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# RACISM AS THE ULTIMATE DECEPTION<sup>91</sup>

DERRICK BELL<sup>90</sup>

Hurling “racism!”—at a group or an individual—as an epithet is both common and easy to do. Seriously getting to the roots of racism—that is, the favoring of one group, the white, over minority groups—and pulling up those roots to eradicate them is, however, extraordinarily difficult. This is so despite the progress that supposedly has been made in race relations in this nation since the Emancipation Proclamation became effective in 1863.

Professor John Calmore explores the seemingly indestructible phenomenon of racism via Thomas Mann’s fictional confidence man, who is adept at succeeding in the world through his ability to fulfill people’s expectations of him in whatever role he is playing, whether

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1. Professor John O. Calmore, an accomplished academic and a friend of more than thirty years, was selected to present the eleventh annual Derrick Bell Lecture sponsored by the New York University School of Law in November 2006. In accepting the invitation, Professor Calmore sent me an e-mail with a most provocative title and a summary of what he planned to present:

## FELIX KRULL AS RACISM: NEW CONFESSIONS OF A CONFIDENCE MAN—A PICAESQUE TALE

Felix Krull, the protagonist in Thomas Mann’s novel, was a con man extraordinaire who, unhampered by the moral precepts that are supposed to guide the functioning of ordinary morals, uses his formidable intelligence, good looks, tremendous charm, and chameleon-like personality to move from poverty to affluence rising through all strata of early 20th century European society. His aim was less to cheat and steal than to achieve his ambition of wealth and status by playing with great conviction varying roles, reaping the benefits and sometimes the costs of those performances.

In Professor Calmore’s view, racism operates much like Felix Krull—as an undercover picaro, as a confidence man. By utilizing this frame, Calmore saw the potential for better understanding how racism goes so unrecognized as it changes form and operation over space and time.

Because of very serious illness, John had to withdraw from the lecture. In taking his place, I read much of his impressive body of work, and doing so caused me to regret his absence all the more. I have used his thesis in preparing this lecture that I presented in his honor. I am pleased that an extended version is being published in an issue dedicated to his teaching and scholarship.

waiter or aristocratic youth.<sup>2</sup> Utilizing this character enables Calmore to convey his sense that racism is a sort of racial phantasm, one that plays all too effectively on the self-interest of varying groups of people, their differing motivations, ideologies, egos, and greed—whether white or black, whether well-meaning and trying to do the right thing or actually racist. This phantasm has the effect of maintaining the invidious disparity between white society and minority groups in order to stabilize society for the benefit of those in power, who, not surprisingly, insist that the world is and should be entirely colorblind.

Thus, however easy it may be to identify overt racism, it is very difficult to discern its more subtle and destructive activity and, in turn, to act against it. It is quite like the fictional Shadow of the long-ago radio series, a detective who had the power to cloud human minds.<sup>3</sup> The racism phantasm undermines common sense, making us—proponents and opponents of racism alike—all too likely to advocate policies that, in the short or long run, will disappoint rather than fulfill our fervently sought-after outcomes.

Given the often dire outlook, racial equality advocates too readily embrace research with predictions of positive outcomes. The economist and sociologist Gunnar Myrdal concluded in his massive mid-twentieth century study, *An American Dilemma*,<sup>4</sup> that while racism was “a moral lag,”<sup>5</sup> it was merely an odious holdover from slavery—“perhaps the most glaring conflict in the American conscience and the greatest unsolved task for American democracy.”<sup>6</sup> Following Myrdal, more than two generations of civil rights advocates accepted his politically comforting rationale and worked hard to fulfill his predictions.

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2. See THOMAS MANN, *CONFESSIONS OF FELIX KRULL, CONFIDENCE MAN: THE EARLY YEARS* (Vintage Books 1992) (1954).

3. “One of radio’s most memorable dramas, *The Shadow* chronicled the adventures of Lamont Cranston and his companion Margo Lane. As *The Shadow*, Cranston used a ‘hypnotic power to cloud men’s minds so that they cannot see him.’ This power was routinely used to battle crime lords, mad scientists, psychopaths and even werewolves . . . . *The Shadow* first appeared on radio in 1930, as the narrator of CBS’ *Detective Story Hour*. By 1932, the character was the star of his own show and soon became the hero, rather than the narrator.” *The Shadow*, RADIO HALL OF FAME, <http://www.radiohof.org/adventuredrama/shadow.html> (last visited Nov. 5, 2007).

