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DERRICK BELL

FACES AT THE BOTTOM OF THE WELL

THE PERMANENCE OF RACISM

WITH A NEW FOREWORD BY

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CONTENTS

Black people are the magical faces at the bottom of society's well. Even the poorest whites, those who must live their lives only a few levels above, gain their self-esteem by gazing down on us. Surely, they must know that their deliverance depends on letting down their ropes. Only by working together is escape possible. Over time, many reach out, but most simply watch, mesmerized into maintaining their unspoken commitment to keeping us where we are, at whatever cost to them or to us.

D. B.

FOREWORD

by Michelle Alexander

FEW LEGAL SCHOLARS IN RECENT MEMORY HAVE HAD A greater impact on racial justice thought and advocacy in the United States than Derrick Bell. I struggle to think of even one. Certainly no legal scholar has had a greater impact on me.

As a law student, I read nearly every word Bell wrote; as a civil rights lawyer, I was haunted by his words and ultimately forced to admit the truth of them; as a law professor, I insisted that my students read the very articles and books authored by Bell that had once been assigned to me.

I still have on my shelf the classic textbook entitled *Race, Racism, and American Law,* which Bell authored in 1971. That text became something like a bible for me when I was a law student, and I've carried it into every new work space I enter. Eventually I wrote a book, *The New Jim Crow,* which would not have been possible but for Bell's scholarship and the contributions he made to the field of critical race theory—a body of legal scholarship that revolutionized what was spoken, taught, and debated in classrooms nationwide. Bell, along with other brilliant and visionary scholars, exposed the many ways in which racism is deeply embedded in our nation's laws and institutions, including many that are intended to remedy past injustices. I hardly stand alone in being profoundly influenced by Bell's scholarship as well as his courageous commitment to telling the truth, as best he could, about the realities of race in America.

The deep irony is that today Bell's name is not often spoken in legal and policy debates. His work is rarely cited by judges or

legislators, and civil rights lawyers almost never claim to agree with his most famous and controversial thesis—the one that lies at the core of the book that you now hold in your hands: *Racism is permanent in the United States of America, utterly indestructible.*

The silence is hardly surprising. Civil rights lawyers, like myself, tend to cling to a more optimistic view. We want to believe that the right resources, legal strategies, political rhetoric, organizing campaigns, or media messaging will eventually transform this country into a thriving multiracial, multiethnic, egalitarian democracy. Lawyers of all stripes tend to want to imagine that we can solve, through law reform or litigation, the most vexing social problems. On our good days, we admit that we can't solve these problems alone. We point to our heroes and ancestors who sacrificed so much—often their very lives—to end slavery, lynching, and Jim Crow segregation. Didn't they prove Bell wrong? Didn't they prove that racial justice can be won? We call out their names: Ella Baker, Ida B. Wells, Martin Luther King Jr., Rosa Parks, Thurgood Marshall, and on and on. Thanks to their courage, we say, look how far we've come! We remind people that a mixed-race man named Barack Obama became president of the United States just forty years after the old Jim Crow system was brought to its knees. Doesn't Obama himself, the mere fact of him, prove Bell wrong? Just look at Obama! Well, don't look at him now that he's been replaced by a narcissistic Nazi sympathizer. Look at him in 2008. After centuries of slavery, followed by a hundred years of white terrorism and legal discrimination, the unimaginable happened: a multiracial, multiethnic, multiclass movement swept a black man into the highest office in the land. A movement that said, Yes We Can. Yes, we can make America what it must become.

And yet.

Reading Bell's words today, twenty-five years after the book was published, I find it difficult to refute the nuanced argument he weaves so gracefully—and unapologetically—in these pages. I read his words, and chills sweep over me. Something lurks in these pages that is eerily prophetic, almost haunting, and yet at the same time oddly reassuring. The truth about race and justice in America is always more liberating than the alternative.

No doubt there will be those who read this book and find it depressing, disturbing, foolish, or misguided, just as some people did back when it was first released. Some will mock or dismiss the allegories and parables. I remember being confused when I first read Bell's short stories as a law student. I was stunned not only by the content but also by the simplicity of the parables. Why would a renowned constitutional law scholar choose to write bizarre fictional dialogues involving an imaginary alter ego? Why were the stories written in such a simple, straightforward fashion using language an eighth grader could understand? Weren't law professors supposed to write stuff that only other academics could comprehend?

I will confess that I didn't fully appreciate the genius and power of these stories until I began discussing and debating them with others inside and outside classrooms. For many of my law school classmates—especially those of us who were black and brown—the parables functioned like a key to a secret door that we did not know had been locked within us. Once the door was opened, we found ourselves sharing our own stories, personal experiences with race and racism, including generational pain and trauma—many of which we had not had the courage to reveal before. And many of us began asking questions out loud that had been buried deep within us, locked away out of necessity or convenience or habit.

Back then, in 1992, when this book was originally released, the mere act of telling stories that challenged the assumption of neutrality in the law or that questioned the utility of law, litigation, or policy reform was deemed a radical, subversive act in many law schools. I was a student at Stanford Law School at that time, and I remember well the battles that raged among faculty members, as well as students, regarding whether and to what extent Bell's claims (and the entire field of critical race theory) ought to be taken seriously.

Here we are, twenty-five years later. Bell's commitment to storytelling is no longer controversial in the legal academy. Women, Latinx, and queer scholars have found their voice in legal scholarship in no small part because of the doors Derrick Bell threw wide open. Yet just as Bell predicted, whatever progress has

been made has been matched by devastating—downright disastrous—setbacks. Yes, the old Jim Crow system of legal segregation was officially ended by a carefully crafted legal campaign combined with an extraordinary, multiracial grassroots movement. But it is also true that less than two decades later public schools resegregated, and a new system of racial and social control was born in the United States—a system of mass incarceration that swept millions of poor people and people of color behind bars, quintupling our prison population, and relegated them to a permanent second-class status, stripping them of the very civil and human rights supposedly won in the Civil Rights Movement, including the right to vote, the right to serve on juries, and the right to be free of legal discrimination in employment, housing, access to education, and basic public benefits. In the words of Bryan Stevenson: "Slavery didn't end in 1865. It evolved."

A similar story can be told with respect to the election of Barack Obama to the presidency of the United States. Yes, it was a mind-blowing victory—a black man became president of the United States just forty years after "whites only" signs came down in public restrooms and black people were denied service at lunch counters throughout the South. And yet it is also true that people in the same states that proudly declared "segregation forever" in the 1950s came out in droves in 2016 to vote for Donald Trump by an overwhelming margin, throwing their support to a candidate who used precisely the same racially divisive political tactics that have successfully persuaded whites to choose their perceived racial interests over their economic interests since the days when this nation was founded. Over and over again, whites have shown a willingness to support the most brutal forms of racial oppression (or ignore them) while proudly calling themselves freedom-loving Christians. Our nation's perpetual civil war rages on.

Isn't it time we ask ourselves: What if Bell was right? What if justice for the dark faces at "the bottom of the well" can't actually be won in the United States? What if all "progress" toward racial justice is illusory, temporary, and inevitably unstable? What if white supremacy will always rebound, finding new ways to reconstitute itself?

What if racism is permanent? What if?

