a). On the one hand, the University's acceptance of the money turned out to be an "Embarassing endorsement of GEO," that led to "a shitload of bad advertising, including a thorough horsewhipping by Stephen Colbert" on his television show *The Colbert Report* (Ant 2013b). Stephen Colbert (2013) put it well on his show when he stated that the downside of GEO Group:

Paying millions of dollars to have people pay attention to your company. People start paying attention to your company. And then asking ridiculous invasive questions like: So, the money you are using to pay for these naming rights on a school building came from the profits you made locking up children and occasionally abusing them? While ignoring more important questions like: Is the money green? Besides, fans all across the country love 'Free Hat Day.' Think how much they'll love holding 'Free Shive made from a Broken Spoon Night.' So, personally, I think... they love broken spoon night... So, I think America needs more integration of athletics and for-profit private incarceration. I mean the Chinese are way ahead of us on this. They already have perfected a system where you can go to prison and end up playing football -- forever. We'll be right back (see also Kirkham 2013).

Demonstrations and protests continued (Eng 2013). For example, on February 25th, 2013, Julie Ebenstein, an attorney for the American Civil Liberties Union, participated in a demonstration on the University's Boca Raton campus and stated that GEO had "a well-publicized record of abuse and neglect" (as quoted in Lantigua 2013), that the University, by allowing GEO to place its name on the stadium, was synonymous to "whitewashing the business of misery" (as quoted in Ant 2013b). In her statement, Ebenstein quoted from an order of United States' Judge Carlton Reeves that one of GEO's facilities run for minors and older teens was "a cesspool of unconstitutional and inhuman acts and conditions" and "a picture of such horror as should be unrealized in the civilized world," which included "Brazen staff sexual misconduct and brutal youth-on-youth rapes" (as quoted in Lantigua 2013).

The breaking point that ignited faculty mobilization was a regularly scheduled Board of Trustees meeting that occurred March 19th. Students attended the meeting and once again, let their concerns be known (Board of Trustees Minutes 2013b). The University Faculty Senate met on that Friday and voted overwhelmingly, 25–9, to oppose the naming deal against the Administration's decision to name Florida Atlantic University stadium as "GEO Group Stadium" (Gale 2013), citing that the GEO Stadium naming would be a sharp reminder of the immigration detention centers it operates in detaining populations that are largely minorities and of the crimes committed by prison guards against inmates (United Faculty Senate Meeting Minutes 2013). Despite all the student, faculty, and faculty senate opposition to the naming rights, community and media scrutiny and the criticism of GEO Group's past behavior, the FAU Administration was still ready to move forward with the "deal." However, on April 1st, when the first of GEO's twelve \$500,000 payments was due to the University, GEO Group sent a letter to formally rescind its donation citing the "distraction" it had caused for the company and the university (Lantigua 2013; Entin 2013; Kennedy 2013; Kirkham 2013).

While Hudson et al. (2017) suggest in their article on Owlcatraz, "Contestation, Scandal, and Stigma's Echo: Owlcatraz and the Naming of a Football Stadium", after the attempt to buy the University stadium's name and GEO withdrawal "resulted in the termination of the organizations' relationship – between three distinct institutional arrangements: the university, university athletics, and for-profit incarceration." As such, one could claim this to be an example of a successful resistance effort (Ferrell 2019; Stanley and McCollough 2013), though it was not the University that chose to end the 'gift' offer, it was the GEO Group that did not want more negative attention to their business. However, the financial and political relationships have not ceased to the day of this writing (2020) (Fig. 2).

Here again, donor monies and stakeholder interests remain the mantra as the University continues to embrace the theology of Neoliberalism's corporatized management. Like their

