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Backlash: The Primordial Response to (Teaching) Critical Race Theory and U.S. History

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In the book *Caste: The Origins of Our Discontents*, African American author and Pulitzer Prize-winning journalist Isabel Wilkerson issues a challenge to examine U.S. society with X-ray-like precision, to recognize an artificial but effective apparatus that holds social processes, systems, and institutions together. The author posits that a systematic framework, organized around “a subconscious code of instructions” grounded in deep-rooted ideologies and practices, maintains a social hierarchy that is presumed fixed and immutable (p. 17). This framework, Wilkerson informs, is “a caste system”; an intricate web of race, social status, and social class that organizes persons’ positions in society according to the construction of ‘whiteness’ (p. 17). Whiteness is an idea predicated on the belief that all socially identified as, and with, ‘white’ is right, good, and sacred. Hence, those who identify or are identified as white are reputed to belong to the ruling caste; that is, the highest level of society with the most influence and control while all else is ranked subordinately. Taking a structural-functionalist position, Wilkerson defines caste as “the granting or withholding of respect, status, honor, attention, privileges, resources, benefit of the doubt, and human kindness to someone on the basis of their perceived rank or standing in the hierarchy” (p. 70). Whiteness is at the crux of every significant societal interaction and is the condition of U.S. life upon which caste is structured.

This article highlights pivotal moments in U.S. history to reveal the presence of a deep-seated instinct that is unleashed whenever there is consequential racial progress perceived as threatening the salience of whiteness and the configuration of caste. The author argues that the instinct to stymie shifts in the U.S. racial order is fundamental to the country’s survival. It is a trait inherent in the country’s nature. This propensity for racial animus has existed ever since Europeans first colonized North American territory, established a racial hierarchy by removing Indigenous peoples from their native lands, and replaced them as the majority group of inhabitants. As anthropologist Patrick Wolfe (2008) postulates in reference to settler colonialism, “invasion is a structure, not an event” (p. 103). By providing various examples of historical significance, the author presents a

backdrop against which the contemporary sharpened focus on teaching and learning U.S. history, particularly subject areas that include race-conscious curricular content, is set. Finally, an examination of recent attacks on critical race theory (CRT) is provided to underscore the continued reliance on violence to maintain caste by devaluing, diminishing, and discontinuing anti-racist pedagogy across the public education landscape.

Backlash and Caste

In the section of the book entitled “Backlash”, Wilkerson invites the reader to specifically consider the fact that, at each major turn in U.S. history when the lived experiences of African Americans are foregrounded in national discourse, there is a reflex response from the dominant social group in caste that operates to protect and preserve the social hierarchy. This is done by deliberately minimizing, even denying, the value of Black people’s contributions to the country’s past, present, and future. Conceivably, backlash functions to keep the white supremacy hierarchy stable and resistant to any changes that may

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shift people’s assigned social positions out of place. Emory University professor of African American Studies Carol Anderson (2017) contends that this instinctive reaction can be conceived of as “white rage”, a practically indiscernible state that does not necessarily present as physical violence but “works its way through the courts, the legislatures, and a range of government bureaucracies [wreaking] havoc subtly, almost imperceptibly” (p. 3). Anderson (2017) goes on to proffer that “white rage manages to maintain not only the upper hand but also, apparently, the moral high ground” (p. 4). Wilkerson corroborates,

Caste is insidious and therefore powerful because it is not hatred, it is not necessarily personal. It is the worn grooves of comforting routines and unthinking expectations, patterns of a social order that have been in place for so long that it looks like the natural order of things. (p. 70)

Essentially, caste is about power – the bestowed capacity to determine who moves within the hierarchy and by what means. In the United States this power is personal and structural, defined and possessed by ‘whiteness’; the social identity reserved by those who orchestrate the process of racialization. In other words, caste represents a system of domination and control organized by race. The concept of caste helps explain the persistence of social and racial inequality in the U.S., despite individuals’ efforts to be anti-racist and socially just. Occupants of the upper echelons of caste have vested interest in keeping the hierarchy intact and will work to sustain those interests at all costs.

Racial hostility in the U.S.: From capture to the current moment

Genocide, Slavery, and Emancipation

“Caste does not explain everything in American life, but no aspect of American life can be fully understood without considering caste and embedded hierarchy.” (Wilkerson, 2020, p. 324).

Therefore, to understand the deep-rooted commitment to racial backlash in the U.S., examining the genesis of the union contrived out of settler colonialism is instructive. Given the primary motive of settler colonialists to expand territory and acquire land, European interlopers either exterminated or assimilated the Indigenous peoples they encountered when they first arrived. Stated definitively, European settlers committed genocide against countless Indigenous people across several territories in North America to dominate and possess land for financial and military gain (Dunbar-Ortiz, 2021). To the extent that genocide includes killing, or physical or mental harm to a person or their life conditions “committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group” (UN Convention on the Prevention and Punishment of the Crime of Genocide), genocide must be rightly acknowledged as the earliest use of violence to install and secure the society’s racial structure. Wolfe (2008) elucidates, “elimination is an organizing principle of settler-colonial society, rather than a one-off (and superseded) occurrence” (p. 103). When people are annihilated, so too are their cultures, language, and myriad ways of being. In effect, they are rendered valueless and wiped out of existence. The instinctive tendency to nullify racialized experiences and center whiteness was plainly manifested from the very beginning of European domination of American *terra firma*; and violence, physical or psychological, is the vehicle through which racial animosity is deployed to relentlessly defend caste.