There was a time in my life when I resisted those questions, sometimes laughing them off. It wasn't that I didn't take Derrick Bell, as a scholar, seriously. To the contrary, I was already in awe of his work before *Faces at the Bottom of the Well* burst onto the scene. Not only was his textbook a primary resource for me, but his seminal article, "Serving Two Masters: Integration Ideals and Client Interests in School Desegregation Litigation," had profoundly altered my understanding of what kind of civil rights lawyer I wanted to become. Bell argued convincingly in that piece that civil rights lawyers at the NAACP Legal Defense Fund—where he himself had worked—effectively sold out their clients in school desegregation cases by pursuing racial integration instead of quality of education, overriding the preferences of their clients because of the lawyers' ideological commitment to integration and pressure from wealthy donors and foundations. That article left me determined to become a different kind of civil rights lawyer. I would not betray the communities that I claimed to represent, and I would not allow funders and financial concerns to influence my law practice. Only later would I come to realize how much easier that is said than done.

Even if we set aside his scholarship, Derrick Bell was a legendary figure in the legal academy when *Faces at the Bottom of the Well* was released. He was the first African American tenured by Harvard Law School—a striking accomplishment in itself—but, more importantly, he was the first to quit a law faculty in protest of discriminatory hiring practices. In 1990, Bell shocked his colleagues by launching a protest that included a hunger strike and sit-ins, followed by an announcement that he was taking an unpaid leave of absence from the faculty, vowing not to return until the law school hired, for the first time, a black woman to join its tenured faculty. His decision to walk away from Harvard Law School in protest made the national news, sparking controversy on campuses from coast to coast and helping to bolster organizing efforts aimed at diversifying law school faculties—efforts I was participating in as a student at Stanford. A young Barack Obama, while a law student at Harvard, compared Bell to Rosa Parks.

This is a long way of saying that my laughter was not a sign

that I didn't care what Bell had to say. To the contrary, it was a coping mechanism, a way of avoiding the implications of his thesis. I couldn't help but wonder: If racism is permanent, then what is the point of the struggle? His suggestion that meaning and purpose could be derived from the mere act of resistance rang hollow for me. I wanted to make a difference, bring us closer to Martin Luther King Jr.'s dream, and yet Bell seemed to say that King's dream was nothing more than a fantasy.

Faces at the Bottom of the Well challenged nearly every assumption I had, as an aspiring civil rights lawyer, about what I could reasonably expect to accomplish if I continued down my chosen path. Any temptation I might have felt to dismiss Bell as an untrustworthy messenger—as someone whose motivations were suspect or who lacked relevant life experience—was undermined by the fact that he, like me, went to law school imagining that he could help "win" justice for black Americans through legal battles and carefully crafted organizing and political strategies. Bell had dedicated many years of his life to precisely the type of civil rights litigation and advocacy that I hoped to do in the world—litigation challenging race discrimination in schooling, housing, voting, and much more. He had worked alongside many of my heroes, like Thurgood Marshall, and he had been in the trenches before he entered the ivory tower, representing civil rights activists who were on the front lines of the black freedom struggle. Now here he was, writing stories suggesting that nothing that any of us might do inside or outside courtrooms would ever change, in the long run, the political calculus for white Americans. Black interests, he said, will always be sacrificed for white gain.

That point was made most dramatically in "The Space Traders," the parable that would eventually become one of Bell's most widely discussed and debated pieces of writing. In the story, aliens from another planet visit Earth and offer the United States enough gold to eliminate the national debt, a magic chemical that would eliminate all pollution, and an unlimited source of safe energy. In exchange, the aliens wanted only one thing in return: America's entire black population, which would be taken to outer space. After some hand-wringing, the white population accepts the offer by a huge margin. And off we go.

I do not recall discussing this story with any black person—not one—who doubted that things would go down precisely that way in real life. None of us questioned the outcome. What we argued about was whether there was any hope that white people could be persuaded, one day, to make a different choice.

Throughout all of the parables in this book, Bell advanced his "interest convergence theory," the idea that whites have never (and would never) support efforts to improve the position of black Americans unless it was in their interest to do so. Bell seemed to suggest that the best we could do, as racial justice advocates, is seek to mitigate the harms of white supremacy and take full advantage of the moments in which whites could see that their interests were aligned with our own, recognizing that these moments would rarely last for long. We should be prepared not only for the likely backlash against any signs of black progress but also for the likelihood that any remedies for injustice would operate to perpetuate the racial hierarchy in the long run. Racism in this country is permanent, he insisted, no matter what we say or do.

To say this argument was difficult for many of us to swallow is an understatement. I graduated from law school grateful for what Bell had taught me but determined to prove him wrong.

Reading this book again, after so much has changed and so much has remained the same in this country, I no longer fear the possibility that Bell may well be right. I now understand that accepting the permanence of racism in this country does not mean accepting racism. It does not mean being a passive spectator as politicians engage in racial scapegoating. It does not mean doing nothing as our nation builds a border wall locking some colored people out, while building prison walls that lock millions of others in. Accepting the permanence of racism does not mean ignoring global capitalism and the many ways in which it treats millions of people and the planet itself as expendable, utterly disposable. Accepting the permanence of racism does not mean denying or avoiding sexism and patriarchy.

Facing the inconvenient truth that America may suffer from an incurable, potentially fatal disease helps to clarify what we're up against. It offers the opportunity to clarify our goals. Is our

ultimate goal to save this nation from its original sins? Are we trying to "fix" the United States of America? If so, Bell rightly argues that we may find ourselves playing a game we can never win. But if we broaden our view and sharpen our focus, we just might see that our liberation struggles aren't limited to our national borders and that our movements, if we take them seriously enough, can help to rebirth this nation and reimagine our world. A new country might be born, one with new heroes, new founding mothers and fathers. I don't expect to live long enough to see that day, and I won't pretend to be certain that it will come. What I do know is that none of us can say for sure what will happen when the seeds planted by today's truth tellers and advocates begin to sprout and bloom. Perhaps our movements—the rebellious spirit that gives life to them—will outlive this country and help to make another world possible.

Whether you believe our nation can be saved or redeemed, I urge you to read (or reread) this book and discuss it with others. Ask yourself whether there may be truths lurking here that we have yet to face. Ask yourself if you're willing to commit yourself to the struggle for racial justice even if the battle can't ever be won. After years of ambivalence on that final point, my answer now is yes. Forever yes.

PREFACE

At the outset, let me assure her many friends that the lawyer-prophet Geneva Crenshaw, the fictional heroine of *And We Are Not Saved: The Elusive Quest for Racial Justice,* has returned. In that earlier book, through a series of allegorical stories, she and I discussed the workings—and the failures—of civil rights laws and policies. Here, I again enlist the use of literary models as a more helpful vehicle than legal precedent in a continuing quest for new directions in our struggle for racial justice, a struggle we must continue even if —as I contend here—racism is an integral, permanent, and indestructible component of this society.

The challenge throughout has been to tell what I view as the truth about racism without causing disabling despair. For some of us who bear the burdens of racial subordination, any truth—no matter how dire—is uplifting. For others, it may be reassuring to remember Paulo Freire's words: "Freedom is acquired by conquest, not by gift. It must be pursued constantly and responsibly. Freedom is not an ideal located outside of... [the individual]; nor is it an idea which becomes myth. It is rather the indispensable condition for the quest for human completion."[1]

Albert Camus, too, saw the need for struggle even in the face of certain defeat: "Man is mortal. That may be; but let us die resisting; and if our lot is complete annihilation, let us not behave in such a way that it seems justice!"[2] In a similar vein, Franz Fanon conceded that "I as a man of color do not have the right to hope that in the white man there will be a crystallization of guilt toward the past of my race.... My life [as a Negro] is caught in the lasso of existence.... I find myself suddenly in the world and I recognize that I have one right alone: that of demanding human behavior

from the other. One duty alone: that of not renouncing my freedom through my choices."[3]

Fanon argued two seemingly irreconcilable points, and insisted on both. On the one hand, he believed racist structures to be permanently embedded in the psychology, economy, society, and culture of the modern world—so much so that he expressed the belief "that a true culture cannot come to life under present conditions."[4] But, on the other hand, he urged people of color to resist psychologically the inheritance they had come into. He insisted, despite pages of evidence suggesting the inviolability of the racial order, that "I should constantly *remind myself* that the real *leap* consists in introducing invention into existence. For the world through which I travel, I am endlessly creating myself."[5] Fanon's book was enormously pessimistic in a *victory* sense. He did not believe that modern structures, deeply poisoned with racism, could be overthrown. And yet he urged resistance. He wrote a book —perhaps to remind himself that material or cultural fate is only part of the story.

