

# Nygaard Notes

*Independent Periodic News and Analysis*

Number 672

June 17, 2021

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## Critical Race Theory: *“Dangerous. Divisive. Anti-American.”*

Last September, a memo was issued by Russell Vought, at the time the Director of the federal government’s Office of Management and Budget, ordering all Executive Branch offices to stop “‘training’ government workers to believe divisive, anti-American propaganda.”

The memo stated that “all agencies are directed to begin to identify all contracts or other agency spending related to any training on ‘critical race theory,’ ‘white privilege,’ or any other training or propaganda effort that teaches or suggests either (1) that the United States is an inherently racist or evil country or (2) that any race or ethnicity is inherently racist or evil.”

No ambiguity here. The memo concluded by emphasizing that “The divisive, false, and demeaning propaganda of the critical race theory movement is contrary to all we stand for as Americans and should have no place in the Federal government.”

Donald Trump was President when this memo came out, but the conservative outrage about “critical race theory” has been ramping up for some time. The New York Times reported on June 1<sup>st</sup> that “Republican-controlled state legislatures have passed bills to prevent schools from teaching critical race theory.” ... “From school boards to the halls of Congress, Republicans are mounting an energetic campaign aiming to dictate how historical and modern racism in America are taught,” focusing their attacks on “the influence of ‘critical race theory,’ a graduate school framework that has found its way into K-12 public education.”

Ohio State Representative Don Jones, who introduced a bill last month that would ban the teaching of Critical Race Theory, said in a statement that “Critical race theory is a dangerous and flat-out wrong theory. Students should not be asked to ‘examine their whiteness’ or ‘check their privilege.’”

Critical Race Theory: It’s dangerous. It’s divisive. It’s anti-American. It’s demeaning. It’s flat-out wrong.

Anything so resoundingly condemned by the authoritarian Right is probably worth looking at a little bit. But before we go there, I should quote some wise words from Washington Post columnist Christine Emba, writing last month in a column headlined “Why Conservatives Fear Critical Race Theory.” She said, “Progressives have tried to push back against the anti-CRT wave by attempting to more clearly explain the concept, or better define the term. They should stop expecting that this will have any effect. Instead, their time would be better spent seeking ways to address the response underlying conservative resistance—worries about culpability, recrimination and displacement. Objections to CRT are an emotional defense against unwanted change, not an intellectual disagreement. Conservatives were never debating the facts.”

Having said that, let’s nonetheless have a quick look at the facts, and then we’ll consider what is causing such fear and anxiety among conservatives. ◆

Greetings,

Something called "Critical Race Theory" has been in the news a lot lately, so this issue of Nygaard Notes takes a closer look at this particular battlefield in what are often called the Culture Wars. In the process I re-visit some points I made when I published my series about the Social Contract back in 2016. I told you at the time that "You'll see as we go along that the historical and somewhat theoretical points that I've been trying to convey this summer and fall will be important in the future as we go about our business of trying to understand—and change—the wild and crazy world of today."

Now here we are five years later and, if anything, the world is more wild and crazy now than it was then. And I think—thanks to the innumerable activists and organizers who never forsake their anti-racist work—that some of the "theoretical" points I was making will be a bit easier for readers to understand now than they were when I first published them.

And maybe, just maybe, this issue of Nygaard Notes will help you decide exactly where you want to apply your energy and creativity as the nation struggles to decide what kind of society we want to be. Your actions—or inaction—are important.

The times, they are a-changin'.

Nygaard

## Seriously, Though: What is Critical Race Theory?

Despite the fact that "conservatives were never debating the facts," it's worth our while to have a basic understanding of what Critical Race Theory actually is. Here is a list of a few of the basic tenets of CRT.

### **Race Remains Central to American Society**

Speaking last December on a panel organized by the conservative Manhattan Institute (they call themselves "a leading free-market think tank"), Stanford law professor Ralph Richard Banks articulated what he called "the core" of Critical Race Theory. The "core of the insight," he said, is "the recognition that race has been and remains central to American society and institutions, that one cannot understand American history without recognizing the centrality of race. And if one wants to understand even now how basic institutions in American society operate—public education, employment, large corporations—if you want to understand how things operate in American society, you need to attend to the role of race in those institutions."