With a racialized system of domination firmly in place across colonies after the systematic removal and replacement of Indigenous peoples, the transition to a slave society as the organizing model for society was facile. In the slave society that developed around the need for a large workforce on plantations after the decimation of Indigenous people and the limited utility of white indentured servants, Africans considered chattel – property possessed to be exploited by and produce unpaid labor for white European enslavers – were placed in the lowest position of the social hierarchy, while Europeans assigned themselves to the top. All aspects of slave society, including family, religion, and government, revolved around the economy driven by the planting, harvesting, and processing of cash crops grown in the Americas. According to this structure, dark skin at once meant ‘slave’, ‘inferior’, ‘heathen’, and ‘owned’, while white skin signified ‘privileged/free’, ‘superior’, ‘Christian’, and ‘owner’. Furthermore, one’s eligibility to participate in the body politic of slave society was established in the U.S. Constitution, with enslaved people considered three-fifths of a person for representation purposes and voting allowed for men only. In some states, only men who owned property could vote. Therefore, before the formation of the United States of America, the caste system existed to give society its definition and order and put in place the underpinnings of the structures of inequality and injustice still experienced today. Indeed, caste is a cornerstone of the country’s foundation, which is deemed extremely valuable and is passionately defended by those who benefit from it.

Participation in the transatlantic slave trade by the British (including colonies) outlawed in 1807, and the Emancipation Act to abolish the institution of slavery passed in American colonies in 1865 did not affect much change in how enslaved Africans were regarded and treated in the United States. The abolition of the slave trade urged a different kind of fervor towards chattel slavery, as the inability to import slaves created an opportunity to buy, sell, and traffic enslaved people domestically. Hence, abolishing the transatlantic slave trade did not result in the cessation of trading enslaved persons locally nor an immediate improvement in slavery conditions. The lawful practice of keeping Black bodies in bondage and exploiting their physical, intellectual, and emotional labor continued for another fifty-plus years, thereby keeping caste inviolate. In fact, the potential for societal integration of fully emancipated African people to upset and restructure the lives of the dominant social class attracted an epic backlash.

The concept of caste helps explain the persistence of social and racial inequality in the U.S., despite individuals' efforts to be anti-racist and socially just.

Arguably, the definition of the character of the United States began getting clearer in 1861, throughout the four-year moment known as The Civil War. While some still frame the war as being fought over 'states' rights', the fact is that whatever rights were being protected pertain directly to whether the enslavement of Africans within the 13 colonies would remain legal. This was yet another act in the tragedy of U.S. history, where white rage erupted on American soil to maintain the established social order. An extreme show of caste-protection was on full display, with the willingness to kill or be killed in defense of whiteness not in doubt. In the end, the war claimed over 600,000 lives, approximately 2 percent of the population at the time (American Battlefield Trust). On April 9, 1865, Confederate General Robert E. Lee's surrender to U.S. Lieutenant General Ulysses S. Grant marked the end of the Civil War and signaled new hope for the country. The official abolition of slavery and emancipation of enslaved Africans was inevitable, and the possibility of an inclusive, multiracial, multicultural nation seemed real. This hopeful moment was short-lived, however, given the natural propensity for whiteness to reaffirm caste and secure it in its original state.

Reconstruction

Thus, the period following The Civil War, commonly referred to as Reconstruction (1865-1877), was fraught with questions about the meaning of freedom, citizenship, and equality in the newly forming nation. The war created conditions of desolation and depravity for formerly enslaved Africans whose welfare was, more or less, an afterthought during this time of national turmoil. Having lived as property (chattel) up to the time at hand, Africans found themselves "bewildered between friend and foe", emerging from a system of enslavement that "classed the black man and the ox together" (Du Bois, 1994, p. 18). African American historian and scholar Henry Louis Gates, Jr. refers to Reconstruction as "chaotic, exhilarating, and ultimately devastating" (PBS, 2019) as the government sought to restore the country after the disappointment and physical, political and social division brought about by The Civil War.

Although this period held the promise of equality and inclusion for all, and government sights were set on establishing the bases on which all persons could fully participate in the incipient democracy, anti-slavery sentiments were not without resistance. No sooner than rights for emancipated persons were legally granted through the 13th, 14th, and 15th Amendments to the Constitution, that opposition came in a rash of anti-Black legislation endorsed by the White House and passed by various states to keep African Americans ‘in their place’. W.E.B. Du Bois (1994), in writing about the post-Emancipation period declared, “the War Amendments made the Negro problems of today” (p. 10) and “there was scarcely a white man in the South who did not honestly regard Emancipation as a crime and its practical nullification as a duty....Thus, Negro suffrage ended a civil war by beginning a race feud” (p. 23). The dream of equal rights or equal protection for African Americans became a nightmare, accompanied by unrestrained state-sanctioned violence, with all possible haste. According to Anderson (2017), the violence of the time "was simply the most overt, virulent stream of anti-black sentiment that conscribed the lives of both the free and the enslaved" (p. 12). There seemed to be no limits to how the social order was to be kept fixed, even if changes brought benefits that the dominant caste could enjoy.

The backlash during Reconstruction was also strategically executed in the dismantling of the Freedmen's Bureau; a government agency that, if allowed to thrive, might have resulted in “the establishment of goodwill between ex-masters and freedmen” (Du Bois, 1994, p. 22). The creation of the Freedmen’s Bureau was in direct response to the need to look after “the emancipated Negro as the ward of the nation.” This was the main hope of the Bureau, along with its mandates, to seek justice for freedmen before the courts, secure employment, and provide public schooling for African Americans. Du Bois (1994) opines that the Freedmen’s Bureau was “one of the most singular and interesting of attempts made by a great nation to grapple with vast problems of race and social condition” (p. 10). The opponents of the Freedmen’s Bureau claimed that it was unconstitutional in that it favored Blacks, compromised states’ rights, and was too expensive to maintain. The claim of unconstitutionality is a curious one since African Americans were hardly considered citizens then.