4. GUNNAR MYRDAL, *AN AMERICAN DILEMMA* (1944).

5. *Id.* at xix. “[T]he 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. . . . [H]owever, . . . *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.*” *Id.*

6. *Id.* at 21.

Unfortunately, the reality turned out to be more in line with the earlier, 1903 view of Dr. W.E.B. Du Bois who began seeking the truth about race in America rather early in his long life. He asserted, without optimism, that “the color-line” would prove to be the major problem of the twentieth century.<sup>7</sup> The continued importance of race in a new century gives added credence to Dr. Du Bois’ prediction, such that, at this point, it is more of a prophesy.

Forty years after Myrdal, in 1984, Professor Jennifer Hochschild wrote—with more accuracy than Myrdal, but to much less acclaim—that far from being an anomaly, racial division is a rather crucial component of liberal democracy. The two are “historically, even inherently, reinforcing”; that is, as she puts it, “the apparent anomaly is an actual symbiosis.”<sup>8</sup>

Considering the racial issue from a theological perspective, George D. Kelsey, a professor of Christian ethics, explains why so many people who practice racial discrimination are also sometimes devout, even born-again Christians.<sup>9</sup> He acknowledges that while racism initially served as an ideological justification for the constellations of political and economic power expressed in colonialism and slavery, “gradually the idea of the superior race was heightened and deepened in meaning and value so that it pointed beyond the historical structures . . . to human existence itself.”<sup>10</sup> Although contrary to the fundamental teachings of Christianity, belief in a superior race became the center of value and an object of devotion, enabling every white person to gain a “power of being” through membership in that race.<sup>11</sup>

As a complete system involving—as does religious faith—meaning, individual value, and loyalty, this belief enables the most economically and culturally deprived white man to feel so superior to any black that the former feels entitled to justify ignoring such a basic Christian admonition as “love thy neighbor as thyself.”<sup>12</sup> So great a conflict between belief and action may only be explained as the work of the phantasm of racism.

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7. W.E. BURGHARDT DU BOIS, *THE SOULS OF BLACK FOLK* 23 (1903).

8. JENNIFER L. HOCHSCHILD, *THE NEW AMERICAN DILEMMA* 5 (1984). As a definitive instance of this phenomenon, see *infra* notes 16–18 and accompanying text.

9. GEORGE D. KELSEY, *RACISM AND THE CHRISTIAN UNDERSTANDING OF MAN* (1965).

10. *Id.* at 9.

11. *Id.* (internal quotation marks omitted).

12. *Mark* 12:31 (King James).

John Calmore has written that:

race and racism are always concepts in formation. Our notion of race and our experience with racism do not represent fixed, static phenomena. Racism is more than the intentional behavior of the occasional bad actor. Racism mutates and multiplies, creating a range of racisms. We must be able to bring up issues of race and racism without the terms always leading to fear, alienation, and off-point debate.<sup>13</sup>

As a result, we fail to appreciate the shifting parameters that mark the consideration of race—"how group interests are conceived, status is ascribed, agency is attained and roles performed."<sup>14</sup>

Hochschild, Kelsey, Calmore, and many other observers seek to hone in on racism's actual functioning and effects. Unfortunately, their efforts are either rarely heard or are ignored in favor of voices proclaiming what many people—some blacks and many whites—find more comforting: that racism, if it ever existed, is no more than an excuse made by some colored peoples who do not want to work and forge ahead in this free society the way most whites and a few blacks are doing and have done. Stephan and Abigail Thernstrom, for example, claim that "the serious inequality that remains is less a function of white racism than of the racial gap in levels of educational attainment, the structure of the black family, and the rise in black crime."<sup>15</sup>

Such conclusions that confuse the causes of racism with its effects—doubtless the work of Calmore's phantasm of racism—are comforting rationales that the man or woman in the street is all too ready to accept. Some people accept and act on these views even though they doubt them. They are like the fellow trying to win at three-card monte: at some level, he knows he cannot beat the cardsharp, but the possibility of ultimately succeeding keeps him playing until he has lost both money and dignity. This racial sleight of