### **Race, and Races, Are Scientific Myths, but Social Realities**

In the book "Critical Race Theory: An Introduction," authors Richard Delgado and Jean Stefancic state that "race and races are products of social thought and relations. Not objective, inherent, or fixed, they correspond to no biological or genetic reality; rather, races are categories that society invents, manipulates, or retires when convenient. People with common origins share certain physical traits, of course, such as skin color, physique, and hair texture. But these constitute only an extremely small portion of their genetic endowment, are dwarfed by that which we have in common, and have little or nothing to do with distinctly human, higher-order traits, such as personality, intelligence, and moral behavior. That society frequently chooses to ignore these scientific truths, creates races, and endows them with pseudo-permanent characteristics is of great interest to critical race theory." 

### **Racism Is Ordinary, Not Exceptional**

Racism is “normal science,” the usual way society does business, the common, everyday experience of most people of color in this country.

### **Racism Is about Groups, Not Individuals**

In a classic 1958 essay in *The Pacific Sociological Review* entitled “Race Prejudice as a Sense of Group Position,” sociologist Herbert Blumer made the point that racism “exists basically in a sense of group position rather than in a set of feelings which members of one racial group have toward the members of another racial group.”

In 2017, 61 years later, scholar and activist John Powell affirmed Blumer’s point. The racialized categorization of people, what we call racism, Powell refers to as “othering.” And he says that “Othering is not about liking or disliking someone. It is based on the conscious or unconscious assumption that a certain identified group poses a threat to the favoured group. It is largely driven by politicians and the media, as opposed to personal contact. Overwhelmingly, people don’t ‘know’ those that they are Othering.”

### **Racism Benefits Some of Us, So We Have Little Incentive to Eradicate it**

Political scientist Ella Myers wrote back in 2017, “Among W. E. B. Du Bois’s many influences on American social science, his account of compensatory whiteness within the US regime of racial capitalism is particularly significant. In *Black Reconstruction in America*, Du Bois famously argues that whiteness serves as a ‘public and psychological wage,’ delivering to poor whites in the nineteenth and early twentieth centuries a valuable social status derived from their classification as ‘not-black.’ The claims embedded in this thesis—that whiteness provides meaningful ‘compensation’ (Du Bois’s term) for citizens otherwise exploited by the organization of capitalism; that the value of whiteness depends on the devaluation of black existence; and that the benefits enjoyed by whites are not strictly monetary—shaped subsequent efforts to theorize white identity and to grasp the (non)formation of political coalitions in the United States. The lasting impact of Du Bois’s thinking was evident most recently in debates surrounding the 2016 presidential election, in which the category of the ‘white working class’ featured prominently. Commentators wrestled with whether the actions of this demographic could be best explained by feelings of economic insecurity, racial animus, or, in a more Du Boisean vein, some potent alchemy between the two.”

### **Interest Convergence/Materialist Determinism**

Strict materialist determinism says that humans will inevitably act in ways that benefit them in a tangible way: more money, more property, more power, etc. CRT isn’t quite so strict, but Derrick Bell (one of the earliest proponents of CRT), did seem to think that the material advantages bestowed upon some by racism would affect their motivation, or lack thereof, to dismantle it. That being the case, Bell suggested that progressive change regarding race will occur only when the interests of the powerful happen to converge with those of the racially oppressed. That’s “interest convergence.”

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### Listening to Voices of Color

Delgado and Stefancic say that “The voice-of-color thesis holds that because of their different histories and experiences with oppression, black, American Indian, Asian, and Latino/a writers and thinkers may be able to communicate to their white counterparts matters that the whites are unlikely to know.” Scholars Camille Quinn and Giesela Grumbach point out that, “Since the dominant group’s accounting of history routinely excludes minority perspectives to justify and legitimize its power... this silencing of alternative experiences serves to minimize the interplay of power and oppression across time and place. CRT advocates a re-writing of history to include the lived reality of oppressed groups from their perspectives and in their own words to challenge liberalist claims of neutrality, color blindness, and universal truths.”

Attempts to ban the teaching of CRT are themselves examples of attempts to mute or silence voices of color and women’s voices. Education Week reports that “As of June 14, legislators in 21 states have introduced bills that would restrict teaching critical race theory or limit how teachers can discuss racism and sexism, according to an Education Week analysis. Four states have signed these bills into law.” [Iowa, Oklahoma, Idaho, and Tennessee.]