Furthermore, across the South was the installation of a quasi-enslavement system, that is, the convict-leasing system that prolonged the lifetime of bondage for African Americans. In tandem were a range of discriminatory laws (otherwise called 'Black Codes') that ushered in decades of *de jure* segregation designed to thwart the advancement of African Americans in the U.S. Specifically, regarding the Black Codes passed by the South Carolina legislature that assembled in 1865, Du Bois (1962) notes that they were “one of the most vicious” that “provided for corporal punishment, vagrancy and apprenticeship laws, openly made the Negro an inferior caste, and provided special laws for his governing” (p. 382). Douglas Blackmon refers to convict leasing as "slavery by another name" to denote the system of forced labor in which African Americans were traded to work without pay under harrowing conditions. Such a system was another attempt to perpetually extract resources and benefits from a subordinate class, keep Black people subjugated through terror, and maintain the social order.

In observing the state of African American life at the end of Reconstruction, Du Bois (1994) wrote
For this much all men know: despite compromise, war, and struggle,
the Negro is not free. In the backwoods of the Gulf States, for miles
and miles, he may not leave the plantation of his birth; in well-nigh

the whole rural South the black farmers are peons, bound by law and custom to an economic slavery, from which the only escape is death or the penitentiary. In the most cultured sections and cities of the South the negroes are a segregated servile caste, with restricted rights and privileges. Before the courts, both in law and custom, they stand on a different and peculiar basis. Taxation without representation is the rule of their political life.

Although these words were originally written in 1903, Du Bois could well be referring to the state of African American life in the twenty-first Century. In the final analysis, the hope of a truly democratic, multiracial political order proved futile in the wake of the Civil War, and caste remained fundamentally unimpaired.

Civil Rights in the 1950s and 1960s

Concerted efforts to maintain caste's rigidity was again clearly evident almost one hundred years after the end of the Reconstruction era. The first half of the twentieth century in the United States has been memorialized as the Jim Crow era; defined by legalized racial segregation and discrimination rife in all areas of human activity - from housing to education, recreation to employment. Even cemeteries were segregated by law. The period officially ended in 1954, when the U.S. Supreme Court negated the 1896 *Plessy v. Ferguson* decision and declared the doctrine of "separate but equal" unconstitutional. This event marked yet another major turning point in U.S. history; what Dunbar-Ortiz (2021) refers to as "the explosion that cracked the white republic" (p. xvi). A group of NAACP Legal Defense Fund lawyers, led by Howard University Law School graduate Thurgood Marshall and armed with expert legal analyses of feminist scholar and social justice activist Pauli Murray, successfully argued before the U.S. Supreme Court that racially segregated schools were unconstitutional because they denied African Americans equal protection under the law. Unsurprisingly, the *Brown v. Board of Education of Topeka* Supreme Court decision set in motion a series of legislative retorts that sought to prolong school segregation and preserve white supremacy. Anderson (2017) informs that, subsequent to the *Brown* decision, "white opposition careened from the Massive Resistance of disfranchisement, interposition, school closures, and harassment of the NAACP to the passive resistance of pupil placement laws, residential segregation, token integration, and 'neighborhood schools'" (p. 96). In some places, federal troops and the National Guard were called in to help quell the violent upheaval associated with efforts to desegregate schools. Apparently, the promise of education for African Americans of the same quality and standard available to white Americans, which held the potential for significant progress in Black advancement, was perceived as threatening to the caste system. As with any well-oiled machine primed and ready for work, the white nationalist response to this historic shift was automatically activated.

The Civil Rights movement organized vigorously against anti-Black efforts and, with renewed energy, attempted to destabilize, possibly destroy, caste. After many protests, sit-ins, bus boycotts, and the assassinations of three influential Black leaders - Malcolm X, Medgar Evers, and Martin Luther King, Jr. - the Civil Rights Act of 1964 was passed. A year later, the Voting Rights Act was enacted, and in 1968, Congress enacted another Civil Rights Act to address housing discrimination. To date, the Civil Rights Act of 1964 has been the most comprehensive civil rights statute, protecting against discrimination in voter registration,

employment, education, and public accommodations. The Act ensures that non-discrimination principles are followed in any activity supported by the U.S. government by restricting federal appropriations and programs available to private and public organizations. It outlawed discrimination based not only on race but also on other factors such as sex, national origin, and religion. The Voting Rights Act sought to end racial discrimination in voting. It allows for federal enforcement and prosecution of voting rights violations and has inspired significant growth in voter registration rates, especially among segments of the population for whom political participation had been historically dispirited. The Civil Rights Act of 1968 prohibits discrimination in the sale, rental, advertising, and financing of housing based on race, religion, national origin, and (as later amended) sex, (dis)ability status, and the presence of children in a household.

Meanwhile, the white power structure of the pre- and post-war South was preparing to exert its influence by reinstating discriminatory laws to reimpose an inferior legal status on African Americans. The law would be wielded, yet again, to bolster claims by those who fear that a government overly sensitive to the needs of the oppressed will deprive members of the dominant social stratum their rights. In the 2013 Supreme Court Case, *Shelby County v. Holder*, the Voting Rights Act of 1965 was significantly compromised by ruling Section 4(b) of the Act unconstitutional, effectively disempowering Section 5 of the Act with the decision. The practical effect of this outcome is the strengthening of state and local governments' capacity to pass laws or policies that deny racialized U.S. citizens their equal right to vote. *Shelby* began before a federal court in 2010 and made its way through a series of appeals to the U.S. Supreme Court in 2013. The unrelenting instinctive reaction was especially clear – whenever there was a perceived shift in the social hierarchy, a hyperbole of action by operators of caste mounts to remind African Americans and other racialized people in the U.S. of their assigned place in society.

