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"EXPERT" KNOWLEDGE: INTRODUCTORY COMMENTS ON RACE CONSCIOUSNESS

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In my view, . . . the central problem of human consciousness depends on this ability to imagine.1

What we observe is not nature itself, but nature exposed to our method of questioning.2

The more we experience "nonsense," the more clearly we are experiencing the boundaries of our own self-imposed cognitive structures. "Nonsense" is that which does not fit into the prearranged patterns which we have imposed on reality. There is no such thing as "nonsense" apart from a judgmental intellect which calls it that. . . . Nonsense is nonsense only when we have not yet found that point of view from which it makes sense.3

INTRODUCTION

Race defines us all, and race consciousness4 destroys us and our divine humanity.5 We think through it, and regardless of whether we

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3 Id. at 117.

4 See Janet E. Helms, Introduction: Review of Racial Identity Terminology, in BLACK AND WHITE RACIAL IDENTITY: THEORY, RESEARCH, AND PRACTICE 3, 7 (Janet E. Helms ed., 1990) [hereinafter BLACK AND WHITE RACIAL IDENTITY] ("Racial consciousness refers to the awareness that (socialization due to) racial-group membership can influence one's intrapsychic dynamics as well as interpersonal relationships. Thus, one's racial awareness may be subliminal and not readily admitted into consciousness or it may be conscious and not readily repressed.").

5 See, e.g., PATRICIA RAYBON, MY FIRST WHITE FRIEND: CONFESSIONS ON RACE, LOVE, AND FORGIVENESS 2 (1996) ("And I thought my soul would die from [hating]. [Hate] was killing me anyway—this race-focused consciousness—because it confined my spirit and my vision and sanity too. And I felt pathological—as confused and mixed up as some white sociologists have always claimed African Americans naturally are.").

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wish it true, it has a life of its own and thinks through us. Race consciousness forms the social lens through which we assign value to experiences. If I were to ask us who we are, I would imagine that each of us would be rather expert in knowing precisely the “answer.” Among all of the ways we would label ourselves, we would certainly include our race or ethnicity. In one panel at the First National Meeting of the Regional People of Color Legal Scholarship Conferences, panelists did precisely that. They “voluntarily” assigned three labels to themselves, and then, as if to suggest that the labels had very stable meanings, told us all what they thought the labels meant. As I sat watching them, I thought that they could not control how we reacted to their labels, and, as they continued to talk, I realized that they could not determine precisely the meanings of their chosen labels either. Despite this neo-pragmatist moment, they were “expert” in knowing what they thought about themselves. None of the panelists said that he or she did not know how to label himself or herself. In this sense, they had to know, and thus they had to pick something. After all, they were “experts.” I can imagine someone saying to me that if they had not chosen these labels, then we could not have en-

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6 See Michael Eric Dyson, Race Rules: Navigating the Color Line 35 (1993) (“I realize that race and racism are not living organisms. But they have, besides an impersonal, institutional form, a quality of fretful aliveness, an active agency, that I seek to capture.”).

7 Cf. Thomas S. Kuhn, The Structure of Scientific Revolution 112-13 (3d ed. 1996) (Experiment subjects only saw cards for which their “previous experience had equipped them. Yet once experience had provided the requisite additional categories, they were able to see all anomalous cards on the first inspection long enough to permit an identification.”); R. D. Laing, The Politics of Experience 21 (1968) (“The ‘inner,’ then, is our personal idiom of experiencing our bodies, other people, the animate and inanimate world: imagination, dreams, fantasy, and beyond that to even further reaches of experiences.”).

8 See Zukav, supra note 2, at 118 (Nan-in, a Zen master during the Meiji era, met with a professor who wished to learn about Zen, and after filling the professor’s tea cup until it overflowed, Nan-in defined an expert by stating: “Like this cup, you are full of your own opinions and speculations. How can I show you Zen unless you first empty your cup?”).

9 Cf. Ronald M. Epstein, Mindful Practice, 282 JAMA 833, 834 (1999) (“We do not see things as they are, we see things as we are.’ . . . All data . . . are interpreted by the clinician to make sense of them and apply them to clinical practice. Experts [unconsciously] take into account messy details, such as context, cost, convenience, and the values of the patient.”) (footnotes omitted).  

10 Cf. The Villanova Roundtable: A Conversation with Jacques Derrida, in Deconstruction in a Nutshell: A Conversation with Jacques Derrida 14 (John D. Caputo ed., 1997) ("In the book called The Other Heading . . . identity is a self-differentiating identity, an identity different from itself, having an opening or gap within itself. That totally affects a structure, but it is a duty, an ethical and political duty, to take into account this impossibility of being one with oneself.") (citation omitted).
joyed their rather dynamic and brilliantly presented thoughts.\footnote{On this panel, Professor Leslie Espinoza (Boston College) played several vital roles: organizer, moderator, and panelist. The remaining panelists were Professors Shuba Ghosh (Georgia State), Cheryl Harris (UCLA), Twila Perry (Rutgers-Newark), Deborah Post (Touro), Frank Valdes (Miami), Leland Ware (St. Louis), and Fred Yen (Boston College).} Even if I concede this point, this hypothetical question fails to address the issue, and I still wonder what would have happened if one of them had written “nothing,” i.e., if he or she had declared no expert knowledge about who he or she must be or might have been. “Nothing” could have invited an existential, paradigmatic shift.

Perhaps I have hit on our existential difficulty. Given the manner in which we have been socially constructed through race, sex, gender, class, ethnicity, culture, or racialized experiences, we have become experts. We think through this expertise about who we must be. This thinking reinforces how we must act. Who we must love. What we must say. Where we must live. Why we must think as we do.\footnote{See K. Anthony Appiah, Race, Culture, and Identity: Misunderstood Connections, in K. Anthony Appiah & Amy Gutmann, Color Consciousness: The Political Morality of Race 34–38 (1996) (under an ideational theory of race, people cannot learn, use, or know what “race” means without the use of either strict or vague criteria).}

Once we acquire this expertise, especially as young children, we do not devote much time to questioning it.\footnote{See id.} At this point, the “beginner’s mind”\footnote{Cf. Norman Daluz, The New Ethnography, 27 J. CONTEMP. ETHNOGRAPHY 405, 411 (1998) (arguing that the ethnographer who relies on the “lived experience” model operates within the social and power context that organizes knowledge and experiences, and to this extent, the ethnographer shapes reality and representations by the degree to which this context informs what she knows and how she came by her experiences).} dies. That mind knows emptiness. It fears nothing. It loves everything. It gleefully lives, without habits. It readily accepts. It openly doubts. It embraces all possibilities.\footnote{See id.} After one becomes an expert, however, one operates within obvious boundaries and deals with “common sense.”\footnote{Cf. Rebecca S. Bigler et al., Social Categorization and the Formation of Intergroup Attitudes in Children, 68 CHILD DEVELOPMENT 530, 530 (1997) (“Intergroup prejudice and discrimination have been found to emerge very early in childhood. Negative intergroup attitudes about gender and race are exhibited by the majority of Euro-American children by the age of 3 or 4.”) (citations omitted).} Life is not only three-dimensional, but it is also self-evident. Rather than strike out into the supposedly stable world, questioning all and doubting everything, the expert prefers the safety of conventions, and thus she has no inner strength. She prefers...
what is known and accepted, and she embraces the madness of mainstream conformity, avoiding the heresy of the wayward thinker. She lives not in the lonely place of the true artist or scientist, but rather in a crowded room filled with racialized lemmings who, in mantra-like fashion, can name their race as they await the order to leap to their mainstream deaths. The expert needs no new answers because she never asks critical questions.