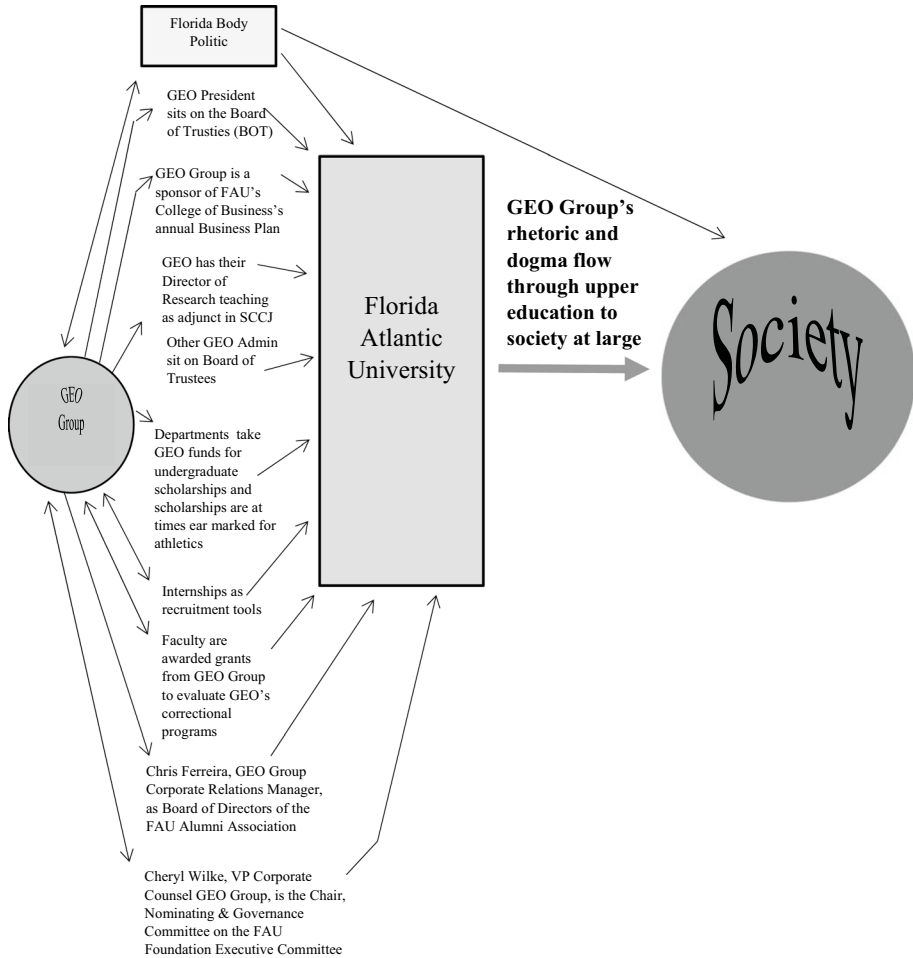


Fig. 2 Flow chart of some of GEO Group's ties to FAU

role models in the corporate sector, University Administrators seem to have concluded that Owlcatraz was a public relations problem, not an ethical issue nor a problem that pointed to duplicity (Robe 2020). Though nearly all of the University's head administrators have since been replaced the new administrators seem equally blind to the harmfulness of any relationship with a for-profit prison corporation that has a long record of documented abuses and human rights violations. In addition, FAU President Kelly administration's current relationship with the GEO Group is only superficially less hypocritical and offensive than the Owlcatraz deal in 2013. For example, since President Kelly has held the reigns at Florida Atlantic University, he and his Administration have accepted additional monies from the GEO Group. As such, while the naming rights did not occur, the call to completely divest and put an end to the University's acceptance of monies and political influences of the GEO Group failed. In addition, we note that the ongoing relationships with the GEO Group, financial and political, cannot be rejected without serious consequences to any Administrator that 'just says no', illustrating the level of influence they have with

the University. In this sense, as Kotsko (2018: 3) states, “Neoliberalism makes demons of us all, confronting us with forced choices that serve to redirect the blame onto the ostensible poor decision making of individuals.” This serves to delegitimize resistance or even a debate, resulting in making it appear that the relationship with GEO is what is collectively chosen.

The reality of a Neoliberal University is as cuts continuously force universities to rely on tax-deductible corporate “gifts” to fund core operations, corporations leverage a controlling interest in governance of universities broadly and specifically here with Florida Atlantic University and the GEO Group. A common occurrence in the post-recession cuts academe has experienced. This aligns well with the reality that the faculty senate, lower-level administrators and faculty in general, have very little power over the happenings of the University. Indeed, at the time of Owlcatraz, the president of FAU was inclined to go on with the sponsorship without the faculty’s approval (Turner 2020). And more recently, during a Faculty Senate Meeting on September 14, 2020, when the Provost and President were asked again about the ongoing relationship with the GEO Group, the Provost stated that as a public institution ‘we’ meaning University Administrators, cannot chose who ‘we’ do and don’t work with or take monies from. In this sense, the freedom of the University and its choice is given away in the name of the corporatized University consumed by Neoliberalism. Simply, the supposed success of resistance did not occur then or now.