While Martin Luther King spoke much about racial justice in integrationist terms, in an essay, *A Testament of Hope*, published after his death, he wrote of his setbacks, the time he spent in jails, his frustrations and sorrows, and the dangerous character of his adversaries. He said those adversaries expected him to harden into a grim and desperate man. But: "They fail, however, to perceive the sense of affirmation generated by the challenge of embracing struggle and surmounting obstacles."[6] So, while Dr. King led a struggle toward a goal—racial equality—that seemed possible, if not quite feasible, in the 1960s, there was a deeper message of commitment to courageous struggle whatever the circumstances or the odds. A part of that struggle was the need to speak the truth as he viewed it even when that truth alienated rather than unified, upset minds rather than calmed hearts, and subjected the speaker to general censure rather than acclaim.

Statements of faith by men who had thought deeply about the problems of human life, whether white or black, encouraged me in writing this book. And I was moved and motivated by the courageous example of the many black people with whom I

worked in the South during my years as a civil rights lawyer. Judge Robert L. Carter, one of the leading attorneys in the NAACP's school desegregation litigation, has spoken of this courage when, back in the early 1950s, whites exerted economic pressures to curb the new militancy among blacks who were joining lawsuits challenging segregation. In that climate, Carter and the other lawyers urged parents to consider carefully the risks before making a final commitment to join in the litigation. "That so few stepped back still astounds me," says Carter.[7]

Carter's observation takes me back to the summer of 1964. It was a quiet, heat-hushed evening in Harmony, a small black community near the Mississippi Delta. Some Harmony residents, in the face of increasing white hostility, were organizing to ensure implementation of a court order mandating desegregation of their schools the next September. Walking with her up a dusty, unpaved road toward her modest home, I asked one of the organizers, Mrs. Biona MacDonald, where she and the other black families found the courage to continue working for civil rights in the face of intimidation that included blacks losing their jobs, the local banks trying to foreclose on the mortgages of those active in the civil rights movement, and shots fired through their windows late at night.

Mrs. MacDonald looked at me and said slowly, seriously, "I can't speak for everyone, but as for me, I am an old woman. I lives to harass white folks."

Since then, I have thought a lot about Mrs. MacDonald and those other courageous black folk in Leake County, Mississippi, particularly Dovie and Winson Hudson. Remembering again that long-ago conversation, I realized that Mrs. MacDonald didn't say she risked everything because she hoped or expected to win out over the whites who, as she well knew, held all the economic and political power, and the guns as well. Rather, she recognized that—powerless as she was—she had and intended to use courage and determination as a weapon to, in her words, "harass white folks."

As I do throughout this book, Mrs. MacDonald assumed that I knew that not all whites are racist, but that the oppression she was committed to resist was racial and emanated from whites. She did

not even hint that her harassment would topple those whites' well-entrenched power. Rather, her goal was defiance, and its harassing effect was likely more potent precisely because she did what she did without expecting to topple her oppressors. Mrs. MacDonald avoided discouragement and defeat because at the point that she determined to resist her oppression, she was triumphant. Her answer to my question reflected the value of that triumph, explained the source of courage that fueled her dangerous challenge to the white power structure of that rural Mississippi county. Nothing the all-powerful whites could do to her would diminish her triumph.

THIS BOOK'S UNORTHODOX form is a testament to the support and the persistence of Martin Kessler, president and editorial director of Basic Books. For her assistance as well as valuable ideas and editing help, I owe a real debt to my former student Erin Edmonds, J.D., Harvard '91, a demon writer in her own right. The interweaving of fact and fiction requires writing skill and experience possessed by few law teachers, including this author. To fill the gap between idea and execution, I relied on Basic Books's development editor Phoebe Hoss, who here, as she did in *And We Are Not Saved,* labored far beyond the awesome obligations of her unsung profession to give these chapters intelligible form and logical structure.

Lynn Walker, the director of the Ford Foundation's Human Rights and Social Justice Programs, provided a grant that helped with research assistance. I also received a grant from the Harvard Law School's summer research program. Earlier versions of some of these stories were written for and discussed with my Civil Rights at the Crossroads Seminars at the Harvard Law School in 1989 and 1990. My thanks to the many persons who read all or portions of this manuscript. They include: Anita Allen, Karen Beckwith, Carter Bell, Arlene Brock, Janet Dewart, Dagmar Miller, Cindy Monaco, Linda Singer, Krenie Stowe, Sung-Hee Suh, and Ayelet Waldman. John Hayakawa Torok helped with research, and Dan Gunnells,

Michelle Degree, and Cheryl Jackson performed various secretarial functions.

Several of the stories were written to facilitate classroom discussion. Some were then published elsewhere, usually in substantially different versions, and I gratefully acknowledge permission to reprint them: Chapter 1, "Racial Symbols: A Limited Legacy" in "A Holiday for Dr. King: The Significance of Symbols in the Black Freedom Struggle," *University of California at Davis Law Review* 17 (1983): 433; chapter 3, "The Racial Preference Licensing Act," in "Foreword: The Final Civil Rights Act," *California Law Review* 79 (1991): 597; chapter 4, "The Last Black Hero," in "The Last Black Hero," *Harvard Blackletter Law Journal* 8 (1991): 51; chapter 5, "Divining a Racial Realism Theory," in "Xerces and the Affirmative Action Mystique (A Tribute to Professor Arthur S. Miller)," 57 *George Washington Law Review* 1595 (1989): 701; chapter 6, "The Rules of Racial Standing," in "The Law of Racial Standing," *Yale Journal of Law and Liberation* 2 (1991): 117; chapter 9, "The Space Traders," in "A Forum on Derrick Bell's Civil Rights Chronicles," 1989 Sanford E. Sarasohn Memorial Lecture, *St. Louis University Law Journal* 34 (1990): 393; and in "Racism: A Prophecy for the Year 2000," *Rutgers Law Review* 42 (1989): 1.

INTRODUCTION

Divining Our Racial Themes

> In these bloody days and frightful nights when an urban warrior can find no face more despicable than his own, no ammunition more deadly than self-hate and no target more deserving of his true aim than his brother, we must wonder how we came so late and lonely to this place.
>
> —Maya Angelou

When I was growing up in the years before the Second World War, our slave heritage was more a symbol of shame than a source of pride. It burdened black people with an indelible mark of difference as we struggled to be like whites. In those far-off days, survival and progress seemed to require moving beyond, even rejecting slavery. Childhood friends in a West Indian family who lived a few doors away often boasted—erroneously as I later learned—that their people had never been slaves. My own more accurate—but hardly more praiseworthy—response was that my forebears included many free Negroes, some of whom had Choctaw and Blackfoot Indian blood.

In those days, self-delusion was both easy and comforting. Slavery was barely mentioned in the schools and seldom discussed by the descendants of its survivors, particularly those who had somehow moved themselves to the North. Emigration, whether

from the Caribbean islands or from the Deep South states, provided a geographical distance that encouraged and enhanced individual denial of our collective, slave past. We sang spirituals but detached the songs from their slave origins. As I look back, I see this reaction as no less sad, for being very understandable. We were a subordinate and mostly shunned portion of a society that managed to lay the onus of slavery neatly on those who were slaves while simultaneously exonerating those who were slaveholders. All things considered, it seemed a history best left alone.