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The U.S. Presidency 2008-2020

In 2008, Barack Obama became the first African American candidate to be elected president of the United States of America. This was, undeniably, a major decisive moment in U.S. history. For many in the U.S. and around the world, this was an unimaginable outcome for a U.S. presidential election because of the known reputation of caste and its indispensability in U.S. society. Although there were other Black candidates who had challenged the caste system and campaigned for the presidency before Obama, notably, Frederick Douglass, U.S. Congresswoman Shirley Chisholm, and Revd. Jesse Jackson, the first decade of the twenty-first century heralded the first non-white leader into the country's highest seat of government. In pulling off a second victory in the 2012 election, Barack Obama served as the 44th president of the U.S. for two full terms. By any measure, Obama's presidency was successful, with many significant bills signed into law, not the least of which included the expansion of health insurance access through the Affordable Care Act. Moreover, President Obama's perspicacious leadership was indelible in efforts that culminated in the U.S. Supreme Court ruling against bans on same-sex marriages. Gallup (n.d.)

reports that President Obama consistently enjoyed relatively high approval ratings throughout his terms, hovering mostly above 50% during the last year of his administration. Without question, these achievements caused a shift in caste's equilibrium, thereby provoking white rage among its executors.

As a spiteful rejoinder to the victories of the Obama administration, the election of Donald Trump as the 45th president of the United States was decided conclusively. While some pundits claimed that support for Trump rose largely due to perceptions of social exclusion within the working class, research shows that the majority of white people across major demographic lines (income/class, gender, and level of education) endorsed Trump for president. The Roper Center for Public Opinion Research at Cornell University reports that 57% of voters who backed Trump were identified as white. In a supposedly 'post-racial America' as touted widely after Barack Obama's ascendancy to the White House, traditional racial categories would have lost their meaning. However, the data reveal contrasting views and experiences. African American award-winning author and journalist Ta-Nehisi Coates (2017) surmises, "It's impossible to imagine Trump without the force of whiteness".

Since 2016, white nationalism, also known as far-right extremism, has become more overt and violent. The Southern Poverty Law Center (2019) reports a record high of 1,020 hate groups in 2018 (Figure 1) and a significant increase in the use of racial slurs and incidents involving swastikas, Nazi salutes, and Confederate flags among students around the country. SPLC dubbed this repercussion "The Trump Effect" because "it appeared that children were emulating the racist, xenophobic and coarse language Donald Trump was using on the campaign trail". Data from the U.S. Department of Justice lend weight to this claim.

Figure 1

Trend of hate group formations in the U.S., 2010-2018

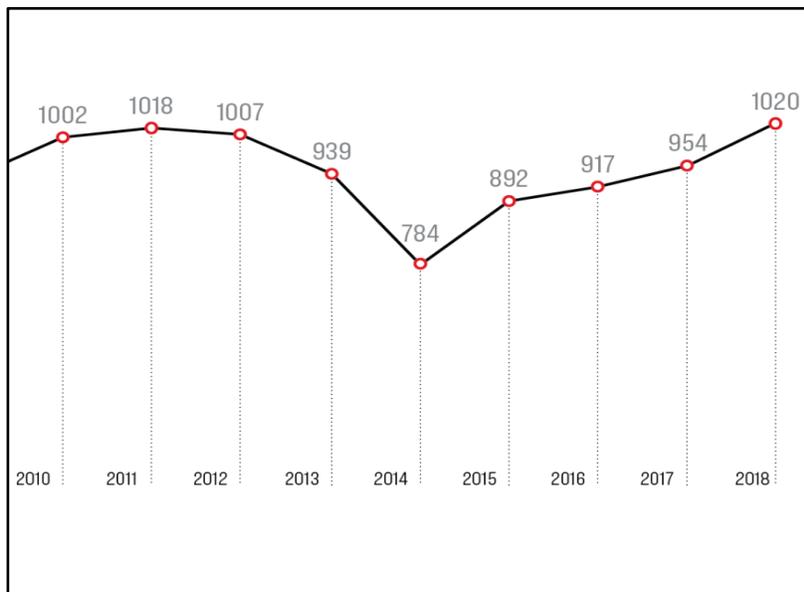
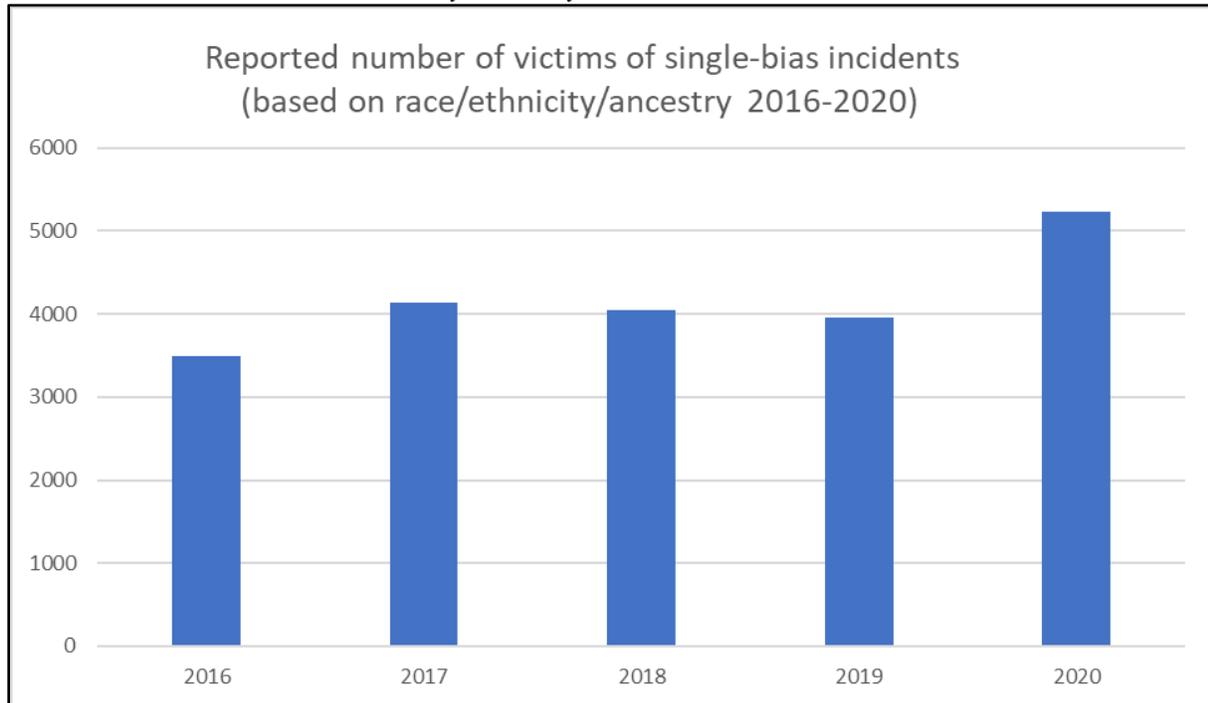