Given the foregoing thesis, I question in this essay the need for race consciousness and challenge the “expert” knowledge about what race and its consciousness mean and whether we need a racialized lens in order to operate in this country, this world. As a corollary to this argument, I also ask historically marginalized people to reject using white racist behavior or racialized experiences as reasons for their current behavior. I do not deny a white supremacist context exists out of which black, white, and other behavior or experiences might originate. I take the position, however, that blacks, for example,

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17 See Rollo May, The Courage to Create 22 (1994) (Artists "live out their imagination. The symbols only dreamt about by most human beings are expressed in graphic form by the artists.").

18 See Zukav, supra note 2, at 118-19.

19 See Juan F. Perea, The Black/White Binary Paradigm of Race: The “Normal Science” of American Racial Thought, 10 La Raza L.J. 127, 128 (1998) (“This [racist] paradigm shapes our understanding of what race and racism mean and the nature of our discussions about race. It is crucial, therefore, to identify and describe this paradigm and to demonstrate how it binds and organizes racial discourse, limiting both the scope and the range of legitimate viewpoints in that discourse.”).

20 I do not apply this point perforce to all minorities. Regardless, each person is plagued by race thinking, and each of us knows that some blacks blame others for their experiences. See Harlon L. Dalton, Racial Healing: Confronting the Fear Between Blacks and Whites 149-50 (1995) (explaining that some people become locked in the role of victim, others consciously use it for their own ends, and others put their victimization behind them). Yet my point parallels what Race Crits have said about white unconscious racism. See Charles Lawrence III, Id, Ego, and Equal Protection: Reckoning with Unconscious Racism, in Critical Race Theory: Key Writings That Formed a Movement 235 (Kimberlé Williams Crenshaw et al. eds., 1995) [hereinafter CRT: Key Writings]. Whites and blacks have shared histories, and thus blacks differ little from whites. Some blacks self-consciously subscribe to a victimization theory; most blacks suffer unconsciously from inferiority, believing that whites will counter their best effort to succeed. Thus they can inevitably create self-fulfilling prophecies. See id. at 237 (“To the extent that this cultural belief system has influenced all of us, we are all racists. At the same time, most of us are unaware of our racism.”). I do not argue that whites—individuals or institutions—are not actually erecting discriminatory barriers. How minorities might experience those barriers as either insurmountable or conquerable perhaps turns on how they perceive who they are: impotent victims or powerful agents?

must move beyond behaviors or experiences that reinforce the power of race consciousness, principally because I posit that we need not have such a consciousness in order to know who we really are.\(^\text{22}^\) If true, then I seek to empower minorities in a manner little different from the way Derrick Bell’s *Slave Scrolls* empower the fictional blacks in his allegorical move.\(^\text{23}^\) From my perspective, however, I do not think that sinking blacks, for example, further into race consciousness moves historically marginalized people toward a self-empowerment\(^\text{24}^\) that does not depend on white recognition and acceptance of oppressed minorities and on black paralysis toward white oppression.\(^\text{25}^\)

Unfortunately, this essay lacks the depth of analysis or breadth of research to alter our current course of thinking—a lofty goal indeed. Despite this limitation and my doubts, I will continue my crusade, my mission, to destabilize race and its consciousness so that we all—blacks, whites, and others—can be free to know ourselves again. In so doing, I risk madness\(^\text{26}^\) and beckon professional isolation.\(^\text{27}^\)

Regardless of what I might experience professionally or personally, I believe that race consciousness hinders, if not destroys, us all. We cannot liberate ourselves by using race because, by its inner logic, we must position ourselves against whites or blame others for our predominant experiences;\(^\text{28}^\) if we take Kimberlé Crenshaw’s argument

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\(^{22}\) Compare to Psalms 82:6 (King James) ("Ye are gods; and all of you are children of the most High.").


\(^{24}\) In fact, blacks have argued that, notwithstanding race, they should attain the same constitutional protections as any citizen (e.g., right to marry). *See generally*, e.g., Loving v. Virginia, 388 U. S. 1 (1967).

\(^{25}\) *See I Neale Donald Walsch*, *Conversations with God: An Uncommon Dialogue* 102 (1996). ("You cannot resist something to which you grant no reality. The act of resisting a thing is the act of granting it life. When you resist any energy, you place it there. The more you resist, the more you make it real—whatever you are resisting.").

\(^{26}\) *See Christopher Norris*, *Deconstruction: Theory and Practice* 62 (rev. ed. 1991) (discussing the unwillingness to challenge categorical or dialectical thinking as a category in order to protect its sovereignty: "[t]hat way lies madness").

\(^{27}\) *See Zukav*, supra note 2, at 119 (arguing that visionary people expose illusion and live in lonely places, and, by so doing, are seen as heretics, nonsensical, and mad; nevertheless, the visionary stands by her views, not out of stubbornness, but out of certainty that she can share this vision meaningfully); *May*, supra note 17, at 20 ("[B]oth solitude and solidarity are essential if the artist is to produce works that are not only significant to his or her age, but that will also speak to future generations.").

\(^{28}\) *See Dalton*, supra note 20, at 153 ("[T]here are lots of very successful Black folk running around. How have they managed to make it? . . . [H]asn’t considerable progress
seriously, we must assign the moment-to-moment oppression experiences not to liberal legal consciousness but to white supremacy. 29 I cannot imagine blaming white racism for the totality of such experiences. 30 Such blaming belies that experiences function dynamically. 31 I think that blacks, especially those who rely heavily on race consciousness, actively participate in creating their oppression experiences. (As a corollary, I also implicitly argue that an unconscious race identity aggregates us toward an expert knowledge of race and its consciousness in a manner little different from the legal arguments that Race Crits have leveled against white unconscious racism.) However, I cannot make these statements in polite company without committing a major intellectual faux pas. Alas, so be it.

I. RACE CONSCIOUSNESS: EXPERTS WITHOUT IMAGINATION

When it comes to race consciousness (or racial identity), each of us is probably a self-appointed expert. Each of us knows who he or she is. None of us tends to waiver unless we have been intellectually or by particular circumstances focused on the issue. By "expert," I do not mean that we can speak lucidly about race consciousness like epidemiologists or geneticists talk about biology or DNA. Rather, I mean that we know almost unquestionably that we have a racial lens through which we have understood the world since birth. Most, if not all, of us do not spend much time thinking about race consciousness

been made on the institutional level? . . . Meanwhile, raw bigotry is out of fashion . . . . Is racism less of a barrier than we think? 