### Antiessentialism and Intersectionality

These and big, intimidating words, which annoys me. But the two concepts of Essentialism and Intersectionality are important, and they must be understood together. So here goes:

Trina Grillot, writing in 1995 in the Berkeley Women’s Law Journal, wrote in plain language about the two concepts. *Essentialism*, she said, “is the notion that there is a single woman’s, or Black person’s, or any other group’s, experience that can be described independently from other aspects of the person—that there is an ‘essence’ to that experience. An essentialist outlook assumes that the experience of being a member of the group under discussion is a stable one, one with a clear meaning, a meaning constant through time, space, and different historical, social, political, and personal contexts.”

She described *Intersectionality* this way: “Each of us in the world sits at the intersection of many categories: She is Latina, woman, short, mother, lesbian, daughter, brown-eyed, long-haired, quick-witted, short-tempered, worker, stubborn. At any one moment in time and in space, some of these categories are central to her being and her ability to act in the world. Others matter not at all. Some categories, such as race, gender, class, and sexual orientation, are important most of the time. Others are rarely important. When something or someone highlights one of her categories and brings it to the fore, she may be a dominant person, an oppressor of others. Other times, even most of the time, she may be oppressed herself. She may take lessons she has learned while in a subordinated status and apply them for good or ill when her dominant categories are highlighted. For example, having been mistreated as a child, she may be either a carefully respectful or an abusive parent.”

CRT embraces Intersectionality and rejects Essentialism.

By embracing Intersectionality, CRT acknowledges that “a primary focus on racial oppression can eclipse other forms of exclusion. CRT theorists contend that analysis without a multidimensional framework can replicate the very patterns of social exclusion it seeks to combat and lead to the essentializing of oppressions.” ↗↗↗

→→ By rejecting Essentialism, CRT allows members of marginalized groups to be individuals, a privilege long reserved for white people in US culture.

In summary, then, CRT suggests that: one cannot understand US culture without understanding race, which is a scientific myth but a social reality; racism is ordinary, not exceptional; racism is about the ranking of groups, not about the feelings toward individuals; racism benefits some of us, which presents a big barrier to its eradication; countering racist ideas demands that we listen to the voices of people of color and other marginalized voices, and; people are individuals with complex lives.

Wow, it sounds like CRT is asking us to rethink... well, everything. And, maybe we should. Read on... ♦

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## The Domination Contract

*The following is a reprint of an essay I published in Nygaard Notes #601, back in September of 2016. It was a part of a series I did about the history of racism, which led to an examination of what has been called the Social Contract. I thought it was timely in the fall of 2016, but it may be even more timely now. So here it is again.*

### Contracts Between Groups, Not Individuals

Whether we are conscious of it or not, the Enlightenment idea of the Social Contract forms the moral foundation of the United States, and perhaps more broadly of the fuzzy entity sometimes referred to as “Western Civilization.” Recall that the Social Contract is based on the idea of free, rational individuals emerging from an uncivilized “State of Nature” and agreeing to achieve a more orderly life by agreeing to live together under a government—that is, to live in “society.” So the very idea of the United States—at least, as it’s understood by most people—is that it has enshrined the principle of government of, by, and for the people, which makes the United States, it is said, “exceptional.” Just a couple of weeks ago (August 31) Hilary Clinton, in a major speech, spoke proudly of “American Exceptionalism,” which she said “means that we recognize America’s unique and unparalleled ability to be a force for peace and progress, a champion for freedom and opportunity.”

That idea of the United States as a “champion for freedom and opportunity” is based on the standard mythology surrounding the origins of the United States, in which the nation was founded based on Enlightenment thinking, and specifically on the idea of the Social Contract.

The philosopher Charles W. Mills offers a different way to understand the basic origins of the United States, and of the Social Contract itself. Mills proposes re-working the idea of the Social Contract, basing it on our understanding of actual human history—not some ideal world where everyone is equal and free.

Mills notes that “political philosophies make general claims about how societies come into existence, how they are typically structured, how the state and the legal system work, how cognition and normative evaluation characteristically function, how the polity should be morally assessed, etc.” (A “polity” is simply an area with a government, such as a city, state, or nation.)