Summary of Florida Atlantic University and the Geo Group

The overall relationship between the University and GEO is a contradiction, but like others, it is one likely to expand as U.S. states deprioritize public education. As are all relationships between universities and the private prison industry. They are but one example of the Neoliberal universities buy in of the theology of Neoliberalism where stakeholders interests and prioritization of ‘profits’ are at the forefront of academic decision making. We are not suggesting here that the GEO Group or corporate donations have reshaped the University, but are symptoms of the ongoing reshaping of higher academe into the neoliberal rationality model and corporatization. Where universities are public corporations forced to compete for ‘survival’ in the competitive market. Where privatization, efficiency, cost-cutting and cost-savings, appeasing stake-holders, and empty discourse such as shared governance, and become the metrics of the day to signify a successful ‘business’ model: Neoliberal University. As with the case of Owlcatraz and the stadium renaming rights and the President’s willingness to not only take the money and insisting on it, despite the faculty, student, and community members opposition: and with the more recent example of the Provost stating as a public institution they are unable to ‘not take money or chose who from’, is to us, evidence of how the University, and universities more broadly, have been reinvented under Neoliberalism’s theology and rationality. The President and Provost’s are *the* Corporate CEOs in this reinvented Neoliberal University and the GEO Group is a prime stake-holder (Turner 2020).

As such, universities are another iteration of a capitalist enterprise and appear to be losing the morality of the education system as a public good: where private and public are no longer separated. Where the prioritization of money, regardless of where or who it comes from seems to be the message of the University. It is moral entrapment. Where higher education is consumed by Neoliberalism further legitimating itself and its theology. The universities guardianship over public interests is increasingly accountable to corporate interests, and in the case here, this includes the GEO Group and the private prison industry.

This clash is part of a larger neoliberal struggle to eviscerate publicly-accountable institutions. Yet, public higher education is to provide the tools to assist citizens out of poverty, to foster collective and individual agency, character development and critical thinking.

Concluding Thoughts

What I defend above all is the possibility and the necessity of the critical intellectual.... There is no genuine democracy without genuine opposing critical powers.
(Pierre Bourdieu 1999: 8).

We have attempted to contribute to this special issue and draw attention to the specter of Neoliberalism and higher education broadly and more specifically by using a case example of the GEO Group. While any acceptance of the private prison industry is problematic to us, our goal was to highlight how the nexus of the private prison industry and higher academe as a symptom of neoliberalized universities. The realm of Neoliberalism presents itself as providing choice, yet, universities are finding they cannot survive without legitimizing the theology of Neoliberalism: thus a totalizing effect of the theology of Neoliberalism on higher academe.

Yet, too often we remain silent, complicit and even in some cases, advocates. As David Ridpath rightly notes, “we’re prostituting ourselves to the highest bidder regardless of what they represent. Again – the sanctity of higher education matters little when the dollars are needed” (as quoted in Reutter 2016, February 4). Likewise, while administrators, faculty and students stay silent on the toxic relationships of ‘stake-holders’ or ‘donors,’ or the besiegement of Neoliberalism we become complicit. We fail to question, reject or resist the ongoing transformation of higher education by the theology of Neoliberalism. As Giroux (2002: 113) states:

Too many academics have retreated into narrow specialisms that serve largely to consolidate authority rather than critique its abuses. Refusing to take positions on controversial issues or to examine the role of intellectuals in lessening human suffering, such academics become models of moral indifference and unfortunate examples of what it means to disconnect learning from public life.