Figure 2 shows the number of victims of hate crimes based on race, ethnicity, and ancestry reported to the Federal Bureau of Investigation (FBI) for the period 2016-2020.

Figure 2*Hate crimes based on race/ethnicity/ancestry, 2016-2020*

In drawing a parallel between the eight-year period of Reconstruction and the eight years of President Obama's administration, Coates (2018) reminds that South Carolina's 1895 constitutional convention responded to African Americans' successful participation in state politics and legislation, with literacy tests and property ownership as voting eligibility requirements. About said constitutional convention and similar others across the South, Du Bois (1962) argued that the true purpose of the efforts was to delegitimize the political power of African Americans and restore white supremacy. "If there was one thing that South Carolina feared more than bad Negro Government, it was good Negro government" (Du Bois, 1962, p. 425). Likewise, Obama and his scandal-free family, the epitome of Black respectability and "good Negro government" activated the deep-seated fear in many white Americans and the instinctive anti-Black retaliation went into full effect. Ohio State University Professor of English and African American scholar, Koritha Mitchell (2020) has coined the term "know your place aggression" to characterize the whiteness-based violence, physical or discursive, that is engaged in response to African Americans' success and progress in all spheres of life (p. 1). Such aggression reinforces the seemingly perennial precept that African Americans are not fit to be citizens of the country they have built and, therefore, should always be made to stay in their designated place within caste. Recall that Barack Obama's bid for the White House was met with "know your place aggression" marshaled by calls for him to prove his citizenship by birth.

Caste is the presumed status quo of U.S. society founded on and shaped by whiteness. Its framing is held together by policies, practices, and processes suffused with the idea that racialized people deserve less. It is protected by systemic barriers that determine who is allowed to move within the space: when, where, and how. Europeans' colonization of North American territory, their

indiscriminate violence against Indigenous peoples, and the systematic enslavement of Africans effectively instituted the U.S. caste system, and within it, every effort towards achieving Black social advancement in the U.S. is met with hostility to remind racialized people of their appointed place in society and to keep them in said place. Inevitably, through overt or covert backlash, caste remains firmly in place allowing for “racism without racists” to persist, without the need for people’s patent bigoted behavior (Bonilla-Silva, 2014).

The Current Moment and Critical Race Theory

The summer of 2020 will not be forgotten any time soon. It is marked by the peak of a multi-year global pandemic caused by the COVID-19 disease and worldwide protests against institutionalized racism sparked by the fatal strangling of George Floyd at the hands of a uniformed police officer on downtown Minneapolis Street. These events had wide-reaching impacts that shed new light on extant structural racism across public sectors of health(care), education, employment, and criminal justice, to name a few. In the United States, school districts, corporations, and various other public and private organizations have ramped up efforts to investigate and improve how they address matters of diversity, equity, inclusion, belonging, and justice among stakeholders. Social justice and anti-racist statements were published in abundance by sundry industries, and educators seized the opportunity to revisit how U.S. history is being taught across curricula. Monuments of known racists/white supremacists, European slave owners, and slave traders of the past were destroyed or removed from public spaces, and institutions reflected on their oversight of commitment to exclusionary practices in different spheres of activity. Even a new holiday was added to the national roster – Juneteenth – to be celebrated annually on June 19 in recognition of the end of chattel enslavement in the United States. This urgent social ‘reckoning’ curiously launched an academic framework, Critical Race Theory (CRT), to the forefront of everyday discourse in what turned out to be a full-blown assault on equality and justice.