29 See Kimberlé Williams Crenshaw, Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law, in CRT: KEY WRITINGS, supra note 20, at 103, 110 ("Black people do not create their oppressive worlds moment to moment but rather are coerced into living in worlds created and maintained by others; moreover, the ideological source of this coercion is not liberal legal consciousness but racism.").

30 See DALTON, supra note 20, at 157 (arguing that blacks must examine how slavery continues to affect their lives and why today's black communities do not thrive as they did in a harsher past); see generally ORLANDO PATTERSON, RITUALS OF BLOOD: CONSEQUENCES OF SLAVERY IN TWO AMERICAN CENTURIES (1999).

31 See, e.g., LAING, supra note 7, at 17 (Social phenomenological "study is the relation between experience and experience: its true field is interexperience."); PAUL WACHTEL, RACE IN THE MIND OF AMERICA: BREAKING THE VICIOUS CIRCLE BETWEEN BLACKS AND WHITES (1999) 6–15 (discussing the intersection of personality theory, experiences, and victimization); Thomas M. Vander Ven, Fear of Victimization and the Interactional Construction of Harassment in a Latino Neighborhood, 27 J. CONTEMP. ETHNOGRAPHY 374, 377 (1998) ("[W]hen one pedestrian fears another, the fearful pedestrian sometimes communicates feelings of vulnerability by using overt avoidance techniques or by acting demonstrably cautious. When actors communicate fear through pure avoidance or demonstrative caution, the feared individual may respond by acting in a threatening or dangerous manner.").
Race consciousness exists like the Sun; it is just right there. If we question it at all, it is when we might encounter a person who does not quite fit our preconceived ideas about blacks, Latinos, Asians, whites, etc. For example, we might meet a person who has a biracial or multiracial identity. And when we are thinking about race consciousness (or racial identity), we are trying quite hard to redraw the racial map so that the “strange”-looking person can fit exactly where we initially thought she ought to fit. Politics often dictates the fit. At that point, we can return to the existential slumber where perhaps most of us exist, especially when it comes to race and its consciousness.

We can rely so comfortably on our racial reflexes because time, custom, and norms have conditioned us to act and feel like experts on race and its consciousness. Let me begin with whites. Traditional, perhaps conservative, white thinkers believe that race exists as a stable category. Little different, liberals implicitly agreed with conservatives. Accordingly, these whites denounced racial intermingling. Regardless of the color variations among blacks (e.g., mulattos), the

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32 See, e.g., Kathy Russell et al., Color Complex: The Politics of Skin Color Among African Americans 75 (1993); Bigler et al., supra note 13, at 532 (discussing multiple classification skills of children between the ages of six and nine).

33 See Russell et al., supra note 32, at 74 (“Although [the one-drop rule] had its origin in racism, today the rule is staunchly defended by most members of the Black community. By definition, the one-drop rule unites all those with Black ancestry.”).

34 Cf. Joseph Owens, Cognition: An Epistemological Inquiry 8 (1992) (noting, in discussing David Hume, that it is “Custom or Habit’ that ‘makes us expect, for the future, a similar train of events with those which have appeared in the past.”).

35 See Jean Finot, Race Prejudice, reprinted in Documents of American Prejudice: An Anthology of Writings on Race from Thomas Jefferson to David Duke 75–80 (S.T. Joshi ed., 1998) [hereinafter Documents of American Prejudice]. Originally published in 1905 in La Préjugé des Races, Finot’s works did much to dismantle the “scientific” foundation of racism. Finot aptly writes that if one analyzes the successive theories of racial inequality, one finds faithful adherents with fixed minds, and this erroneous thinking gets compounded by faithful, successive generations. See id. at 75. Yet, this dogma of inequality deeply roots itself in non-science no less than the view that the sun circled the earth. See id.

36 See Alan Wolfe, Contempt and Pity: Social Policy and the Image of the Damaged Black Psyche, 1880–1996, The New Republic, July 7, 1997, at 32 (“The notion of black inferiority triumphed among liberals, especially those who thought that they were advancing the cause of racial equality. Unlike conservatives, liberals did not believe that African Americans were unlike the rest of their countryman in any innate sense.... Liberals [relied on an image of damaged blacks] ... to invoke not solidarity, but pity. And pity, when it is well-intentioned, is never far from contempt.”).

one-drop rule would govern racial line-drawing. Thus, blacks are blacks; whites are whites, etc. These whites were basically certain that they had reached biologically correct and politically necessary decisions. In order to support those decisions, whites relied on law, power, and politics. American Negro slavery greatly aided in ensuring that whites at least publicly agreed that whites and blacks differed politically and legally. For the simplest offenses, courts imposed capital sentences.

During the post-bellum era, whites still drew racial lines sharply. In the case of rape charges, whites, in some instances, knowingly lynched a white woman's black lover because he had the temerity to ignore the sometimes all too visible race lines.

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38 See Russell et al., supra note 32, at 74 ("The answer to all these questions is rooted in the one-drop rule of racial identity, which, more than any other factor, has shaped the development of racial identity in America.").

39 See Cheryl Harris, Whiteness as Property, in CRT: Key Writings, supra note 20, at 276, 283 ("The law assumed the crucial task of racial classification, and accepted . . . race as biological fact. This core precept . . . allowed the law to fulfill an essential function, parceling out status according to race, facilitating systemic discrimination based apparently on racial group membership.").

40 See generally, e.g., George M. Fredrickson, Black Images in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914 (1972).

41 See Appendix to Brief for the United States as Amicus Curiae, in Landmark Briefs and Arguments of the Supreme Court of the United States: Constitutional Law 11 (Philip B. Kurland & Gerhard Casper eds., 1975). The authors of this appendix pointed out that on April 7, 1864, Senator Hendricks of Indiana endorsed Senator Saulsbury's remarks about slavery. See id. According to Senator Saulsbury, "Congress should leave the institution of slavery as it was, and not tamper with the will of God." Id. Like Senator Saulsbury, Senator Hendricks argued that blacks "will never associate with . . . white[s on] . . . equal [terms]. . . . [I]t may be legislated for . . . [B]ut there is that difference between the two races that renders it impossible. If they are among us as a free people, they are among us as an inferior people." Id.


43 See Re Negro Cesue, 31 Md. Arch. 34, June 1754 ("Justices . . . having passed Sentence of Death . . . against Negro Cesar the Slave of Walter Dulany and Tom the Slave of Margaret Gaither for assaulting Duncan Robertson and Mary Sutto . . . in the Night . . . and . . . Carrying away . . . Sundry Effects . . . Ordered that Death Warrants issue."); Re Negro Jonathan, 32 Md. Arch. 158, Aug. 1766 ("Negro Jonathan and negro George had been convicted of robbing houses. Further information was sought. The justices replied: 'we sincerely wish it was in Our Power to say any thing in favour of these unhappy People, they have broke Goal.' 'Ordered that Death Warrant issue.'"). reprinted in IV Judicial Cases Concerning American Slavery and the Negro 39, 46 (Helen Tunnicliff Catterall & James J. Hayden eds., 1968).