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13. John O. Calmore, *A Call to Context: The Professional Challenges of Cause Lawyering at the Intersection of Race, Space, and Poverty*, 67 *FORDHAM L. REV.* 1927, 1939 (1999). He cites Michael Omi, who notes, "racial and ethnic categories are often the effects of political interpretation and struggle and that those categories in turn have political effects." Michael Omi, *Racial Identity and the State: The Dilemmas of Classification*, 15 *LAW & INEQ.* 7, 23 (1997). Additionally, Omi reminds us that while we often correlate race with such matters as residential patterns, job qualifications, culture, academic achievement, criminal behavior, welfare dependency, and intelligence, we do so "without problematizing the concept of race itself." *Id.* at 21.

14. Omi, *supra* note 13, at 21.

15. STEPHAN THERNSTROM & ABIGAIL THERNSTROM, *AMERICA IN BLACK AND WHITE: ONE NATION, INDIVISIBLE* 534 (1997).

hand has mesmerized a great many white Americans for more than 300 years.

Early in American history, when African slavery took root in the middle of the seventeenth century, working-class whites readily accepted it. Along with their successors, they identified with white wealthy planters and supported their policies—even though they were and would remain economically subordinate to those able to afford slaves.<sup>16</sup> In turn, the large landowners, with the safe economic advantage provided by their slaves, were willing to grant poor whites a larger role in the political process.<sup>17</sup> Although black slavery appeared to lead to greater freedom for poor whites, it actually greatly limited their chances of advancing economically beyond bare survival.<sup>18</sup>

Slave owners were, for their part, easily persuaded that the profits of slavery were worth its costs in aggravations, fears, and moral gymnastics. Their sense of racial superiority over their slaves blinded them to the advantages of the more efficient labor system evolving in the North from early in the nineteenth century. In 1856, as hostility grew between pro-slave states—with their plantation system—and Northern states—with their increasingly competitive industrial system—Chief Justice Roger Taney handed down the *Dred Scott* decision.<sup>19</sup> He found that blacks, whether slave or free, could not be citizens.<sup>20</sup> In doing so, he succumbed to the enticing notion that the Framers had not resisted seventy years earlier: that otherwise nonnegotiable differences on the slavery issue could be settled by sacrificing the interests of blacks. Taney's ruling failed to settle the issue because, where he saw slavery as the game, it was only its name; what was really at stake was the industrial versus the plantation system. When slavery was challenged economically as well as morally, the South's secession led to four years of bloody conflict in which almost 400,000 Confederate soldiers, most from the working classes who did not own slaves, were killed or wounded. They fought and died for a way of life that kept them in a subordinate condition. Nonetheless, in the wake of defeat, they and their former slave owner superiors continued to support political policies and extra-political violence to ensure the continuation of the failed system they had

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16. See EDMUND S. MORGAN, *AMERICAN SLAVERY, AMERICAN FREEDOM: THE ORDEAL OF COLONIAL VIRGINIA* 343–44 (1975).

17. *Id.* at 344–45.

18. See *id.* at 343–44.

19. *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393 (1856).

20. *Id.* at 407.

come to know so well. The fact that these working classes thought only blacks were the victims again illustrates that a force beyond stubbornness and pride of place was at work.

After the Civil War, according to historian C. Vann Woodward, Southern leaders in the post-Reconstruction era enacted segregation laws mainly at the insistence of poor whites who, given their precarious social and economic status, demanded these barriers in order to retain a sense of racial superiority over blacks.<sup>21</sup> As Woodward observes, “[i]t took a lot of ritual and Jim Crow to bolster the creed of white supremacy in the bosom of a white man working for a black man’s wages.”<sup>22</sup>

Northern white workers, all too appropriately referred to as “wage slaves,” fell prey to racism’s blandishments as well. Race was a major facilitator of the acculturation and assimilation of European immigrants during the late nineteenth and early twentieth centuries. Horribly exploited by the mine and factory owners for whom they tolled long hours under brutal conditions for subsistence wages, their shared feeling of superiority to blacks—the racism phantasm—was one of the few things that united them.