CRT is an erudite approach to analyzing laws and systems that shape U.S. society, with race as its methodological lens. Its early formation began in the 1970s, when legal scholars sought to explain how racial inequality was institutionalized into legal systems, thereby producing unequal societal outcomes for racialized individuals and communities. The scholars then argued that the achievements of the 1960s civil rights movement had stalled and new approaches were needed to challenge the more covert forms of racism that were emerging (Delgado and Stefancic, 2017, p. 4). The late Harvard Law School professor Derrick Bell, along with other legal luminaries including Kimberle Crenshaw, Richard Delgado, Patricia J. Williams, Alan Freeman, and Mari Matsuda, theorized that the law is limited in its ability to expunge racism, since all law (statutes, regulations, case law, constitutional law) reflect values and beliefs held by those in power, and power in the U.S. is in the locus of the white ruling class. According to the founding scholars of CRT, the framework provides a way of thinking that “compels us to confront critically the most explosive issue in American civilization: the historic centrality and complicity of law in upholding white supremacy” (Crenshaw, et. al., 1995, p. xi). Correspondingly, CRT

CRT is an erudite approach to analyzing laws and systems that shape U.S. society, with race as its methodological lens.

rejects the usual discourses of objectivity, neutrality, color-blindness, meritocracy, and equality under law associated with U.S. jurisprudence.

“America has been able to define itself as a White country by marking Blacks as that which does not constitute it. The law has served to rationalize racial boundaries with fictions that, in fact, conceal exploitation and marginalization actions that do not observe the color line.” (Derrick Bell in Browne-Marshall, 2013, pp. xiv-xv).

Any social theory distinguished as ‘critical’ belongs to the body of knowledge that is concerned with how social problems are tied to the social order. These theories frame social problems as attributes of social institutions that privilege certain groups in society and oppress others along lines of race, class, gender, etc. (Mullaly, p. 5). Therefore, critical theories are oriented towards social reorganization or transformation and tender a political articulation for dealing with social problems. More broadly, critical theory is informed by a critique of domination, with liberation as its primary goal (Kellner, 1989). Crenshaw et. al. (1995) submit that scholarship centered on critical *race* theory has two goals:

(1) to understand how a regime of white supremacy and its subordination of people of color have been created and maintained in America...in particular to examine the relationship between that social structure and professed ideals such as ‘the rule of law’ and equal protection’,

and (2) “not merely to understand the vexed bond between law and racial power but to change it.” (p. xiii). By interrogating the role that law plays in perpetuating social domination and subordination, CRT substantiates that analyses of assumed shared ideas, values, and beliefs, particularly with regard to how embedded racism is in the legal system, is critical to any change. CRT stresses the importance of examining the ways in which race and racism intersect with other forms of oppression and shape social structures and practices. Therefore, CRT unapologetically aims to disrupt the U.S. caste system in favor of emancipating the marginalized and racially minoritized in society.

From “Black Codes” to *de facto* policies that enable school segregation, housing discrimination, voting suppression, mass incarceration, and so much more, racism has been fixed firmly into U.S. law, and public policies implementing laws have been enforced to keep the caste system intact. As an analytical construct, CRT aims to expose how the law encodes racial inequality and injustice, thereby helping to reinforce caste. CRT is a novel strategy to explain the relationship between race and law, thereby allowing for a more honest and transparent understanding of the country’s history and current social dynamics. Understandably, CRT defies the status quo and, in the contemporary moment, is eligible for the hostility that is instinctively effectuated when the perspectives and experiences of those in the subordinate class of caste are advanced.

Backlash to Critical Race Theory

Critics of CRT insist that its principles are divisive and engender hate for others and the nation. As such, CRT has been co-opted as a “dog whistle term”, by primarily right-wing conservatives, to refer to the teaching (and other forms of acknowledgment) of the country’s racist past and present. Anti-CRT rhetoric is grounded in a fear of raising awareness

about structural racism and inequality in society, and seeks to alter and negate the true narrative of many Americans' reality. The attack on CRT is discursive in nature and represents resistance to telling the truth about the pervasiveness of injustice in U.S. society. By advancing a false narrative about CRT, the dominant class in caste can perpetuate their claim to moral and social superiority. Taken seriously, the contemporary backlash with CRT as its focus can be illuminated by applying an 'epistemology of ignorance'; that is, knowledge of the conscious and strategic production of ignorance for purposes of domination and exploitation (Mills, 1997). Sullivan and Tuana (2007) concur and expound, more specifically, that the ignorance that underpins racism is not a simple gap in knowledge or the accidental result of an epistemological oversight. Rather, in the case of racial oppression, ignorance is often actively produced to maintain privilege and internalize white supremacy. Obstructing knowledge of CRT and twisting its meaning with nefarious intent simultaneously multiplies ignorance and enables those socially categorized as white to retain their position of social dominance in caste.

Ultimately, CRT resistance cultivates widespread ignorance, is anti-intellectual, and operates counter to students' acquisition of critical thinking and analytical skills.

Protectors of caste claim that race-conscious education is disadvantageous; in that, it professes the U.S. to be inherently evil and admonishes all white people as racists. Although a student is not likely to encounter CRT until graduate school, there have been concerted attempts to manipulate how subject matter related to race and racism is taught in U.S. schools. As of September 2022, the CRT Forward Tracking Project reports that 523 anti-CRT efforts, including legislation, public policies, and school board resolutions have been introduced at local, state, and federal levels. The CRT

Forward Tracking Project was launched by the UCLA School of Law Critical Race Studies Program (CRS) in response to the extensive assault on Critical Race Theory (CRT) and antiracist interventions in education and government training programs over the 2020-21 period. The project "identifies, tracks, and analyzes local, state, and federal activity aimed at restricting the ability to speak truthfully about race, racism, and systemic racism through a campaign to reject Critical Race Theory (CRT)" ([UCLA Law CRT Forward Tracking Project](#)). In August 2022, analyses by the CRT Forward Tracking Project reveal that 205 anti-CRT measures have been enacted across the country, with much of that quantity being the result of local school districts attempting to implement state-level anti-CRT legislation (Alexander, 2022). Additionally, the CRT Forward Tracking Project reports that school districts in Virginia, Pennsylvania, Georgia, California, and North Carolina have enacted the most anti-CRT measures at the local school board level (Alexander, 2022).