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### Focus on Groups of People, Not Individuals

Mills notes that “There is never a ‘state of nature’, but always human beings in social groups of greater or lesser complexity.” And, he reminds us, not all of the social groups have equal power. Says Mills, “we know perfectly well from history that oppression of one kind or another has been the social norm since humanity left the hunting-and-gathering stage.” And therefore, “society is most illuminatingly seen as a system of group domination rather than as a collection of individuals.”

Mills reminds us that each phase of human history grows out of the phase that preceded it, and that all along the way societies are created by people, not by God or by Nature. As he puts it, “the crucial point is that the ... structure of domination in question, whether of class, gender, or race, is not ‘natural,’ not the outcome of the state of nature, but a socio-historical product.”

Rather than the mainstream Social Contract, which is highly individualistic, Mills proposes that we think in terms of a set of interlocking contracts that spell out power relationships between groups. He has written about what he calls the Racial Contract, the contract agreed to by whites to dominate and exclude “non-whites”. Feminist political scientist Carol Pateman has spoken of the Sexual Contract, which was agreed to by men to dominate and exclude women.

And Jean Jacques Rousseau, who in 1762 authored “The Social Contract,” preceded that work with a book called “Discourse on the Origin and Basis of Inequality Among Men.” The Discourse outlined what amounts to a Class Contract, which was “a kind of convention” that “consists of the different privileges which some men enjoy to the prejudice of others; such as that of being more rich, more honoured, more powerful or even in a position to exact obedience.”

The key point is that it wasn’t individual men who “signed” the Sexual Contract; it was put in place to benefit men as a group, by excluding women as a group. And it wasn’t individual whites who “signed” the Racial Contract; it was put in place to benefit all whites, by excluding all “non-whites”. The same with wealthy men; the Class Contract was put in place to benefit the wealthy as a group, by excluding all of the non-wealthy. In Mills’ words: “All whites [wealthy, males] are *beneficiaries* of the Contract, though some whites [wealthy, males] are not *signatories* to it.”

While the Social Contract has inspired millions with its vision of equality and democracy, it does a lousy job of helping us understand the actual history of nation-making over the past 500 years. After all, as Mills reminds us, “the assumptions of the mainstream contract in its contemporary form, presuming universal inclusion and general input, handicap the apparatus in tackling the necessary task of corrective justice by, in a sense, assuming the very thing that needs to be substantively achieved. Once one adds women of all races, and male people of color (to say nothing of the white male working class), one is actually talking about the *majority* of the population’s being excluded in one way or another from the historical contract, and its present descendant!”

Addressing the community of philosophers (who help to maintain and propagate the standard mythology), Mills urges thinking “out of the box” of Social Contract theory with its fantasy about equally-powerful individuals agreeing on the shape of society. Says Mills, “The simple central innovation is to posit a group domination contract which is exclusionary rather than genuinely inclusive, and then rethink everything from that perspective.”



→→ In place of the standard Social Contract, Mills proposes that the three Contracts—Class, Gender, and Race—be thought of together as what he calls The Domination Contract. “The class, sexual, and racial contracts each capture particular aspects of social domination (while missing others), so that, whether singly or (ideally) in combination, they register the obvious fact that society is shaped by the powerful acting together, not individuals acting singly.”

That’s the end of the reprint, but if you wish to deepen your understanding of the nature of the threat, I recommend that you read the book *The Racial Contract*. If you don’t have time for that, go check out Nygaard Notes #599 through 602. ♦

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## Questioning “The Very Nature of the Dominant Moral Order”

I’ve said before that I’m excited about the current state of affairs in the United States. And that’s because I think we are actually discussing some basic issues about the nature of the society in which we live. It’s not the first time this has been evident in my lifetime. I was born in the 1950s, so I grew up in a time when many were questioning, and rejecting, the existing imperial order and the existing racial order. I was too young, and too sheltered, to have a very deep understanding of the headlines about civil rights or the so-called Vietnam War.

But I somehow understood that I was living in a time of crisis, a time of questioning what is “normal,” what is moral, and what it means to be a citizen of the most powerful nation in the history of the world.