44 See, e.g., Calvin C. Hernton, Sex and Racism in America xiii-xiv (1992) ("Racism teaches whites to feel that black people are sexually dirty, . . . [B]lack people . . . threat[en] . . . white racial purity, . . . Sexual 'intermingling' . . . exacerbates this reaction to an unbearable degree, resulting in violent feelings and acts against trespassers across the invisi-
encing such local repression, blacks were denied legal sanctuary when the Supreme Court decided cases like *Plessy v. Ferguson*\(^\text{45}\) and *The Civil Rights Cases*,\(^\text{46}\) thus anchoring the idea that blacks and whites differed legally and politically. During this period, blacks were forced through the Black Codes into virtual and economic servitude,\(^\text{47}\) and decades later the stark reality of protecting the color-line expressed itself most bitterly when Emmett Till was killed after he allegedly whistled at a white woman and then refused to apologize or to act contrite.\(^\text{48}\)

By using these well-known examples, I make the simple point: race consciousness precedes social customs and cultural norms, and, over time, these customs and norms inform law, power, and politics.\(^\text{49}\) Moreover, they made whites experts on race and its consciousness.\(^\text{50}\) I do not argue that the race consciousness of the 1740s has not permuted; rather, the opposite must be true. Regardless, race consciousness gradually intensifies to a point where it might become ingrained psychologically and biologically in our socially conditioned human makeup.\(^\text{51}\)

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\(^{45}\) 163 U.S. 537 (1896) (Brown, J., majority).

\(^{46}\) 109 U.S. 3 (1883) (Bradley, J., majority).

\(^{47}\) See generally W.E.B. Du Bois, *Black Reconstruction in America* 670–710 (1962); see also id. at 670 (“The civil war in the South which overthrew Reconstruction was ... determined ... to reduce black labor ... to a condition of unlimited exploitation and build a new class of capitalists on this foundation. The wage of the Negro worker ... was ... reduced to ... bare subsistence by ... every method of discrimination.”).


\(^{49}\) See, e.g., John Calmore, *Critical Race Theory, Archie Shepp and Fire Music: Securing an Authentic Intellectual Life in a Multicultural World*, in *CRT: Key Writings* supra note 20, at 315, 325 (“White racism results, in part, from cultural conditioning that reinforces and in turn is reinforced by the particular actions of interest groups. Institutional arrangements are organized and manipulated by power holders in our political economy with the aim of securing maximum social control and selective privilege.”).

\(^{50}\) See Finot, supra note 35, at 76 (“The science of inequality is emphatically a science of white people. It is they who have invented it ... Deeming themselves greater than men of other colours, they have elevated into superior qualities all the traits which are peculiar to themselves, commencing with [their white skin] and [pliant] hair.”).

\(^{51}\) See, e.g., Derrick Bell, *Faces at the Bottom of the Well: The Permanence of Racism* 10 (1992) (explaining Professor Jennifer Hochschild’s findings that the continued viability of racism demonstrates that racism shapes and energizes the liberal democratic body and that liberal democracy and racism in the United States are historically reinforcing); Janet E. Helms, *Toward a Model of White Racial Identity Development*, in *Black and
thinking, and we act on this thinking as if it were unquestionably true. To this extent, whites have acquired expertise on racial categories, identities, and consciousness.

Through time, custom, and norms, blacks, like whites, have acquired expert knowledge of racial identity and black inferiority. To illustrate this point, I take us back to American Negro slavery. Slavery undoubtedly brutalized Africans who were brought through the Diaspora into America’s “peculiar institution,” and what the voyage must have left undone, the social institution of slavery completed. This brutalizing process effectively transformed Africans into slaves. Slaves were legally, socially, culturally, and politically oppressed, and these limitations became an integral part of their psychology and identity.

History proffers many examples of slaves such as Frederick Douglass, Sojourner Truth, Denmark Vesey, and David Walker who, while completely reared in American Negro slavery, worked to advance humankind. Yet they were certainly scarred by it, and they devoted their lives to helping themselves and others to overcome its most venal features. Although slaves lived this most wretched experience, they resisted its most dehumanizing practices. Nevertheless, they were infected with a slave’s consciousness, and, as I have recently argued, slaves generally were conditioned by white masters to focus on their legal, political, and social limitations. Social scientists have also

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**White Racial Identity, supra** note 4, at 49 ("Because [individual, institutional, and social] racism is so much a part of the cultural milieu, each can become a part of the White person’s identity or consciousness ipso facto.").

52 *See, e.g., Dal ton, supra note 20, at 168-69 ("We need to describe the effects of racism and discrimination on our daily lives. We need to describe its effect on our psyches. I still wince at the internalized self-hatred reflected in the ways we used to chide each other when I was growing up. Put-downs such as: ‘Niggers and flies. Niggers and flies. The more I see niggers, the more I like flies.’").


55 *See generally* e.g., Frederick Douglass, *Narrative of the Life of Frederick Douglass: An American Slave* (1868).


57 *See generally* Robinson, *supra* note 53.
documented the lingering effects of slavery, Jim Crow, and formal American apartheid on blacks.\textsuperscript{58} Accordingly, through historical and social practices, whites and blacks became experts on at least two fronts. First, whites were superior. They, even the poor ones, were better than any non-white.\textsuperscript{59} I do not mean to suggest that they did not have their doubts. For instance, Thomas Jefferson, in his \textit{Notes on Virginia}, publicly vented his doubts.\textsuperscript{60} These doubts notwithstanding, whites fostered a political, social, economic, and cultural climate that reinforced their superiority. For example, blacks could not vote until 1865,\textsuperscript{61} and, once they were allowed to vote, states developed tools to dilute the black vote.\textsuperscript{62} In addition, blacks were denied the right to serve on juries by state law, and after the Supreme Court struck down this West Virginia rule in \textit{Strauder},\textsuperscript{63} prosecutors used peremptory challenges to excuse minorities from juries.\textsuperscript{64} And, as the O.J. Simpson case showed us, when blacks serve on juries, whites will question the sanctity of their judgment if they reach a result that conflicts with the "mountain of evidence."\textsuperscript{65} Furthermore, education promoted, and still privileges, the white race and

\textsuperscript{58} See generally \textsc{Kenneth B. Clark}, \textit{The Dark Ghetto: Dilemmas of Social Power} (1967).

\textsuperscript{59} See Crenshaw, supra note 29, at 117 (arguing that race consciousness encourages whites to imagine and identify with a white world and privileged elites: "Consider the ... dirt-poor, southern white ... in a Ku Klux Klan rally in the movie \textit{Resurgence}, who declared: 'Every morning, I wake up and thank God I am white.").


\textsuperscript{61} See generally \textsc{Derrick Bell}, \textit{Race, Racism, and American Law} 179–96 (1992) (discussing, among other things, white primaries and poll taxes); \textsc{Eric Foner}, \textit{Reconstruction: America's Unfinished Revolution} 1863–1877 (1989).

\textsuperscript{62} See generally, e.g., \textsc{Giles v. Harris, 189 U.S. 475} (1903) (voter registration requirements in Alabama Constitution were designed to have the effect of excluding blacks, though the exclusion was not per se); \textsc{Gomillion v. Lightfoot, 364 U.S. 339} (1960) (racial gerrymandering in Tuskegee, Alabama).