Obviously, the implications of these actions are manifold for teachers and students at all levels of the public education system. Teachers fear losing their jobs if they do not comply with the regulations; books that unequivocally expose the country's racist history and center the lived experience of racialized individuals or groups are being banned; and students' education is compromised because of funding cuts if schools fail to enforce 'anti-CRT policies' (Ujifusa, 2021; Pendharkar, 2021; Pendharkar, 2022). Ultimately, CRT resistance cultivates widespread ignorance, is anti-intellectual, and operates counter to students' acquisition of critical thinking and analytical skills. Not only does the backlash potentially deny students and teachers the opportunity

to study the past inclusively, it also undermines administrators' work to improve public education opportunities and outcomes for students from historically underrepresented and marginalized communities. As African American education researcher and scholar Gloria Ladson-Billings has made clear, culturally relevant and culturally competent education which fosters "the ability of students to draw on their own backgrounds, languages, histories, customs, and experiences as they gain fluency and facility in at least one other culture" is vital to students' academic success (Will, 2002). Retrenchment of racist ideology, as witnessed in the recent aggression towards CRT, does not bode well for nurturing a healthy democracy, especially in a society where most of the student population come from racialized communities.

Conclusion

This paper gives an overview of key moments in U.S. history to show how the primal response activated by white rage is ever-present in the wake of heightened attention to the country's racist past and present realities. Moments of perceptible race victories, such as the proclamation of emancipation, the reconstruction period after the Civil War, and civil rights successes, are cited to validate the observation. In more recent times, Critical Race Theory (CRT), an important academic framework for examining how U.S. law, race, and public policy are intertwined theoretically and practically, has been under attack. The contemporary ill-advised moves are consistent with previous occurrences of racial backlash in the country's history which manifest caste's capacity to produce particular ways of thinking. They are reminiscent of historic acts of violence carried out by the dominant caste in response to telling the truth about the racist underpinnings of U.S. society and the social inequalities that have plagued the nation before its founding.

Since January 2021, conservative-leaning lawmakers across the United States have introduced legislation to control how race is taught in schools. Invariably, this affects the teaching of U.S. history and other areas in the humanities. The anti-CRT agenda shows that ignorance is epistemic, political, and nuanced, with value as an agent of domination for white nationalist motives. Deliberately warping the definition of CRT and manufacturing 'alternative facts' to avoid critical examination of society and advance a dishonest version of the country's history are in direct alignment with the interests of caste's dominant class. Critical Race Theorist Patricia J. Williams ascribes the term "definitional theft" to refer to the devious act of "evacuating the meaning of critical race theory" to change the framework "from an epistemic referent into an emotional repository" for the sake of keeping racialized people in subordinate positions of caste. (The Nation, November 2021). The fact that the false ideology of white supremacy depends on the dehumanization of racialized people and the erasure of their history to sustain its existence has been firmly established. Irrefutably, failing to teach and learn the truth about the history of the U.S. is to vindicate the project of white supremacy which is based on deception and mendacity. Subsequently, history education becomes no more than propaganda lacking in objective research, rather than being a practice of truth-seeking, truth-telling, consciousness-raising, and justice-driven learning that acknowledges the centrality of the lives and experiences of racialized people in the overall development of the United States.

This article also set out to show how whiteness, the most powerful organizing force of the racial domination system otherwise known as caste, has been continuously upheld throughout U.S.

history, using a precise maneuver of racist violence to cancel any challenge to the established order. The maneuver constitutes a primitive response deeply lodged in the country's foundation and is activated by any shift that threatens to subvert the social hierarchy. Conceptualized as backlash, this violent instinctive response has served as caste's stabilizing force that keeps the occupants of the system in their respective places. African American sociologist and MacArthur Fellow Tressie McMillan Cottom captures this idea succinctly, "Whiteness defends itself. Against change, against progress, against hope, against black dignity, against black lives, against reason, against truth, against facts, against native claims, and against its own laws and customs." (The Atlantic, 2016).

The thrust to sully the substance of CRT is purposely actuated to erase the brilliant work of scholars who have dedicated their lives to developing and qualifying a body of legal scholarship that has a deep impact on law and legal processes and the way U.S. society functions. To have the profound contributions of minds like Derrick Bell, Kimberle Crenshaw, Richard Delgado and Patricia J. Williams excised from law school curricula, by people who are not legal scholars and have no interest in critically analyzing social institutions and conditions, is to realize the intentional, systematic use of ignorance to prop up caste. The preceding arguments have shown that CRT works to demolish caste and, therefore, stimulates the primordial response to weaponize ignorance against justice. Awareness of CRT, albeit at advanced levels of education, threatens the power of white nationalist identity and, as a result, has been a target for derogation and besmirching. Efforts to discredit the framework have been given legislative importance and partisan backing, demonstrating that the nation's court system and public policy infrastructure have endured as essential ammunition in the primordial response's artillery.

While racialized people may not need CRT to affirm their humanity, in a society structured around the shaky notion of whiteness, CRT is crucial for exposing truths, acknowledging racialized people's lived experiences, and realizing a truly inclusive democracy. Public education at all levels is expected to defend these values and bring the United States closer to its ideal of ensuring 'liberty and justice for all.' The current moment demands that educators and all public education stakeholders strategize and support methods to provide truly *public education*, where all students are empowered and educated with the truth of the nation's history in order to be properly informed participants in a multiracial, multicultural democracy. For K-12 education systems, this goal can be achieved via race-conscious curricula that applies culturally relevant and culturally responsive pedagogy in substantive ways. These methods acknowledge students' full humanity and work against the erasure of any part of a student's identity or their place in the U.S. historical narrative. At a higher level, more Adult Education curricula must include CRT; as teaching that seeks to empower learners to critically examine the social and political forces that shape their lives must be integral to graduate level studies. CRT can inform critical pedagogy in Adult Education by imparting strategies for promoting equity and social justice and by providing a lens through which all students are urged to understand how race and racism shape their experiences.