Then, after the Second World War and particularly in the 1960s, slavery became—for a few academics and some militant Negroes—a subject of fascination and a sure means of evoking racial rage as a prelude to righteously repeated demands for "Freedom Now!" In response to a resurrection of interest in our past, new books on slavery were written, long out-of-print volumes republished. The new awareness reached its highest point in 1977 with the television version of Alex Haley's biographical novel, *Roots*.[1] The highly successful miniseries informed millions of Americans—black as well as white—that slavery in fact existed and that it was awful. Not, of course, as awful as it would have been save for the good white folks the television writers had created to ease the slaves' anguish, and the evil ones on whose shoulders they placed all the guilt. Through the magic of literary license, white viewers could feel revulsion for slavery without necessarily recognizing American slavery as a burden on the nation's history, certainly not a burden requiring reparations in the present.

Even so, under pressure of civil rights protests, many white Americans were ready to accede to if not applaud Supreme Court rulings that the Constitution should no longer recognize and validate laws that kept in place the odious badges of slavery.

As a result, two centuries after the Constitution's adoption, we did live in a far more enlightened world. Slavery was no more. Judicial precedent and a plethora of civil rights statutes formally prohibited racial discrimination. Compliance was far from perfect, but the slavery provisions in the Constitution* did seem lamentable artifacts of a less enlightened era.

But the fact of slavery refuses to fade, along with the deeply embedded personal attitudes and public policy assumptions that supported it for so long. Indeed, the racism that made slavery feasible is far from dead in the last decade of twentieth-century America; and the civil rights gains, so hard won, are being steadily eroded. Despite undeniable progress for many, no African Americans are insulated from incidents of racial discrimination. Our careers, even our lives, are threatened because of our color. Even the most successful of us are haunted by the plight of our less fortunate brethren who struggle for existence in what some social scientists call the "underclass." Burdened with life-long poverty and soul-devastating despair, they live beyond the pale of the American Dream. What we designate as "racial progress" is not a solution to that problem. It is a regeneration of the problem in a particularly perverse form.

According to data compiled in 1990 for basic measures of poverty, unemployment, and income, the slow advances African Americans made during the 1960s and 1970s have definitely been reversed. The unemployment rate for blacks is 2.5 times the rate for whites. Black per-capita income is not even two thirds of the income for whites; and blacks, most of whom own little wealth or business property, are three times more likely to have income below the poverty level than whites.[3] If trends of the last two decades are allowed to continue, readers can safely—and sadly—assume that the current figures are worse than those cited here.*

Statistics cannot, however, begin to express the havoc caused by joblessness and poverty: broken homes, anarchy in communities, futility in the public schools. All are the bitter harvest of race-determined unemployment in a society where work provides sustenance, status, and the all-important sense of self-worth. What we now call the "inner city" is, in fact, the American equivalent of the South African homelands. Poverty is less the source than the status of men and women who, despised because of their race, seek refuge in self-rejection. Drug-related crime, teenaged parenthood, and disrupted and disrupting family life all are manifestations of a despair that feeds on self. That despair is bred anew each day by the images on ever-playing

television sets, images confirming that theirs is the disgraceful form of living, not the only way people live.

Few whites are able to identify with blacks as a group—the essential prerequisite for feeling empathy with, rather than aversion from, blacks' self-inflicted suffering, as expressed by the poet Maya Angelou in this Introduction's epigraph. Unable or unwilling to perceive that "there but for the grace of God, go I," few whites are ready to actively promote civil rights for blacks. Because of an irrational but easily roused fear that any social reform will unjustly benefit blacks, whites fail to support the programs this country desperately needs to address the ever-widening gap between the rich and the poor, both black and white.

Lulled by comforting racial stereotypes, fearful that blacks will unfairly get ahead of them, all too many whites respond to even the most dire reports of race-based disadvantage with either a sympathetic headshake or victim-blaming rationalizations. Both responses lead easily to the conclusion that contemporary complaints of racial discrimination are simply excuses put forward by people who are unable or unwilling to compete on an equal basis in a competitive society.

For white people who both deny racism and see a heavy dose of the Horatio Alger myth as the answer to blacks' problems, how sweet it must be when a black person stands in a public place and condemns as slothful and unambitious those blacks who are not making it. Whites eagerly embrace black conservatives' homilies to self-help, however grossly unrealistic such messages are in an economy where millions, white as well as black, are unemployed and, more important, in one where racial discrimination in the workplace is as vicious (if less obvious) than it was when employers posted signs "no negras need apply."

Whatever the relief from responsibility such thinking provides those who embrace it, more than a decade of civil rights setbacks in the White House, in the courts, and in the critical realm of media-nurtured public opinion has forced retrenchment in the tattered civil rights ranks. We must reassess our cause and our approach to it, but repetition of time-worn slogans simply will not do. As a popular colloquialism puts it, it is time to "get real" about race and the persistence of racism in America.

To make such an assessment—to plan for the future by reviewing the experiences of the past—we must ask whether the formidable hurdles we now face in the elusive quest for racial equality are simply a challenge to our commitment, whether they are the latest variation of the old hymn "One More River to Cross." Or, as we once again gear up to meet the challenges posed by these unexpected new setbacks, are we ignoring a current message with implications for the future which history has already taught us about the past?

Such assessment is hard to make. On the one hand, contemporary color barriers are certainly less visible as a result of our successful effort to strip the law's endorsement from the hated Jim Crow signs. Today one can travel for thousands of miles across this country and never see a public facility designated as "Colored" or "White." Indeed, the very absence of visible signs of discrimination creates an atmosphere of racial neutrality and encourages whites to believe that racism is a thing of the past. On the other hand, the general use of so-called neutral standards to continue exclusionary practices reduces the effectiveness of traditional civil rights laws, while rendering discriminatory actions more oppressive than ever. Racial bias in the *pre-Brown* era was stark, open, unalloyed with hypocrisy and blank-faced lies. We blacks, when rejected, knew who our enemies were. They were not us! Today, because bias is masked in unofficial practices and "neutral" standards, we must wrestle with the question whether race or some individual failing has cost us the job, denied us the promotion, or prompted our being rejected as tenants for an apartment. Either conclusion breeds frustration and alienation—and a rage we dare not show to others or admit to ourselves.

Modern discrimination is, moreover, not practiced indiscriminately. Whites, ready and willing to applaud, even idolize black athletes and entertainers, refuse to hire, or balk at working with, blacks. Whites who number individual blacks among their closest friends approve, or do not oppose, practices that bar selling or renting homes or apartments in their neighborhoods to blacks they don't know. Employers, not wanting "too many of them," are willing to hire one or two black people, but will reject those who apply later. Most hotels and restaurants who offer black

patrons courteous—even deferential—treatment, uniformly reject black job applicants, except perhaps for the most menial jobs. When did you last see a black waiter in a really good restaurant?

Racial schizophrenia is not limited to hotels and restaurants. As a result, neither professional status nor relatively high income protects even accomplished blacks from capricious acts of discrimination that may reflect either individual "preference" or an institution's bias. The motivations for bias vary; the disadvantage to black victims is the same.