\textsuperscript{63} See \textsc{Strauder v. West Virginia, 100 U.S. 303} (1880).

\textsuperscript{64} See \textit{generally Casteneda v. Partida, 430 U.S. 482} (1977).

\textsuperscript{65} See \textsc{Dyson, supra note 6, at 37–39} (discussing the "mountain of evidence" when analyzing race as pretext and arguing that evidence does not exist in a vacuum but must be analyzed to explain, as examples, the verdict in the Rodney King incident and O.J. Simpson case); \textsc{Nikol G. Alexander & Drucilla Cornell, Dismissed or Banished? A Testament to the Reasonableness of the Simpson Jury, in Birth of a Nation'hood: Gaze, Script, and Spectacle in the O.J. Simpson Case} 57, 59 (Toni Morrison & Claudia Brodsky Lacour eds., 1997) ("[W]e challenge the popular consensus amongst white Americans that the O.J. jury knowingly let a guilty man go free because the majority of the jurors were blacks and blacks will simply not usually convict other blacks.").
One way to institutionalize this superiority was to advance the idea of a melting pot that privileges white norms. Recently, some white legislators promoted English-only statutes so that they could effectively privilege white values as a language process over the Spanish language and Hispanic norms. In any event, this front established that whites, as Justice Harlan pointed out in his *Plessy* dissent, would be the dominant race in America.

Second, after decades in which whites explicitly oppressed blacks and other non-whites, they have adopted an *aversive* (or unconscious) racial practice and *metaracism*. Basically, this practice occurs when whites do not explicitly speak or publicly act in traditionally racist ways, yet the effect remains the same. These whites segregate their personal lives and residential areas from blacks and other non-whites, often pointing to the decline in the fair market value of their homes, poor schools, or crime-ridden neighborhoods. By these actions, whites show that they feel great discomfort if they have to live near or next to blacks. I am certain that none of them would describe themselves as racists. If one were to ask them to explain their decisions in ways unrelated to the changing neighborhood—for example, increased presence of minorities—I imagine he or she would have some difficulty. What drives this desire for hypersegregation must follow from expert

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66 See generally White Reign: Deploying Whiteness in America (Joe L. Kincheloe et al. eds., 1988); Race, Identity, and Representation in Education (Cameron McCarthy & Watten Crichlow eds., 1993).


68 See *Plessy* v. Ferguson, 163 U.S. 537, 552 (1896) (Harlan, J., dissenting) ("The white race deems itself to be the dominant race in this country. And so it is, in prestige, in achievements, in education, in wealth and in power. So, I doubt not, it will continue to be for all time, if it remains true to its great heritage and holds fast to the principles of constitutional liberty.").


70 See id. at 211–12 (defining metaracism as "[r]acism, which began with the random oppression of another person, and moved from directly dominative, systematic control of his being, into abstracted averted use of the degradation . . . ").

71 See generally Douglas S. Massey & Nancy A. Denton, American Apartheid: Segregation and the Making of the Underclass 94 (1994) ("White apprehensions about racial mixing are associated with the belief that having black neighbors undermines property values and reduces neighborhood safety.").

72 See generally id. at 74–78 (defining hypersegregation as dependent on five dimensions—unevenness, isolation, clusteredness, concentration, and centralization—and arguing that "[n]ot only are blacks more segregated than other groups on any single dimension of segregation, but they are also more segregated on all dimensions simultaneously").
knowledge about the races. It must be what these experts find normal and acceptable. This expert knowledge operates on both explicit and tacit levels.\textsuperscript{73} Whites, therefore, can probably explain some part of their decision based on race, but they probably do not consciously connect all of their mental processes to race. In this way, expert knowledge about race does its most effective damage and has its most concrete effects at this tacit level of the unconscious.

That racial expert knowledge resides in the unconscious is probably due to our having learned it as children from adults. Consider the complaint in \textit{Burch v. La Petite Academy, Inc.},\textsuperscript{74} a recent example that effectively links historical and contemporary practices of racial oppression. Muriel D. Burch, on behalf of her five minor children,\textsuperscript{75} alleged, \textit{inter alia}, racial discrimination, intentional infliction of emotional distress, negligent hiring, negligent supervision, and breach of fiduciary duty. Burch alleged the following facts: when the children at the La Petite were outside, the defendant’s employees would only permit white children to re-enter the school to use the bathroom. However, the plaintiff’s children, while in front of their immediate family, were required to urinate in cups. Similarly, white children could drink directly from the water fountain; black children had to use a cup to drink from the fountain. Moreover, during television time, white children were assigned to the rug’s clean area, while blacks, including the plaintiff’s children, were required to sit on the rug’s dirty area. Furthermore, when the defendant served snacks, white children received popcorn balls, and blacks received cheese and crackers. When a black child asked for popcorn balls, she was told that they did not have enough popcorn balls, but if the white children did not eat them all, then she might be “allowed to eat a popcorn ball.”\textsuperscript{76} On occasion, “[w]hite employees referred to the African American children in derogatory words such as ‘nigger,’ ‘bitch,’ ‘bas-

\textsuperscript{73} See \textit{Kuhn}, supra note 7, at 191 (“[L]earning is not acquired by exclusively verbal means. Rather it comes as one is given words together with concrete examples of how they function in use. . . . [W]hat results from this process is ‘tacit knowledge’ which is learned by doing science rather than by acquiring rules for doing it.”); cf. Epstein, supra note 9, at 833 (“Explicit knowledge is readily taught, accessible to awareness, quantifiable and easily translated into evidence-based guidelines. Tacit knowledge is usually learned during observation and practice, including prior experiences, theories-in-action, and deeply held values, and is usually applied more inductively.”).

\textsuperscript{74} See generally \textit{Burch v. La Petite Academy, Inc.} (visited Feb. 1, 2000) <http://www.tulsatoday.com/burch.htm> [hereinafter Plaintiff’s Complaint].

\textsuperscript{75} Dara Jones, age 15; Dale Jones, age 13; Dana Jones, age 10; Deseree Jones, age 9; and Larthatcher Jones, age 15. See id. at ¶ 9.

\textsuperscript{76} Plaintiff’s Complaint, supra note 74, at ¶ 28.
tard.' Dale Jones heard one white employee state: Those black people aren't worth anything.' As a result of these experiences and others, "Dara Jones has told her mother, Muriel Burch, that because of her experience at La Petite, she does not want to be African American." As an example, the Burch matter shows that significant persons (e.g., parents) teach children their expert knowledge, and this knowledge informs whites that blacks represent an inferior, weak out-group. By implication, white children acquire the expert knowledge that they, the in-group, must be superior.