In the spirit of activism, anarchism, and anti-fascism, we believe critical criminologists should continue to express outrage of the takeover of higher academe. Continue exposing Neoliberalism’s systemic violence and harm and the lack of separation between public and private interests, in general and specifically to higher education, where values and ethics are supposed to be centered on critical thought, inclusion, social justice, diversity, equality and the standard of excellence and public stewardship expected from universities. Otherwise, we have fallen prey to Hypnos and Morpheus, the Greek Gods of sleep and dream, and will forever walk in the river Lethe (river of forgetfulness). Have we been put into a permanent state of sleep walking where Morpheus provides the dream- where the merge between public and private, Neoliberalism’s harm to higher academe, and universities accepting gifts or donations from the private prison industry, faculty assisting in their research, and such deeds are seen as necessary, normal, in the interests of universities, faculty, staff, students- a social service- while forgetting the tyranny and profiteering off of human misery in the name of Neoliberalism. Simply, our zombification is occurring if we accept as normal the theology of Neoliberalism that makes demons of us all as we legitimate the broken systems of today. Lest we not forget, as Richard Quinney (2006: 274)

reminds us, “When we see clearly that separation between self and other is a false perception of reality, we understand that harm done to one is harm done to all, and that the care taken with one is care given to everyone. It is all of one fabric, this web of life.”

Appendix 1

Last ten years of Penalized known and penalized violations against GEO Group (2010–2020).

Company	Primary offense type	Year	Penalty amount
GEO corrections and Det. LLC	Labor relations violation	2020	\$16,156
Cornell companies, Inc	Kickbacks and bribery	2019	\$4,550,000
GEO Joe Corley Det center	Employment discrimination	2019	\$250,000
The GEO group, Inc	Wage and hour violation	2019	\$57,314
The GEO group, Inc	Workplace safety or health violation	2018	\$7391
The Geo group. Inc	Wage and hour violation	2018	\$10,645
The Geo group, Inc	Employment screening violation	2018	\$900,000
GEO group, Inc	Employment discrimination	2018	\$550,000
The GEO group, Inc	Labor relations violation	2018	\$60,000
The GEO group, Inc	Wage and hour violation	2017	\$120,443
GEO group, Inc	Employment discrimination	2017	\$60,000
The GEO group, Inc	Wage and hour violation	2017	\$17,168
The GEO group, Inc	Labor relations violation	2016	\$34,662
The Geo group, Inc	Labor relations violation	2015	\$226,211
The Geo group Inc	Wage and hour violation	2014	\$141,623
The GEO group, Inc	Wage and hour violation	2014	\$378,310
THE GEO GROUP INC	Environmental violation	2014	\$25,073
Geo group, Inc	Wage and hour violation	2014	\$34,692
GEO group, Inc	Employment discrimination	2013	\$140,000
The Geo group (NMU001798)	Environmental violation	2013	\$27,900
GEO group	Workplace safety or health violation	2013	\$13,600
GEO Group, Inc	Wage and hour violation	2012	\$17,662
The GEO group, Inc	Workplace safety or health violation	2012	\$16,500
Cornell Abraxas group	Workplace safety or health violation	2012	\$7000
GEO group	Wage and hour violation	2011	\$401,500
The Geo group	Wage and hour violation	2011	\$14,541
The GEO group, Inc	Workplace safety or health violation	2011	\$13,600

Source: Violation Tracker Parent Company, <https://violationtracker.goodjobsfirst.org/parent/geo-group>

For more details on misconduct by this company, see its entry in the Project On Government Oversight’s Federal Contractor Misconduct Database.

Information includes and more:

Date	Instance	Penalty
4/29/2013	Sexual harassment at florence west prison GEO Group	\$140,000
2/9/2011	Gomez v. GEO Group (Wrongful Death) GEO Group	Pending
12/7/2010	Galindo, et al. v. Reeves County, et al. (Wrongful Death) GEO Group	Pending
12/27/2006	Tapia v. The GEO Group (Death at Val Verde County Jail) GEO Group	\$200,000
11/19/2019	Bribery, Contraband Smuggling and Other Crimes at the East Hidalgo Detention Center GEO Group	Pending
11/12/2019	Samimi v. GEO Group (Wrongful Death at Aurora Contract Detention Facility) GEO Group	Pending
11/1/2016	Violating Federal Ban on Contractor Political Contributions GEO Group	Pending
10/30/2015	Keels v. The GEO Group, et al. (Background Checks) GEO Group	\$900,000
10/22/2014	Menocal et al. v. The GEO Group (Unpaid Wages and Forced Labor at ICE Detention Facility) GEO Group	Pending
1/8/2018	Sexual Harassment and Retaliation at Florence, AZ Correctional Facilities GEO Group	\$550,000
1/24/2019	Mississippi Prison Contract Bribery GEO Group, Management & Training Corp	\$4,550,000

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