Other facilitators included the blackface and racially derogatory minstrel shows of that period, which savagely disparaged blacks.<sup>23</sup> These propaganda pageants facilitated the acculturation and assimilation of immigrants by inculcating a nationalism whose common theme was the disparagement of blacks. Given these imposed—and too readily accepted—racial barriers, there was little possibility that white immigrants would cross racial lines to unite with blacks in resisting exploitation and deprivation by the powerful who, then as now, did not respect any color line.<sup>24</sup>

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21. C. VANN WOODWARD, *ORIGINS OF THE NEW SOUTH 1877–1913*, at 211–12 (1951).

22. *Id.* at 211.

23. *See, e.g.*, KEN EMERSON, *DOO DAH! STEPHEN FOSTER AND THE RISE OF AMERICAN POPULAR CULTURE* 57–71 (1997).

24. For detailed discussions of how white immigrants utilized racial policies to improve their social status through the subordination of blacks, see generally IAN F. HANEY LÓPEZ, *WHITE BY LAW: THE LEGAL CONSTRUCTION OF RACE* (1996); NOEL IGNATIEV, *HOW THE IRISH BECAME WHITE* (1995); JANE LAZARRE, *BEYOND THE WHITENESS OF WHITENESS: MEMOIR OF A WHITE MOTHER OF BLACK SONS* (1996); TONI MORRISON, *PLAYING IN THE DARK: WHITENESS AND THE LITERARY IMAGINATION* (1992); DAVID R. ROEDIGER, *THE WAGES OF WHITENESS: RACE AND THE MAKING OF THE AMERICAN WORKING CLASS* (1999); ERIC J. SUNDQUIST, *TO WAKE THE NATIONS: RACE IN THE MAKING OF AMERICAN LITERATURE* (1993); HOWARD WINANT, *RACIAL CONDITIONS: POLITICS, THEORY, COMPARISONS* (1994).

Clinging to their white racial status, labor unions refused to admit blacks to their ranks and thus undermined organizing efforts when strikes were subverted by factories that hired otherwise unemployed blacks to replace the striking workers.<sup>25</sup> As for the economic masters of the working class, the industrialists, their desire for wealth and power under the factory system was so great that they willingly faced the often swiftly swinging pendulum of an unregulated market that could bring ruin as well as riches. Assuming that exploitation of the working class was essential to their way of business, corporate owners resisted by every available means the efforts by organized workers to get them to share their profits with those whose labors—under conditions of indignity, dirt, and danger—made the profits possible.

This resistance led to terrible labor strife, and only the Great Depression of the 1930s brought about some reform, which proved temporary for a multitude of reasons. Today, corporate leaders, whose memory of the past is clouded by their unswerving focus on the “bottom line,” are again placing short-term profit over all else. This time, they and the governments they are so instrumental in putting into power have placed what once was the world’s richest economy in debt to foreign nations that have historic reasons to become exacting creditors.

Even today, in the twenty-first century, many whites remain vulnerable to arguments contending that social reform programs are “welfare programs for blacks.” They ignore the fact that poor and working-class whites (the terms are virtually interchangeable as more and more Americans have incomes at the poverty level while working full-time) have employment, health, education, and social service needs that barely differ from those of a great many blacks. Dismissing their attitudes and actions as racist is easy enough. It is not inaccurate, but viewed from the perspective of Calmore’s thesis, it is insufficient. Can it be that group identification with blacks, even on issues of importance to both, undermines the sense of superior status that is a major component of their self-esteem?

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25. See generally WILLIAM B. GOULD, *BLACK WORKERS IN WHITE UNIONS* (1977) (chronicling the rampant racism that existed in most American unions and emanated from deeply ingrained feelings and beliefs); HERBERT HILL, *BLACK LABOR AND THE AMERICAN LEGAL SYSTEM* 5–6 (1977) (describing the role of labor unions in reinforcing “[w]hite workers’ claims to . . . ‘inherent’ white employment privileges”).

Once, during the question period at a lecture I gave, a black man told me that racism makes white folks stupid. Just, I thought, as Calmore's racism phantasm does, and has in the past, to people of all colors, white as well as black, leaders and followers both. How does one better comprehend what motivated those who presided over the birth of this nation to sacrifice proposals to ban slavery in favor of surrendering their principles of freedom? Why would they seek to maintain the support of slave owners and slavery profiteers that brought about a birth that proved unstable precisely because of those arrangements? That original sacrifice of black—and human—interests sets a pattern that has been repeated, in one way or another, throughout our history.