Careful examination reveals a pattern to these seemingly arbitrary racial actions. When whites perceive that it will be profitable or at least cost-free to serve, hire, admit, or otherwise deal with blacks on a nondiscriminatory basis, they do so. When they fear—accurately or not—that there may be a loss, inconvenience, or upset to themselves or other whites, discriminatory conduct usually follows. Selections and rejections reflect preference as much as prejudice. A preference for whites makes it harder to prove the discrimination outlawed by civil rights laws. This difficulty, when combined with lackluster enforcement, explains why discrimination in employment and in the housing market continues to prevail more than two decades after enactment of the Equal Employment Opportunity Act of 1965[5] and the Fair Housing Act of 1968.[6]

Racial policy is the culmination of thousands of these individual practices. Black people, then, are caught in a double bind. We are, as I have said, disadvantaged unless whites perceive that nondiscriminatory treatment for us will be a benefit for them. In addition, even when nonracist practices might bring a benefit, whites may rely on discrimination against blacks as a unifying factor and a safety valve for frustrations during economic hard times.

Almost always, the injustices that dramatically diminish the rights of blacks are linked to the serious economic disadvantage suffered by many whites who lack money and power. Whites, rather than acknowledge the similarity of their disadvantage, particularly when compared with that of better-off whites, are easily detoured into protecting their sense of entitlement vis-à-vis

blacks for all things of value. Evidently, this racial preference expectation is hypnotic. It is this compulsive fascination that seems to prevent most whites from even seeing—much less resenting—the far more sizable gap between their status and those who occupy the lofty levels at the top of our society.

Race consciousness of this character, as Professor Kimberlè Crenshaw suggested in 1988 in a pathbreaking *Harvard Law Review* article, makes it difficult for whites "to imagine the world differently. It also creates the desire for identification with privileged elites. By focusing on a distinct, subordinate 'other,' whites include themselves in the dominant circle—an arena in which most hold no real power, but only their privileged racial identity."[7]

The critically important stabilizing role that blacks play in this society constitutes a major barrier in the way of achieving racial equality. Throughout history, politicians have used blacks as scapegoats for failed economic or political policies. Before the Civil War, rich slave owners persuaded the white working class to stand with them against the danger of slave revolts—even though the existence of slavery condemned white workers to a life of economic privation.[8] After the Civil War, poor whites fought social reforms and settled for segregation rather than see formerly enslaved blacks get ahead.[9] Most labor unions preferred to allow plant owners to break strikes with black scab labor than allow blacks to join their ranks.[10] The "them against us" racial ploy—always a potent force in economic bad times—is working again: today whites, as disadvantaged by high-status entrance requirements as blacks, fight to end affirmative action policies that, by eliminating class-based entrance requirements and requiring widespread advertising of jobs, have likely helped far more whites than blacks. And in the 1990s, as through much of the 1980s, millions of Americans—white as well as black—face steadily worsening conditions: unemployment, inaccessible health care, inadequate housing, mediocre education, and pollution of the environment. The gap in national incomes is approaching a crisis as those in the top fifth now earn more than their counterparts in the bottom four fifths combined. The conservative guru Kevin

Phillips used a different but no less disturbing comparison: the top two million income earners in this country earn more than the next one hundred million.[11]

Shocking. And yet conservative white politicians are able to gain and hold even the highest office despite their failure to address seriously any of these issues. They rely instead on the time-tested formula of getting needy whites to identify on the basis of their shared skin color, and suggest with little or no subtlety that white people must stand together against the Willie Hortons, or against racial quotas, or against affirmative action. The code words differ. The message is the same. Whites are rallied on the basis of racial pride and patriotism to accept their often lowly lot in life, and encouraged to vent their frustration by opposing any serious advancement by blacks. Crucial to this situation is the unstated understanding by the mass of whites that they will accept large disparities in economic opportunity in respect to other whites as long as they have a priority over blacks and other people of color for access to the few opportunities available.

This "racial bonding" by whites[12] means that black rights and interests are always vulnerable to diminishment if not to outright destruction. The willingness of whites over time to respond to this racial rallying cry explains—far more than does the failure of liberal democratic practices (regarding black rights) to coincide with liberal democratic theory—blacks' continuing subordinate status. This is, of course, contrary to the philosophy of Gunnar Myrdal's massive midcentury study *An American Dilemma.* Myrdal and two generations of civil rights advocates accepted the idea of racism as merely an odious holdover from slavery, "a terrible and inexplicable anomaly stuck in the middle of our liberal democratic ethos."[13] No one doubted that the standard American policy making was adequate to the task of abolishing racism. White America, it was assumed, *wanted* to abolish racism.*

Forty years later, in *The New American Dilemma*, Professor Jennifer Hochschild examined what she called Myrdal's "anomaly thesis," and concluded that it simply cannot explain the persistence of racial discrimination.[15] Rather, the continued viability of racism demonstrates "that racism is not simply an

excrescence on a fundamentally healthy liberal democratic body, but is part of what shapes and energizes the body."[16] Under this view, "liberal democracy and racism in the United States are historically, even inherently, reinforcing; American society as we know it exists only because of its foundation in racially based slavery, and it thrives only because racial discrimination continues. The apparent anomaly is an actual symbiosis."[17]

The permanence of this "symbiosis" ensures that civil rights gains will be temporary and setbacks inevitable. Consider: In this last decade of the twentieth century, color determines the social and economic status of all African Americans, both those who have been highly successful and their poverty-bound brethren whose lives are grounded in misery and despair. We rise and fall less as a result of our efforts than in response to the needs of a white society that condemns all blacks to quasi citizenship as surely as it segregated our parents and enslaved their forebears. The fact is that, despite what we designate as progress wrought through struggle over many generations, we remain what we were in the beginning: a dark and foreign presence, always the designated "other." Tolerated in good times, despised when things go wrong, as a people we are scapegoated and sacrificed as distraction or catalyst for compromise to facilitate resolution of political differences or relieve economic adversity.

We are now, as were our forebears when they were brought to the New World, objects of barter for those who, while profiting from our existence, deny our humanity. It is in the light of this fact that we must consider the haunting questions about slavery and exploitation contained in Professor Linda Myers's *Understanding an Afrocentric World View: Introduction to an Optimal Psychology*, questions that serve as their own answers.[18]

We simply cannot prepare realistically for our future without assessing honestly our past. It seems cold, accusatory, but we must try to fathom with her "the mentality of a people that could continue for over 300 years to kidnap an estimated 50 million youth and young adults from Africa, transport them across the Atlantic with about half dying unable to withstand the inhumanity of the passage, and enslave them as animals."[19]

As Professor Myers reminds us, blacks were not the only, and certainly not America's most, persecuted people. Appropriately, she asks about the mindset of European Americans to native Americans. After all, those in possession of the land were basically friendly to the newcomers. And yet the European Americans proceeded to annihilate almost the entire race, ultimately forcing the survivors onto reservations after stealing their land. Far from acknowledging and atoning for these atrocities, American history portrays whites as the heroes, the Indian victims as savage villains. "What," she wonders, "can be understood about the world view of a people who claim to be building a democracy with freedom and justice for all, and at the same time own slaves and deny others basic human rights?"[20]

Of course, Americans did not invent slavery. The practice has existed throughout recorded history, and Professor Orlando Patterson, a respected scholar, argues impressively that American slavery was no worse than that practiced in other parts of the world.* But it is not comparative slavery policies that concern me. Slavery is, as an example of what white America has done, a constant reminder of what white America might do.

We must see this country's history of slavery, not as an insuperable racial barrier to blacks, but as a legacy of enlightenment from our enslaved forebears reminding us that if they survived the ultimate form of racism, we and those whites who stand with us can at least view racial oppression in its many contemporary forms without underestimating its critical importance and likely permanent status in this country.