References

- Alexander, T. N. (2022, August 22). CRT Forward Tracking Project Trends as of 8/22/22. *The CRT Forward Tracking Project*. [CRT Forward Tracking Project Trends as of 8/22/22 – CRT Forward Tracking Project \(ucla.edu\)](#)
- American Battlefield Trust. *Civil War Casualties. The Cost of War: Killed, Wounded, Captured, and Missing*. <https://www.battlefields.org/learn/articles/civil-war-casualties>
- Bonilla-Silva, E. (2014). *Racism without racists: Color-blind racism in the persistence of racial inequality in America* (4th ed). Rowman and Littlefield.
- Browne-Marshall, G. J. (2013). *Race, Law, and American Society: 1607-present*. 2nd edition. Routledge.
- Channing Brown, A. (2018). *I'm still here: Black dignity in a world made for whiteness*. Convergent Books.
- Coates, T. (2018). *We were eight years in power: An American tragedy*. One World.
- Coates, T. (2017, October). The first White president: The foundation of Donald Trump's presidency is the negation of Barack Obama's legacy. *The Atlantic*. <https://www.theatlantic.com/magazine/archive/2017/10/the-first-white-president-ta-nehisi-coates/537909/>
- Crenshaw, K., Gotanda, N., Peller, G., Thomas, K. (Eds.). (1995). *Critical Race Theory: The key writings that formed the movement*. The New Press.
- Delgado, R. and Stefancic, J. (2017). *Critical Race Theory: An introduction*. 3rd edition. New York University Press.
- Gallup (n.d.). Presidential Approval Ratings -- Barack Obama. Retrieved September 15, 2022, from <https://news.gallup.com/poll/116479/barack-obama-presidential-job-approval.aspx>

- Du Bois, W.E.B. (1910). Reconstruction and its benefits. *The American Historical Review*, 15(4), 781-799. <https://www.jstor.org/stable/pdf/1836959.pdf>
- Du Bois, W.E.B. (1994). *The souls of Black folk*. Dover Publications, Inc.
- Du Bois, W.E.B. (1962). *Black Reconstruction: An essay toward a history of the part which black folk played in the attempt to reconstruct democracy in America: 1860-1880*. Russell & Russell.
- Kellner, D. (1989). *Critical Theory, Marxism, and Modernity*. Johns Hopkins University Press.
- Mills, C.W. (1997). *The Racial Contract*. Cornell University Press.
- Mitchell, K. (2020). *From slave cabins to the White House: Homemade citizenship in African American culture*. University of Illinois Press.
- Mullaly, R. P. 2010. *Challenging oppression and confronting privilege*. 2nd edition. Oxford University Press.
- Pendharkar, Eesha. (2022, July 19). *Backlash, hostility, and safety fears: What it's like to be a Chief Equity Officer in the anti-CRT era*. Education Week. <https://www.edweek.org/leadership/backlash-hostility-and-safety-fears-what-its-like-to-be-a-chief-equity-officer-in-the-anti-crt-era/2022/07>
- Pendharkar, Eesha. (2021, May 26). *Efforts to root out racism in schools would unravel under 'critical race theory' bills*. Education Week. <https://www.edweek.org/leadership/efforts-to-root-out-racism-in-schools-would-unravel-under-critical-race-theory-bills/2021/05>
- Reconstruction: America After the Civil War – Episode 1. (2019). PBS.
- Roper Center for Public Opinion Research. *How groups voted in 2016*. <https://ropercenter.cornell.edu/how-groups-voted-2016>

Sullivan, S. and Tuana, N. (2007). *Race and Epistemologies of Ignorance*. State University of New York Press.

The Atlantic. (2017, September 14). *It's impossible to imagine Trump without the force of whiteness*. [Video]. YouTube. <https://www.youtube.com/watch?v=gyiH3YcvRH0>

The CRT Forward Tracking Project. <https://crtforward.law.ucla.edu/>

The Southern Poverty Law Center. (2019). *Hate at school*. <http://splcenter.org/20190502/hate-school>

The United States Department of Justice. *Hate Crime Statistics*.

<https://www.justice.gov/hatecrimes/facts-and-statistics>

United Nations. *Convention on the Prevention and Punishment of the Crime of Genocide*.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-prevention-and-punishment-crime-genocide>. Retrieved August 15, 2022.

Ujifusa, A. (2021, May 26). *Critical Race Theory puts educators at center of a frustrating cultural fight once again*. Education Week. <https://www.edweek.org/leadership/critical-race-theory-puts-educators-at-center-of-a-frustrating-cultural-fight-once-again/2021/05>

Will, M. (2022, May 11). *What Should Culturally Relevant Teaching Look Like Today? Gloria Ladson-Billings Explains*. Education Week. <https://www.edweek.org/leadership/what-should-culturally-relevant-teaching-look-like-today-gloria-ladson-billings-explains/2022/04>

Williams, Patricia J. (2021, October 18). *How not to talk about race*. The Nation.

<https://www.thenation.com/article/society/talk-about-race/>

Wolfe, P. (2006). Settler Colonialism and the Elimination of the Native. *Journal of Genocide Research*, 8(4), 387–409.



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