Let us now consider how blacks acquired expert knowledge about race and its consciousness. After decades of direct and indirect racial oppression, this expert knowledge manifests itself as self-hatred and black inferiority. Blacks have not been equally infected by this psychological malaise. Nevertheless, social culture reflects the extent to which self-hatred and black inferiority may widely affect most blacks. I can recall vividly a scene from the Five Heartbeats, in which a character's father tells him that since he, the father, had not amounted to anything, his son would also fail. Basically, he is never going to be anything but a Nigger. These words have power, not only because they come from people whom the child trusts, but also because they reinforce what that child may have heard from his or her parents and from others for years. It is axiomatic that every home has

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77 Id. at 30.
78 Id. at 35; see generally Bigler et al., supra note 13, at 539 ("[S]ocial categories do not become the basis of children's stereotypes solely as a function of their perceptual salience. Rather, the functional use of a social category appears to be an important facilitator of the development of intergroup stereotypes.").
79 See Helms, supra note 51, at 54 ("[S]ignificant persons in one's life (e.g., media, parents, peers) inform one of the existence of Blacks as well as how one ought to think about them."). Helms explains, "[S]ignificant White persons in one's environment may use the socialization pressures available to them to ensure that the White persons learn the rules of being socially accepted White persons." Id.
80 See Dalton, supra note 20, at 156 ("[S]lavery . . . shape[s] our lives more than a century after abolition [through] the link it forged between Blackness and inferiority to this day. . . . It does not matter that contemporary Black folk were not personally enslaved so long as we carry the stigma of those who were—dark skin."); Cornel West, Race Matters 20 (1994) ("[P]eople, especially degraded and oppressed people, are also hungry for identity, meaning, and self-worth.").
82 See Five Heartbeats (Twentyfirst Century Fox 1997).
83 See Helms, supra note 51, at 54 ("[S]ignificant persons in one's life (e.g., media, parents, peers) inform one of the existence of Blacks as well as how one ought to think about them.").
a curriculum that it passes onto its children. Because we are inherently the same species, race hatred amounts to self-hatred, and this self-hatred depends in large part on what our parents told us long before we encountered a single white person or a dominant paradigm that refuses to recognize a black person's basic humanity.

In effect then, I am arguing that parents—blacks, Latinos, Asians, and others—bear some fundamental responsibility for shaping their children's early conception of who they are. Parents can reinforce that they live at the social margins by suggesting that they should never let the white man keep them down, thus positioning them to resist something that they do not know or have never encountered. Parents can deny their children a fuller range of positive self-conceptions through behavior that informs children more of limits than of imaginations. Parents can make their children Niggers through words and deeds by conveying the perhaps unintended message that these children lack what a human being inherently possesses. Through generations of ineffective modeling or mentoring, these parents have become symbols for and sites of white oppression, and they pass these oppressive limitations on to their children.

Basically, expert knowledge about race and its consciousness, especially this knowledge that becomes the base-line by which one relates to the world, confines one within racial boundaries in which one becomes a model prisoner. As a result, blacks who have such expert knowledge must subscribe to their own inferiority and perforce engage in self-hate. In this way, Gordon Allport aptly argues, "A child who finds himself rejected and attacked on all sides is not likely to develop dignity and poise as his outstanding traits. . . . He . . . listen[s] to

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84 Cf. JAMES A. BEANE & RICHARD P. LIPKA, SELF-CONCEPT, SELF-ESTEEM, AND THE CURRICULUM 18 (1986) ("Educators who work with young children are well aware that when children first come to school they already have feelings and beliefs about themselves in terms of adequacy and competency. . . . In other words, from the very first experiences in life, young children begin to develop a sense of themselves.").


86 See WALSCH, supra note 25, at 103 ("Yet never resist anything. If you think that by your resistance you will eliminate it, think again. You only plant it more firmly in place. Have I told you all thought is creative?") (emphasis in original).

87 See Taunya Lovell Banks, Two Life Stories: Reflections of One Black Woman Law Professor, in CRT: KEY WRITINGS, supra note 20, at 329.

88 See, e.g., CLARENCE PAGE, SHOWING MY COLOR: BIRACIAL KIDS FACE BURDENS OF TWO WORLDS, HOUS. CHRON., MAR. 14, 1996, at 1 ("Black Americans who have internalized white supremacist attitudes and values become agents of those attitudes and values, enforcing them in others and passing them on to new generations more effectively than the Ku Klux Klan ever could.").
their derision ... and submit[s] to their abuse."89 Allport further argues that "[h]is natural self-love may, under the persistent blows of contempt, turn his spirit to cringing and self-hate."90

What follows from such self-hatred—a diminished spiritual outlook that depends on expert knowledge? At the very least, one cannot imagine oneself existing outside of the white master’s message.91 Any outside image resides within white provinces, and any outside perspective first turns on an inner expert knowledge.92 By internalizing this expert knowledge, blacks may fear academic excellence because they believe that they would have to think, act, and talk like whites. We have all heard the phrases "keep it real" and "what are you trying to do, act like whitey?"93 In addition, educators recently have discovered that income variables do not necessarily correlate with how blacks might perform on standardized examinations.94 To improve this performance, educators must consider other, more complex variables.

Peer pressure serves as one vital variable. For example, researchers discovered that black students who perform well suffer ridicule

90 Id. For examples of how we permit dominant paradigms about race to shape our knowledge, and thus our consciousness, of who we might be, see Banks, supra note 87, at 331 (discussing an event when a white woman refused to enter into the elevator after she saw that five black females were already riding it down and how she felt injured by what she thought this white woman’s refusal meant); Jennifer M. Russell, On Being a Gorilla in Your Midst, or, The Life of One Blackwoman in the Legal Academy, in Critical Race Theory: The Cutting Edge 429–502 (Richard Delgado ed., 1995) (discussing how she felt after an unknown person placed a magazine with a gorilla’s picture on the cover in her mailbox).
91 See West, supra note 80, at 18 ("[W]e must acknowledge that structures and behavior are inseparable, that institutions and values go hand in hand. How people act and live are shaped—even in no way dictated or determined—by the larger circumstances in which they find themselves.").
92 Cf. Denzin, supra note 16, at 410 ("Such a commitment presumes a world out there that is mapped (described) by an ethnographer who stands on the border between reality, lived experience and its representation. But the ethnographer is part and parcel of the experience ... the crisis of representation ... says we inscribe, not describe, reality.").
93 See Yolanda Y. Adams, Don’t Want to Be Black Anymore (Dark-Skinned African American Feels More Comfortable with Caucasians), Essence, Aug. 1999, at 54 ("Though my skin color veers toward the dark end ... I have never been Black enough to satisfy some. I was often taunted for being ‘proper’ or ‘acting White’ ... She wouldn’t allow split infinitives. ... She also forbade me to think less of myself. ... [S]he encouraged me to do just the opposite.").
94 See generally Christopher Jencks & Meredith Phillips, The Black-White Test Score Gap: How to Reduce It, Current, Jan. 1999, at 7. ("The number of affluent black parents has grown substantially since the 1960s, but their children’s test scores still lag far behind those of white children from equally affluent families. Income inequality between blacks and whites appears to play some role in the test score gap, but it is quite small.").
from their minority peers because they associate academic success with "acting like whites." Why do blacks, and perhaps other minorities, hold this opinion? Is it the point that doing well means that blacks seek to be white? Is it the point that high achievement means that one has figuratively abandoned the minority community? Is it the point that blacks can demonstrate their loyalty to their community by preferring mediocrity to academic excellence? Perhaps, it is better to be black than white, especially if it might mean that one speaks and thinks differently.95