To initiate the reconsideration, I want to set forth this proposition, which will be easier to reject than refute: *Black people will never gain full equality in this country. Even those herculean efforts we hail as successful will produce no more than temporary "peaks of progress," short-lived victories that slide into irrelevance as racial patterns adapt in ways that maintain white dominance. This is a hard-to-accept fact that all history verifies. We must acknowledge it, not as a sign of submission, but as an act of ultimate defiance.*

We identify with and hail as hero the man or woman willing to face even death without flinching.[22] Why? Because, while no one

escapes death, those who conquer their dread of it are freed to live more fully. In similar fashion, African Americans must confront and conquer the otherwise deadening reality of our permanent subordinate status. Only in this way can we prevent ourselves from being dragged down by society's racial hostility. Beyond survival lies the potential to perceive more clearly both a reason and the means for further struggle.

In this book, Geneva Crenshaw, the civil rights lawyer–protagonist of my earlier *And We Are Not Saved: The Elusive Quest for Racial Justice,* returns in a series of stories that offer an allegorical perspective on old dreams, long-held fears, and current conditions. The provocative format of story, a product of experience and imagination, allows me to take a new look at what, for want of a better phrase, I will call "racial themes." Easier to recognize than describe, they are essentials in the baggage of people subordinated by color in a land that boasts of individual freedom and equality. Some of these themes—reliance on law, involvement in protests, belief in freedom symbols—are familiar and generally known. Others—the yearning for a true homeland, the rejection of racial testimony, the temptation to violent retaliation—are real but seldom revealed. Revelation does not much alter the mystique of interracial romance or lessen its feared consequences. Nor does the search ever end for a full understanding of why blacks are and remain this country's designated scapegoats.

Everpresent, always lurking in the shadow of current events, is the real possibility that an unexpected coincidence of events at some point in the future—like those that occurred in the past—will persuade whites to reach a consensus that a major benefit to the nation justifies an ultimate sacrifice of black rights—or lives. Chapter 9 portrays one such fictional coincidence in "The Space Traders." By concluding the book on this dire note, I hope to emphasize the necessity of moving beyond the comforting belief that time and the generosity of its people will eventually solve America's racial problem.

I realize that even with the challenge to rethinking these stories pose, many people will find it difficult to embrace my assumption that racism is a permanent component of American

life. Mesmerized by the racial equality syndrome, they are too easily reassured by simple admonitions to "stay on course," which come far too easily from those—black and white—who are not on the deprived end of the economic chasm between blacks and whites.

The goal of racial equality is, while comforting to many whites, more illusory than real for blacks. For too long, we have worked for substantive reform, then settled for weakly worded and poorly enforced legislation, indeterminate judicial decisions, token government positions, even holidays. I repeat. If we are to seek new goals for our struggles, we must first reassess the worth of the racial assumptions on which, without careful thought, we have presumed too much and relied on too long.

Let's begin.

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* According to William Wiecek, ten provisions in the Constitution directly or indirectly provided for slavery and protected slave owners.[2]

* Not all the data are bleak. While the median family income for black families declined in the 1970s and 1980s, the proportion of African-American families with incomes of $35,000 to $50,000 increased from 23.3 to 27.5 percent. The proportion with incomes above $50,000 increased by 38 percent, from 10.0 to 13.8 percent. The overall median income for blacks declined though: while the top quarter made progress, the bottom half was sliding backward, and the proportion of blacks receiving very low income (less than $5,000) actually increased.[4]

* According to Myrdal, the "Negro problem in America represents a moral lag in the development of the nation and a study of it must record nearly everything which is bad and wrong in America.... However,... not since Reconstruction has there been more reason to anticipate fundamental changes in American race relations, changes which will involve a development toward the American ideals."[14]

* He suggests: "The dishonor of slavery... came in the primal act of submission. It was the most immediate human expression of the inability to defend oneself or to secure one's livelihood.... The dishonor the slave was compelled to experience sprang instead from that raw, human sense of debasement inherent in having no being except as an expression of another's being."[21]

CHAPTER 1

Racial Symbols: A Limited Legacy

So we stand here
On the edge of hell
In Harlem
And look out on the world
And wonder
What we're gonna do
In the face of
What we remember.

—Langston Hughes

"Oh, the contradictions of civil rights representation," I said to no one in particular as, rushing from the site of one lecture in midtown Manhattan, I saw the car and driver waiting at the curb to drive me to a college in Westchester County, where I was to give another speech later that afternoon. Rather than a cab to the train and then another cab from train to campus, the lecture sponsors offered a car to convey me from door to door. I hesitated, not at the car's real convenience, but at the memory of the many times in the 1960s I'd flown—usually in first-class jets—to the South to represent poor black parents courageously trying to desegregate the public schools in their areas—usually at the risk of their jobs, or worse.

Now, getting in and settling myself in the roomy rear seat, I eased my guilt by determining to use the time to peruse the just-

arrived manuscripts of Geneva Crenshaw's new stories. I noted with some satisfaction that my driver was black. In New York, as elsewhere, it has begun to seem that blacks, particularly black men, who lack at least two college degrees, are not hired in any position above the most menial.

As we got under way, I stifled a yawn. It had been a busy week. For far from the first time, I wondered why I accept lecture invitations while teaching full-time. The obvious reasons are the correct ones. I enjoy getting out my unorthodox views on racism, and the money—when I am paid—is always welcome. On this trip, I was scheduled to present my second of three lectures that week in connection with Martin Luther King, Jr.'s, birthday.

While hardly intended for that purpose, the national holiday on the third Monday in January to honor Dr. King serves as a two-week prelude to February's Black History Month. This six-week commemorative period is a boon to every black public figure—from politician to sports star—able to mount a platform and collect a fee. Black academics have certainly benefited in this speakers' market; and as a law teacher specializing in civil rights law, I receive many invitations during this annual interval of public interest in the problems of "our people."

Having convinced myself that the trip was valuable if not necessary, I decided to utilize the traveling time by reading one of Geneva's new stories. I was almost through the first when the driver braked hard to avoid a car that had cut into our lane. He apologized, and, nodding in response, I glanced at the driver's name tag and exclaimed aloud, "I don't believe it!"

"Don't believe what, brother?" the driver responded, turning slightly to face me. He was dark-skinned, thin, and probably in his late fifties.

"That your name is Jesse B. Semple."

"You may not believe it," he said, with an edge in his voice, "but that's been my name all my life, and I'm not about to change it."

"As you probably know," I replied, ignoring his annoyance, "that's quite a famous name. Langston Hughes regaled millions of black people over many years with his short essays about conversations with a street-wise Harlem black named Jesse B.

Semple. Langston always called him Simple, and published, I think, five or six books of the Simple stories."*

"Who you telling?" the driver interjected, with obvious pride. He might, I thought, be no less proud of his driving, as effortlessly he maneuvered the large car through traffic as we headed up Central Park West.

"My mother loved Langston Hughes. Our family name was Semple, and it was a natural to name me Jesse B. If you know the character, you also know why I'm sure not sorry about the name."

"Simple certainly has plenty of mother wit and street smarts," I agreed.

"I've read all the Langston Hughes books," Semple said, "but that was years ago. Nowadays I'm too busy trying to make ends meet, though I still do some reading while I wait for clients."

"Things are tough for black folks these days," I remarked. "Still, quite a few black people feel we've come a long way, including even a national holiday in honor of Dr. Martin Luther King."

"Don't count me in that number!" Semple was vehement. "I hate to say it, but I worked my behind off gathering petitions. And for what? I think all but a few states have now joined the rest of the country in declaring a holiday celebrating Dr. King's birthday. Back then, I didn't think we could do it. And I was amazed when we did."*

"And today?" I asked, surprised and pleased to see such 1960s-style militancy in a working-class black man with graying hair.