Given that history, might there have been a similar influence, no less contrary to basic interests, that moved Frederick Douglass—an escaped slave and self-educated man of great intelligence who became the leading black abolitionist and one of the great orators of his time—to persuade President Lincoln to include a provision in the Emancipation Proclamation authorizing the enlistment of escaped slaves into the Union forces? We know that Douglass felt that the slaves' participation in the war would win the nation's respect and bring them full rights as American citizens. But, given his all too direct knowledge of America's racial hostility, what led him to urge that men, only recently having freed themselves from the viciousness of slavery, be allowed to enlist and face almost certain death in an army that did not want them, refused for a long period to pay them, and sent them again and again on what were—even on the killing fields of that brutal war—essentially suicide missions?

And what led roughly 179,000 black men who served as soldiers in the U.S. Army and another 19,000 who served in the Navy—nearly 40,000 of whom died over the course of the war<sup>26</sup>—to believe that their valor as Union troops would be, or could be, rewarded with other than cursory thanks and, ultimately, rejection? The question I pose here of Frederick Douglass—and of the thousands of soldiers he helped recruit for the Union army—can be just as appropriately put to most black leaders who have followed him into the present.

Certainly, black leaders and those they led had a vision, but it was not a vision emanating from either history or their lived experience. It is as though the racism phantasm was taking advantage of the freedom they longed for to lure them into pushing for

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26. The Fight for Equal Rights: Black Soldiers in the Civil War, <http://www.archives.gov/education/lessons/blacks-civil-war> (last visited Jan. 22, 2008).

programs that—albeit under new and promising names—would in fact ensure the maintenance of the subordinate status they sought to escape.

The post-Civil War Amendments to the Constitution—much like the earlier Emancipation Proclamation and the later civil rights laws—promised black people much more than they could deliver, or more than whites were willing to permit them to deliver, while each amendment served to further what policymaking whites felt would be in at least whites' short-term interests.

From Biblical times to the present, the power that has enabled a few to see through sham to truth has gained them rebuke and worse. The accolade of prophet is bestowed only long after their truths have been ignored and disaster has rendered them self-evident. Thus, it was with Dr. Du Bois in the 1930s when the National Association for the Advancement of Colored People (“NAACP”) leaders, despite a bleak judicial record of racial hostility, convinced themselves that Negroes could effectively challenge racial segregation in the courts. Dr. Du Bois, one of the organization’s founders, while not opposed to, and recognizing the potential benefits of, integration, was well aware of the continuing force of racial hostility. Seeing economic development as the prerequisite of rights—not as an automatic reward after those rights were gained—he urged development of strong neighborhoods and schools, and the building and supporting of black business.

In the area of education, Dr. Du Bois conceded, “Other things being equal, the mixed school is the broader, more natural basis for the education of all youth. It gives wider contacts; it inspires greater self-confidence; and suppresses the inferiority complex.”<sup>27</sup> But, he warned, “A mixed school with poor and unsympathetic teachers, with hostile public opinion, and no teaching of truth concerning black folk, is bad.”<sup>28</sup> He concluded, “[T]he Negro needs neither segregated schools nor mixed schools. What he needs is Education.”<sup>29</sup>

Despite Dr. Du Bois’ reputation as the foremost intellectual in the racial field at the time, not only was his advice ignored, but his

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27. W.E. Burghardt Du Bois, *Does the Negro Need Separate Schools?*, 4 J. NEGRO EDUC. 328, 335 (1935).

28. *Id.*

29. *Id.* See generally Derrick A. Bell, Jr., *The Legacy of W.E.B. DuBois: A Rational Model for Achieving Public School Equity for America's Black Children*, 11 CREIGHTON L. REV. 409 (1977) (reviewing the history of black education and Dr. Du Bois’ policies on black education).

continued effort to propound it cost him his position in the NAACP.<sup>30</sup> We all know of the two decades of litigation efforts culminating in the Supreme Court's 1954 decision in *Brown v. Board of Education*.<sup>31</sup> And we know as well of the long years of efforts to overcome the fierce resistance of whites to that decision. In many areas, they fought to keep black children out of schools that were often hardly better as educational entities than were their usually underfunded black counterparts.