At Howard, among a very small percentage of my students, I have experienced this phenomenon.96 It occurred at two levels—personal and professional. When I first arrived at Howard, students falsely concluded that I was married to a white woman because I spoke differently—like a white man.97 Some speculated that I had only gone to majority white schools. Yet, I am sure that the reason this small percentage questioned my black personal or professional authenticity was that I demanded that they work harder and use analytical, logical reasoning. (In this instance, I had done no more than my first-year Torts Professor, Gary Francione, had done when he forcefully and steadfastly demanded that we work harder.) Later, my student evaluations revealed that I treated them as if they are at a majority white institution. One student suggested that I learn more about Howard Law School's culture. On a much more professional level, one of my stu-

95 See Lynette Clemetson, Trying to Close the Achievement Gap (African Americans Work Harder for Academic Achievement in Shaker Heights, Ohio), NEWSWEEK, June 7, 1999, at 36 ("Then there is peer pressure. Most teens at Shaker say they do not buy the old line that doing well means selling out to white culture. 'What, only white people study?' says junior Justin Taylor. 'That's just plain stupid and insulting. But if students don't catch flak for 'acting white,' they face mixed messages about what it means to 'act black.'").

96 While I was a professor at Whittier College School of Law, I had the same experience, except that it manifested itself differently. No matter what I did, my white students never put me on par with my white colleagues. I was always black, not only by what I said, but also how I acted. If I took myself seriously as an intellectual, then I was confusing, ineffective, and a poor teacher. If I adjusted my approach in response to the institutional tension in my class, then I did not proffer a sophisticated reading of the material. Or as one colleague might have put it, "I was not analytical enough." At Whittier, I was viewed as an outgroup member; at Howard, I was viewed as someone who had forgotten that I was an outgroup member. At Whittier, I was viewed as preferring black over white. At Howard, I was acting like whitey. See generally Reginald Leon Robinson, Teaching From the Margins: Race As A Pedagogical Sub-text, 19 W. NEW ENG. L. REV. 151 (1997).

97 See Janet E. Helms, An Overview of Black Racial Identity Theory, in BLACK AND WHITE RACIAL IDENTITY, supra note 4, at 9, 24 ("[S]tateaments like 'You talk like you're White' imply that the speaker has the right to judge what constitutes Black speech whereas the person addressed does not and, at the same time, that the person does not measure up to Black behavioral standards in some important way.").
dents told me that he rejected legal reasoning because he associated it with whites' thinking. In order for these students to react in this manner, they had to have acquired an expert knowledge of race and its consciousness on which black authenticity in part perforce depends.

Recall the movie *Drop Squad*,98 in which right-minded, left-leaning, authentic blacks, led by Ving Rhames' character, would kidnap brothers who emulated whites almost to a stereotypical fault, so that they could re-educate them in the ways of black authenticity (or expertise). In the end, the kidnapped brother (played by Eric La-Salle) reverts to his "authentic" ways, and in so doing he redesigns his blackness as an answer to racial oppression. In effect, he became reacquainted with his racial "expert" knowledge, and in so doing, he re-learned how to act black. At the same time, I would argue that he limited his imagination to that bounded by his re-educators (e.g., parents or peers). Ultimately, then, I would ask: Why would young, otherwise intelligent blacks reject this rhetorical and seemingly logical approach simply because they believe that to reason or think in this manner requires them to give up something? Give up what? Blackness? Do they believe that they must abandon their expertise on race and its consciousness?

In the end, whites and blacks who have acquired this expertise lack imaginations, beaconing almost certain existential death. They lack the ability to imagine a world in which race will not define people *a priori*, if at all. They lack an imagination in which whites, blacks, Latinos, Asians, etc., can practice cultural norms without rejecting people whose race emanates, if not originates, from social practices of white supremacy. In this way, we are all part of the problem: blacks and other historically marginalized groups play central roles in the continued viability of racialized experiences and racial oppression. I accordingly do not subscribe to the victim, or innocence, theory of racial discrimination.99 I do not argue that blacks, for example, do not suffer lost opportunities in the workplace, in housing, in education, etc.100 Quite to the contrary, such lost opportunities remain a social

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98 *Drop Squad* (Universal Studios 1995).
99 See generally Vander Ven, supra note 31; Shelby Steele, *I'm Black, You're White: Which of Us is Innocent?*, SEATTLE TIMES, June 19, 1988, at A12.
100 See, e.g., *Study Examines Race's Powerful Role in Society*, TELEGRAPH HERALD (Dubuque, Iowa), Oct. 3, 1999, at A9 ("RACE has a pervasive influence at many levels, manifesting itself in everything from highly segregated housing to labor markets that prefer hiring some racial groups over others.").
"reality." Still, should not blacks use such racially discriminatory practices as explicit or implicit reasons for changing how they understand who they are and how they can change the world, not by basing their identity on resisting white people, but by seeking an identity that transcends racial politics? By resisting white people, how will I know myself except as fighting white racial injustice? By transcending racial politics, and thus fighting for justice for everyone, I imagine that my identity—racial or otherwise—cannot be limited to the political meaning of race, ethnicity, or color. In this way, I recognize that an expert knowledge of race and its consciousness impedes a genuine existential search for a consciousness that does not narrow, but broadens my life's meaning.

Basically, then, expert knowledge, especially about race and its consciousness, delimits one's perspective and narrows one's options. It imprisons us all, and then it sentences us to death row. None of us—blacks, whites, Latinos, Asians, etc.—benefits from this approach. In the end, whites can claim with ignominy that they have stifled blacks and other racial minorities. Whites can assert that social and economic opportunities go wasted on blacks and other minorities, save perhaps Asians. Blacks can reassure themselves that they will never act, think, or talk like whites, and they can proclaim that the white "man" will always exploit, discard, and oppress the black man. Unfortunately, this approach galvanizes whites, blacks, and others into a hopeless cycle of ignorance, desperation, and despair. Equally important, blacks, for example, can vitiate taking personal responsibility for their choices, preferring instead to lay the day-to-day consequences of, say, gun violence and murder on their white oppressors' doorsteps. Keep in mind that I accept that America continues to operate on a white cultural matrix, in which all things Anglo get privileged over non-Anglo norms. Again keep in mind that I am aware

101 See, e.g., id. ("In Detroit, for example, it took unskilled, unemployed whites an average of 91 hours to generate a job offer. It took blacks 167 hours.").

102 See ANDREW HACKER, TWO NATIONS: BLACK AND WHITE, SEPARATE, HOSTILE, UNEQUAL 10 (1992) (discussing how Asians are viewed as acceptable by whites and how they get assimilated into society and economy like early immigrants).

103 See SHELBY STEELE, A DREAM DEFERRED 6 (1998) ("White supremacy focused white America's group authority for three centuries before truth could even begin to catch up. Group authority is just as likely to be an expression of collective ignorance as of truth; but it is always, in a given era, more powerful than truth.").