"Today I am older and wiser. A holiday for Dr. King is just another instance—like integration—that black folks work for and white folks grant when they realize—long before we do—that it is mostly a symbol that won't cost them much and will keep us blacks pacified. It's an updated version of the glass trinkets and combs they used in Africa a few centuries ago to trick some tribes into selling off their brothers and sisters captured from neighboring tribes."

"Likely," I said in their defense, "the tribes doing the selling thought they were getting something of great value."

"They did, and they were," Semple responded. "They were

getting symbols of the white man's power. They saw the power he had to travel the seas in his large ships, and they wanted some of that power. They saw the power he had to kill from a great distance, and they wanted some of *that* power. Those Africans thought those trinkets were symbols of white power. They were, but they were symbols, not of ships and guns, but of white mendacity, white deceit, white chicanery. And that is just what we are still asking for and what, after a big struggle, we are still getting!"

"I understand how you feel, Mr. Semple. Your bitterness mirrors my own when I think about all the school systems I helped desegregate back in the 1960s, sure that I was guaranteeing thousands of black children a quality, desegregated education. It took me a long time to recognize that school officials—when they finally complied with desegregation court orders—were creating separate educational programs for black children within schools that were integrated in name only. In fact, they were too often resegregated by 'ability groups,' denied black teachers and administrators, disproportionately disciplined for the least infractions deemed threatening to whites, and generally made to feel like aliens in what were supposed to be their schools.

"But," I added, "you shouldn't be too hard on yourself and others. The country has only a few national holidays celebrating the birthdays of its greatest heroes. I give credit to the persistence of thousands of people—including Coretta King, Democratic Congressman John Conyers of Detroit, and the entertainer Stevie Wonder—whose dedicated work made Dr. King's birthday one of them. Things are tough for black folks, Mr. Semple, but they don't get any better by ignoring the few positive spots on an otherwise bleak horizon. As the old folks used to say," I added expansively, "'black folks use to not have show, but we sho got show now.'"

"You wrong, man," Semple said disgustedly. "All most of us got is symbols." He paused to ensure that I got his point, and, when I didn't disagree, continued. "From the Emancipation Proclamation on, the Man been handing us a bunch of bogus freedom checks he never intends to honor. He makes you work, plead, and pray for them, and then when he has you either groveling or threatening to tear his damn head off, he lets you have them as though they were

some kind of special gift. As a matter of fact, regardless of how great the need is, he only gives *you* when it will do *him* the most good!

"And before you can cash them in," Semple said heatedly, "the Man has called the bank and stopped payment or otherwise made them useless—except, of course, as symbols.

"You know Langston Hughes, man"—and his voice took on a lecturing note—"but you need to read your black history. Get into some John Hope Franklin, Vincent Harding, Mary Berry, and Nathan Huggins. Or, if you don't believe black historians, try Eugene Genovese, Leon Litwack, and C. Vann Woodward. They will all tell you that is how it has been, and that is how it is now."

I was delighted. Semple was right on target. "I do read," I assured him, "and I agree with your assessment of racial symbols. The fact is, though, that most whites and lots of black folks rely on symbols to support their belief that black people have come a long way since slavery and segregation to the present time. In their view, we not only have laws protecting our rights, but a holiday recognizing one of our greatest leaders."

"They all dreamers, man," Semple interrupted. "And stupid dreamers at that. I tell you those are the same fools who urged the Senate to confirm Clarence Thomas to the Supreme Court all during the summer of 'ninety-one, despite his anti–civil rights record, despite the fact he was put up there by the right wing's top men."

Semple, seeing traffic blocked ahead by a large truck, smoothly backed out of the crosstown street and proceeded up the avenue. Although it was an intricate maneuver involving forcing a few cars behind him to give way, he managed without interrupting his train of thought.

"That appointment was a mockery of Justice Thurgood Marshall's service to blacks. I saw that right away. I only regret I didn't see a holiday for Dr. King would mostly give a lot of token black government types, civil rights types, and scholar types a reason to bore us working-class folks to death with their speeches about what a great life Dr. King lived, with not near enough mention of how he died. Which, as I assume you know, is how

have studied it for years. I wondered: if he'd gotten the breaks I had, gone to school, gained the jobs degrees open up, which of us would be riding, and which driving the limo? It is the same thought I have when I speak with groups of black men in prison, their often impressive intelligence lost in frustration and bitterness. Born into a system in which they have never had a chance, they are reduced to one or another variant of what even they would agree is "shucking and jiving."

Still, symbols have been the mainstay of blacks' faith that some day they will truly be free in this land of freedom. Not just holidays, but most of our civil rights statutes and court decisions have been more symbol than enforceable law. We hail and celebrate each of these laws, but none of them is, as Semple put it, fully honored at the bank.

"It ain't pretty out there," he observed, catching my eye. "And now that we got a black mayor, one more symbol, the white folks will blame us if we don't clean up a mess they been making for decades."

"Mayor David Dinkins is doing what he can," I replied. "But however worthwhile their election, African Americans in public office, including the mayors of several major cities, lack the resources to address the problems they inherit, and thus can do little to overcome either unemployment or poverty. Black mayors are, nevertheless, expected to control black crime, particularly that affecting whites. When racial tensions erupt into incidents of random and organized violence, elected black representatives are expected—as their first priority—to keep the peace."

"You got that right, brother!" Semple laughed. "We black folks get into mayors' jobs the way we get into all-white neighborhoods —when the housing stock is run down, maintenance is expensive, and past abuse and mismanagement by whites make it impossible for blacks to do anything. Of course, despite horrendous social problems, eroded tax bases, departed businesses, and dispirited civil servants, the black mayors are blamed for disasters that were bound to happen given the way the whites ran the city at a time when black people had no control."

The car negotiated the traffic of the East Harlem streets. The obviously Spanish neighborhoods seemed to have a vitality lacking

in the black ghetto. I wondered, not for the first time, whether even these non-English-speaking immigrants would make it in America while poor blacks or their survivors remain steeped in misery.

"You're right," I said, breaking the silence. "It is pretty depressing, Mr. Semple."

"It is and it ain't," he replied thoughtfully. Free of the city traffic, the car was making good time up the Major Deegan Expressway. The more open vistas seem to lighten Semple's thoughts. "Fact is," he said, "given the burdens our people are carrying, it's a wonder they're not all strung out on drugs or otherwise destroying themselves. The fact is, most people in those neighborhoods we drove through, tryin' to live decent, and they do it in part by living on symbols. Religious symbols, freedom symbols, legal symbols, and now holiday symbols. They are all but worthless at the bank, but sometimes black folks don't try to cash them there. Know what I mean?"

"I think so," I replied. "You know the Emancipation Proclamation as a legal matter freed no slaves. It exempted slave owners in Northern territory and, of course, had no effect on those in Confederate areas. But it was a potent symbol for the slaves, many of whom simply took off when they learned that Lincoln had issued a freedom order."

"That's something I didn't know," Semple said. "I do remember, though, that it was black folks who gave meaning to the Supreme Court's school desegregation decision of 1954. It promised a lot, but gave us 'all deliberate speed,'[8] which would have translated into not a damned thing if Dr. King in Montgomery, the freedom riders in Birmingham and Jackson, and those college students in North Carolina had not proved to us that segregation would not work if black folks didn't go along with it."