Today, a half-century after *Brown*, most black and Latino children attend schools that are primarily black and Latino and that, with some notable exceptions, provide a wholly inadequate education. We need to figure out what led so many civil rights leaders and lawyers to assume, again against all history, that equal educational opportunity for black children could be obtained—only attained according to some—in racially integrated schools?

Looking back on my own years of deep involvement in the school desegregation campaign, I myself have wondered how I and others could allow our dream of an integrated society to cause us both to ignore Dr. Du Bois' admonition and, more importantly, to fail to recognize that better schooling, not integrated schools, was what the black parents we represented needed and wanted. I realize now that we were misled by a force beyond our vision: that, despite our idealism, we were rendered vulnerable because we failed to recognize the deviousness and pertinacity of the forces against us.

That force remains viable, as is obvious with the Supreme Court's *Parents Involved* decision.<sup>32</sup> In two districts, some white parents challenged school board policies intended to ensure a degree of school integration. In the functioning of these policies, their children were denied admission to their chosen schools. Here, it is easy to see how the smooth tongue of the racism phantasm could convince the white parents that priority for black or Latino children over theirs, whatever the school boards' goals, cannot be in keeping with their sense of racial priority and thus must be unconstitutional. With the current composition of the Court, these parents and their view prevailed.

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30. MARK V. TUSHNET, *THE NAACP'S LEGAL STRATEGY AGAINST SEGREGATED EDUCATION, 1925–1950*, at 6–12 (1987). Segregation, Dr. Du Bois urged, “was a fact of life, and racial organization had to be considered not a necessary evil, but a positive force for black development.” *Id.* at 9.

31. 347 U.S. 483 (1954).

32. *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. \_\_\_, 127 S. Ct. 2738 (2007).

The two courts of appeal that earlier heard the cases approved both school boards' plans as worthwhile means of maintaining a degree of racial diversity in the school systems.<sup>33</sup> The dozens of amicus briefs filed by liberal groups focused on this theme. They urged the application of the Supreme Court's closely divided decision in *Grutter v. Bollinger*,<sup>34</sup> the 2003 University of Michigan Law School case involving the role of diversity in law school admissions. The amicus briefs, however, did not consider in any depth whether the special educational needs of black and Latino students are being met in these school systems where the emphasis is on diversity and educational quality is simply assumed.

It is, of course, this assumption of an other-worldly racial phantasm influencing decisions that is perhaps most appropriately applied to politicians in general, and this country's current leaders in particular, who tend to operate through the racism phantasm, playing on the self-interest of various social groups, pandering to their greed and arrogance, and preying on the fear and ignorance of much of the population. The use of race to generate that fear has been an essential part of their modus operandi.

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As a phantasm, of course, racism is the combination of many factors. Harvard Law Professor Lani Guinier asserts:

Race in the United States is a by-product of economic conflict that has been converted into a tool of division and distraction. It is not just an outgrowth of hatred or ill will. Racism has had psychological, sociological, and economic consequences that created the separate spheres inhabited by blacks and whites . . . .<sup>35</sup>

All coalesce into persuasive influences that render us all—racists and antiracists alike—subject to forces seemingly beyond our control and even our understanding. Here is a further explanation of my long-held view that racism is permanent: not because so many whites are evil, but because the large and growing disparities between the “haves” and “have-nots” in our economic system will continue to require racism to stabilize the disparities and to reassure many white

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33. *Id.* at \_\_\_, 127 S. Ct. at 2746; *McFarland v. Jefferson County Pub. Sch.*, 330 F. Supp. 2d 834 (W.D. Ky. 2004), *aff'd.*, 2005 FED App. 0309P, 416 F.3d 513 (6th Cir.), *rev'd sub nom. Parents Involved*, 551 U.S. at \_\_\_, 127 S. Ct. at 2746.

34. 539 U.S. 306 (2003).

35. Lani Guinier, *From Racial Liberalism to Racial Literacy: Brown v. Board of Education and the Interest-Divergence Dilemma*, 91 J. AM. HIST. 92, 99 (2004).

people that, despite their lowly status, they are better than, and deserve priority over, those minority groups whose color makes them easily recognizable and thus all too readily dismissed.