I was a white kid growing up in a white town in Minnesota, so I had a long journey to make in order to get from *Leave It to Beaver* to *The Autobiography of Malcolm X*. And it has been an even longer journey to see how deeply threatening were the challenges posed to the dominant order by the civil rights movement, the anti-war movement, and the revolutionary consciousness that informed them both.

I didn’t know, and couldn’t know, that the reactionary backlash to that revolutionary consciousness would be the dominant theme of most of my adult life. From Nixon to Reagan to Bush I to Bush II to Donald Trump, The System has been viciously counter-attacking and attempting to re-establish “cultural hegemony,” which is what we call it when certain attitudes, beliefs and conceptions about the world become so widely accepted in a society as to function essentially as the “organizing principles” of that society. That is, the stuff that seems like “common sense,” the stuff that is so obviously true that it forms the basis for every news report you see or hear. (I wrote about this back in 2005, in NN #312, “What is Hegemony? And Why Do I Care?”)

But now, after 50 years or so of dominating the scene, the Powers That Be are beginning to worry that they may soon be the Powers That Were. They have a name for this struggle for dominance: The Culture Wars.

Sociologist Herbert Blumer explains how a change in the dominant thinking occurs: “Through talk, tales, stories, gossip, anecdotes, messages, pronouncements, news accounts, orations, sermons, preachments and the like definitions are presented and feelings are expressed. In this usually vast and complex interaction separate views run against one another, influence one another, modify each other, incite one another and fuse together in new forms. Correspondingly, feelings which are expressed meet, stimulate each other, feed on each other, intensify each other and emerge in new patterns. Currents of view and currents of feeling come into being; sweeping along to positions of dominance and serving as polar points for the organization of thought and sentiment.”

**Questioning** *from page 7*

There's a place called the Institute for Advanced Studies in Culture at the University of Virginia. Describing their vision, the good folks at the Institute say it well:

“In our day, it is essential to investigate the very nature of the dominant moral order, the explanatory frameworks, guiding metaphors, narrative models, and categories of meaning that animate that order, and the means by which it is legitimated and preserved. Because the power of our culture is found in the ways we take it for granted and see it as ‘common sense,’ it is essential to understand the symbols, ideals, practices, institutions, and material objects of our late modern world and bring into view their moral or normative presuppositions.”

They add that “For the most part, our major institutions—including the market, political liberalism, medicine, science, even education and law—either deny or are unable to acknowledge the normative foundations that underpin them. This claim of neutrality cloaks the inescapable moral commitments made in these contexts and puts these commitments off limits to public deliberation. The

reality, of course, is that underneath this pose of neutrality is a moral order, a particular understanding of the human being and of the community, which exerts a powerful force within our culture. Thus, we are faced with implicit and inarticulate promises of human flourishing that, in the end, undermine, diminish, and even deny the possibility of human thriving.”

Perhaps the most telling fact in the whole discussion of Critical Race Theory is that there is never any mention of the “theory” that it is challenging. Just as “white” people, in the propaganda system, are considered “normal,” and thus rarely identified as “white,” so the set of ideas, assumptions, and basic concepts that justify and maintain white supremacy as a foundational ideology in U.S. society remains un-named, having long ago achieved cultural hegemony.

So which is it? Is Critical Race Theory “dangerous, divisive, anti-American, demeaning, and flat-out wrong”? Or is it instead a marker telling us that we are at a fork in the road, telling us that it really is possible for us to forge a new and inclusive Social Contract? It's gonna be a struggle. It's gonna take a movement. Let's get to it! ♦

**“Quote” of the Week: “Much More Complex than That”**

*Everyone has heard the story about [Inuit people] whose language contains many words for different kinds of snow. Imagine the opposite predicament—a society that has only one word (say, “racism”) for a phenomenon that is much more complex than that. Imagine the opposite predicament—a society that has only one word (say, “racism”) for a phenomenon that is much more complex than that. For example: biological racism; intentional racism; unconscious racism; microaggressions; nativism; institutional racism; racism tinged with homophobia or sexism; racism that takes the form of indifference or coldness; and white privilege—reserving favors, smiles, kindness, the best stories, one’s most charming side, and invitations to real intimacy for one’s own kind or class.*

That's from Chapter 2 of “Critical Race Theory: An Introduction”, 2<sup>nd</sup> Edition 2001

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