"Professor Patricia Williams would sum up our discussion about black folks and symbols as rights.[9] She agrees with you that blacks have little reason to expect constitutional rights will be fully enforced, and says:

> [I]t is also true that blacks always believed in rights in some

> larger, mythological sense—as a pantheon of possibility. It is in this sense that blacks believed in rights so much and so hard that we gave them life where there was none before; held onto them, put the hope of them into our wombs, mothered them, not the notion of them; we nurtured rights and gave rights life. And this was not the dry process of reification, from which life is drained and reality fades as the cement of conceptual determinism hardens round, but its opposite. This was the story of Phoenix; the parthenogenesis of unfertilized hope.[10]

"Strong words," Semple agreed. "I'm glad she's a law teacher."

"Why's that?"

"Maybe she can get beyond so many of our bourgeoisie black folks with all their degrees and fancy titles who still don't understand what we ordinary black folks have known for a very long time."

"Which is?" I asked rather defensively.

"Which is that the law works for the Man most of the time, and only works for us in the short run as a way of working for him in the long run."

I had to laugh in spite of myself. Semple was a marvel. "You will be happy to know," I told him, "that some middle-class black professionals agree with you. Plus, Mr. Semple," I admonished, "you are too hard on those of us who managed to get degrees and what you call a bourgeois life style. I have to tell you that neither offers real protection from racial discrimination. We are both black—and, for precisely that reason, we are in the same boat."

"Not really, brother," Semple said. "I mean no offense, but the fact is you movin'-on-up black folks hurt us everyday blacks simply by being successful. The white folks see you doing your thing, making money in the high five figures, latching on to all kinds of fancy titles, some of which even have a little authority behind the name, and generally moving on up. They conclude right off that discrimination is over, and that if the rest of us got up off our dead asses, dropped the welfare tit, stopped having illegitimate babies, and found jobs, we would all be just like you.

"It's not fair, brother, but it's the living truth. You may be

committed to black people but, believe me, you have to work very hard to do as much *good* for black people as you do harm simply by being good at whatever you do for a living!"

"That's a pretty heavy burden to hang on anybody," I suggested, "though I often make the same point in my lectures. I assume," I added, "that you don't include Dr. King in your condemnation."

"Man, get it straight," Semple replied. "I don't include anyone! It's the white folks who make these conclusions. We black folks, working-class and upper-class, simply have to live with them.

"But," he continued, his voice softening, "you're right. Dr. King was recruited by the masses back in Montgomery and responded to the call with some down-home, black Baptist leadership for us and some pretty potent philosophy for the rest of you. Even so, I don't think middle-class blacks and many liberal whites really accepted King until 1964 when he received the Nobel Peace Prize."

"And," I interjected, "many blacks and liberals were appalled when he spoke out early against the war in Vietnam and then shifted his campaign from race to poverty."

"Folks got one-track minds," Semple explained. "It's like with Jesse Jackson. He was O.K. as a quick-mouth preacher with his Operation PUSH* telling ghetto kids to stop listening to those 'Do It to Me Baby' lyrics on those so-called soul radio stations. He was O.K. when he had them repeat 'I Am Somebody,' in the outside hope that a few of them might believe it despite the whole world telling them that they are, have been, and will be—nothing. But when Jackson decides to run for president, suddenly he is a joke. I am still hoping to laugh with him right into the White House."

"I supported Reverend Jackson in both 1984 and 1988," I commented, "but given your views about white people, don't you have to agree that we will have to wait for a more mainstream black politician who has a realistic shot of some day reaching the White House?"

Semple half turned so as to see me while keeping one eye on the highway. "Man, I don't read tea leaves, or in other ways foretell the future, but if Jesse Jackson ever decided to run again, he has my vote locked up. He is my kind of black man. Over the

years, Jesse has given me plenty of reason for pride in him and in me. Sure, he has made some mistakes—and white folks won't let him forget them. But he has done some things, taken positions, achieved some political gains that in spiritual terms were worth a million dollars to me, as broke as I am. And that's the kind of money on which I pay no taxes, and it keeps on earning interest even though I do not take it near a bank—or a bar. If you get my point."

"I guess we both agree Jackson is an important symbol for black people."

"A *very* important one. Thing is," Semple added, "I don't want my symbols on the shelf. I want them in action, embarrassing white folks and mobilizing black folks to take themselves seriously. So I hope Jackson will run for president again, if not in 'ninety-two, at least in 'ninety-six. He may never win, but that's like saying we may never get free. Nothing going to happen unless we keep trying. And with Jackson still active, we can expect some more Michael Jordan–type moves, political slam-dunks in which he does the impossible and looks good while doing it."

I liked Semple's basketball imagery. "Jackson's as much a marvel at the podium as Jordan is on the basketball court. Problem is," I mused, "too many whites can't get past Jackson's color to hear his message. That's why this country needs a white Jesse Jackson—the political equivalent of these white pop singers who, even as poor facsimiles of black entertainers, become stars earning big bucks because the white public is able to identify with them."

"I know what you mean, brother," Semple responded, "but a white Jesse Jackson is like a white Michael Jordan."

"Meaning?" I asked, smiling at Semple's not-so-subtle racial chauvinism.

"Meaning that Jesse not only got a soulful preaching style. He also got the nerve to be different, be his own person. In short, man, he got the courage to fail. When you find a white person with those qualities, I will listen to him or her. And so, I would hope, will white people."

"Are you suggesting that until white folks get smart, black folks will never be free?"

"I don't ever see white people getting smart about race,"

I am a poor pilgrim of sorrow,
I'm tossed in this wide world alone,
No hope have I for tomorrow,
I've started to make heav'n my home.[12]

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* In a foreword to a collection of these stories, Langston Hughes wrote that Simple and the other characters in them were a composite of people he knew in Harlem. Simple first appeared in Hughes's columns in the *Chicago Defender* and the *New York Post* and, from 1950 on, in book form.[1] The *Encyclopaedia Britannica* describes Simple as a "hard-working, uneducated, but knowledgeable harlemite,... one of the master comic creations of the latter 20th century."[2]

* In 1986, after years of effort, and a last-ditch attempt by North Carolina's Republican Senator Jesse Helms to derail Senate action by calling for hearings on King's "action-oriented Marxism," the Senate (by a vote of 78 to 22) supported earlier House action to create the nation's tenth official holiday, in recognition of the civil rights contributions of Dr. Martin Luther King, Jr. President Reagan, who earlier had opposed the measure, promised to sign it. The holiday, commemorating the birth of Dr. King on 15 January 1929, is the third Monday in January.[3]

* Medgar Evers, leader of the Mississippi branch of the NAACP, was shot in the back and killed outside his home in June 1963.[4]

* PUSH is the acronym for People United to Save Humanity, an organization founded by Jackson in the wake of Martin Luther King, Jr.'s, assassination in 1968.

CHAPTER 2

The Afrolantica Awakening

> [T]he idea of a black nation seems so farfetched as to be ludicrous, but if you entertain it for a minute, even as an impossible dream, it should give you a feeling of wholeness and belonging you've never had and can never have as long as blacks have to live in a country where they are despised.
>
> —Julius Lester

The first oceanographers to report unusual rumblings in the middle of the Atlantic Ocean, some nine hundred miles due east of South Carolina, speculated that some sort of land mass was rising up from the ocean bottom. Naturally, these reports were dismissed as the work of crazies or, worse, of publicity-seeking scientists. Even more outrageous seemed these scientists' further hypothesis that this land mass was the fabled Atlantis—a body of land the ancients accepted as real, Plato describing it as the "lost continent of Atlantis."[1*] But gradually people began to take seriously the message of the insistent churning that made a hundred-mile area of the ocean impossible for even the most powerful ships to navigate. Night after night for several months, Americans sat glued to their television screens to watch the underwater camera pictures of a huge mass rising slowly out of the ocean depths. Then, one evening, a vast body of land roared into view like an erupting volcano.

For several weeks, the area was cloaked in boiling-hot steam