This diagnosis of racism is not meant to make us despair. Rather, we need to keep our eyes not just on the prize of racial justice, but on the carefully focused plans and action that are necessary to confronting the barriers that stand in its way. We need to act with the attitude of the farmer who left his fields in order to join the voting rights march from Selma to Montgomery. Along the march, when he was asked whether he thought the marchers would be able to win in Montgomery, he responded directly and simply: "We won when we started."<sup>36</sup> The farmer understood that the challenge of life is to move beyond passivity in the face of power and take action against injustices small and large. He understood that, as Ray Charles reminds us in one of his songs, "[u]nderstanding is the best thing in the world."<sup>37</sup>

However fearsome understanding may be, it may also be the prerequisite for a willingness to risk speaking and acting in ways that fly in the face of consensus thinking. Such actions—taken in the knowledge that they may bring scorn, rejection, and retaliation, and taken from a perspective that rises beyond race—can often defy the efforts of the racism phantasm and even encourage others to emulate the risk taker in the search for truth.

Truth expressed in the language of poetry can offer beauty and reassurance as well. Thus, in one of his articles, John Calmore quotes a passage from Patricia Williams, the poet laureate of the Critical Race Theory movement:

I think that the hard work of a nonracist sensibility is the boundary crossing, from safe circle into wilderness: the testing of boundary, the consecration of sacrilege. It is the willingness to spoil a good party and break an encompassing circle, to travel from the safe to the unsafe. The transgression is dizzyingly intense, a reminder of what it is to be alive, . . . to survive the transgression is terrifying and addictive. To know that everything has changed and yet nothing has changed; and in leaping the chasm of this impossible division of self, a

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36. Gary Wills, *An American Iliad*, N.Y. REV. BOOKS, Apr. 6, 2006, at 20 (reviewing TAYLOR BRANCH, *AT CANAAN'S EDGE: AMERICA IN THE KING YEARS, 1965-68* (2006)).

37. RAY CHARLES, *Understanding, on PORTRAIT OF RAY* (ABC Records 1968).

discovery of the self surviving, still well, still strong, and, as a curious consequence, renewed.<sup>38</sup>

We surely need more persons like Dr. Du Bois, whose willingness to see truth beyond the contrary consensus may be the only antidote to the racism phantasm. Israeli author David Grossman, whose son was killed in the 2006 war in Lebanon, is a contemporary model of such truth telling. Speaking at a rally in Tel Aviv to mark the eleventh anniversary of the murder of Prime Minister Yitzhak Rabin and presented in the presence of Israel's current Prime Minister, Grossman's speech provided an example of the truth telling we need so badly. Two paragraphs stand out as applicable as much to the United States, Israel's chief ally, as to Israel itself:

There was a war, and Israel flexed its massive military muscle, but also exposed Israel's fragility. We discovered that our military might ultimately cannot be the only guarantee of our existence. Primarily, we have found that the crisis Israel is experiencing is far deeper than we had feared, in almost every way.

From where I stand right now, I beseech, I call on all those who listen, the young who came back from the war, who know they are the ones to be called upon to pay the price of the next war, on citizens, Jew and Arab, people on the right and the left, the secular, the religious, stop for a moment, take a look into the abyss. Think of how close we are to losing all that we have created here. Ask yourselves if this is not the time to get a grip, to break free of this paralysis, to finally claim the lives we deserve to live.<sup>39</sup>

Here is a further indication that the only defense against the racism phantasm as it operates in the real world is absolute honesty about our actions, our desires, our goals, or as close to that ever-elusive dream as we can come. Even with our best efforts, we are easily misled; false steps are more easily taken than retraced. And admission of error is particularly hard. Yet only the honest seeking of truth can protect us from being victimized by the racism phantasm

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38. John O. Calmore, *Random Notes of an Integration Warrior*, 81 MINN. L. REV. 1441, 1441 (1997) (quoting PATRICIA J. WILLIAMS, *THE ALCHEMY OF RACE AND RIGHTS* 129-30 (1991)).

39. David Grossman, Speech at the Rabin Memorial (Orr Scharf trans., Jan. 11, 2007), available at <http://www.haaretz.com/hasen/spages/784034.html>.

that has done so much harm to individuals and to the nation we all share.