104 See Reginald Leon Robinson, White Cultural Matrix and the Language of Nonverbal Advertising in Housing Segregation: Toward an Aggregate Theory of Liability, 25 CAPITAL U. L. REV. 101, 123-24 (1996) ("[A] white cultural matrix necessarily includes racism and white supremacy.... [and it] ... provides the germ seed for ... white dominance. [and cre-
of ideological hegemony arguments in which the white elite maintains and perpetuates psychological, social, economic, and political barriers to minority liberation and freedom. This acceptance and awareness notwithstanding, I have never known a white oppressor to place a gun in a black person's hands and say, "Go kill thy neighbor." 105

My point seeks larger ears for which Thomas Kuhn provides excellent concepts: Competing paradigms can and do coexist in the same institutional and social space. As such, a paradigm of personal responsibility, however fledgling, can coexist with a paradigm of racial oppression. Yet, by adopting expert knowledge on race and its consciousness, whites and blacks at the very least abdicate that responsibility by essentially positing that neither group can choose freely and differently. Such a determinist position reflects in its most damning form the consequence of expert knowledge.

II. RACE CONSCIOUSNESS: PERCEIVING NATURE, QUESTIONING RACE, AND DYNAMICS OF RACIAL EXPERIENCE

With an expert knowledge of race and its consciousness, how do blacks, whites, Latinos, Asians, etc., perceive nature? I posit that expert knowledge denies its holder any critical moments in which she can reject nature. For my purposes, nature represents anything that appears objective and real, rational and scientific, necessary and permanent. 106 Experts assume that they have a firm grasp on the objectivity, nature, or logic of race, 107 and from this expert repose, they can sufficiently relate racial norms and parameters to others (e.g., refer-
Yet, by proceeding in this fashion, it is the expert who gets drawn in and controlled by apparently logical, necessary, or objective parameters. She may not ask any of the difficult, unpopular or marginalizing questions—an approach often associated with the artists or zealots who may wish to make an institutional or professional name for themselves. Rather, she complies with the rules of the game so that she at once mainstreams herself and her thinking. Consider the manner in which scientists at Harvard and other institutions reacted to Immanuel Velikovsky’s *Worlds in Collision*, which attempted to refute the expert knowledge that had governed astronomy for decades and on which these experts had relied to produce academic textbooks. Rather than engage Velikovsky directly on his scientific premises and conclusions, the elite experts attempted to prevent the publication of Velikovsky’s works. He persisted, was published, and changed well-established expert knowledge on astronomy. Expert knowledge depends on a stable, predictable, and constant nature, and as a consequence expertise ends all critical questions and revolutionary ideas.

With expert knowledge, whites and blacks resist radical ideas about race and its consciousness. For both groups, race *qua* nature

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108 See Appiah, supra note 12, at 33 (“The other picture of meaning—the ‘referential’ view—suggests that to explain what the word ‘race’ means is, in effect, to identify the things to which it applies, the things we refer to when we speak of ‘races.’”).

109 See Michael H. Cohen, *Fixed Star in Health Care Reform: The Emerging Paradigm of Holistic Healing*, 27 ARIZ. ST. L.J. 79, 85–86 (1995) (“Kuhn found that those who challenge the old paradigm are either young or new to the field. Being uncommitted to the traditional rules of the old paradigm, they are more ‘likely to see that those rules no longer define a playable game and to conceive another set that can replace them.’”).

110 See, e.g., Stanley Fish, *Fish v. Fiss*, 36 STAN. L. RH. 1325, 1332 (1984) (“To be . . . ‘deeply inside’ a context is to be already and always thinking (and perceiving) with and within the norms, standards, definitions, routines, and understood goals that both define and are defined by that context.”).

111 See generally IMMANUEL VELIKOVSKY, *WORLDS IN COLLISION* (1950) (presenting radically and profoundly new data on world history, planetary collisions involving Earth and other planets, and astronomy).

112 See generally IMMANUEL VELIKOVSKY, *STARGAZERS AND GRAVEDIGGERS: MEMOIRS TO WORLDS IN COLLISION* (1983) (recounting how the established academic experts and some academic publishers politically reacted to his premises, findings, predictions, and conclusions).

113 See KUHN, supra note 7, at 11 (“Because he there joins men who learned the bases of their field from the same concrete models, his subsequent practice will seldom evoke overt disagreement over fundamentals. Men whose research is based on shared paradigms are committed to the same rules and standards for scientific practice.”).
seems, falsely, to represent a stable, relatively concrete concept.\textsuperscript{114} To this extent, biracial and multiracial people function like living deconstruction, effectively using themselves to question critically the binary nature of race.\textsuperscript{115} And it is to this extent that legal scholars resist biracial categories because, having acquired expert knowledge about how race and its consciousness operate, they can only imagine the worst consequences that attend altering how we think, use, and talk about race.\textsuperscript{116} By not giving political support to biracial and multiracial identities, blacks appear to critique race as nature in a manner that reinforces their expert knowledge. It matters not that blacks proffer political reasons for this limited questioning. What matters is that by relying on their expert knowledge, blacks continue to rely on a limited idea of race as nature.

An expert knowledge about race as nature amounts to reactive thinking. By reactive thinking, I mean that blacks, whites, and others have strongly linked their current racial identities with past racialized experiences. Although none of them has perhaps immediately experienced racial hatred, they—blacks, whites, and others—may share that pain with some immediacy. As a result, they may hate the guilty and empathize with the innocent. By historical accounts or personal anecdotes, blacks can claim that they all “know” the horror personally. On this point, Patricia Raybon writes:

White people—that relentless, heavy presence. Never benign. . . . innocent. “White people” as a category embodied . . . a clear and certain evil—an arrogant malevolence—that had done unspeakable things that I couldn’t ignore because I knew the facts. . . . And the facts haunted me and . . . justified my hate for all the evil that . . . white people had done.\textsuperscript{117}


\textsuperscript{116} See generally, e.g., Tanya Kateri Hernandez, “Multiracial” Discourse: Racial Classification in an Era of Color-Blind Jurisprudence, 57 MD. L. REV. 139 (1998) (arguing that advocates of the multiracial category movement ignore the political meaning of race); Linda Mathews, Beyond “Other”: More Than Identity Rides on a New Racial Category, N.Y. TIMES, July 6, 1996, at 1 (arguing that civil rights advocates object to multiracial categories because they will reduce the number of racial minorities, dilute voting power, and render unenforceable civil rights laws.).

\textsuperscript{117} Raybon, supra note 5, at 3.
Why did Raybon internalize this expert knowledge about whites and, thus, about blacks? She had placed trust in those who helped her acquire her expertise. She adds that: "I knew the stories. I had heard them in childhood, at the knees of people I loved, in the presence of people I trusted. Terrible stories. Horror stories." By acquiring an expertise based on familial trust, blacks, like whites, will assume that past racial practices determine present-day racial relations; this acquired mindset influences day-to-day experiences.

In this regard, expert knowledge of race and its consciousness depends in part on a reactive process. As such, blacks, for example, do not move toward an identity that transcends a history of racial oppression. Rather, they have an identity that Stanley Fish calls "deeply inside" or that Thomas Kuhn refers to as "tacit knowledge." That is, blacks, like whites, rely on a cognitive process that correlates experiences with causation. In this way, they assume that past experiences determine exactly the manner in which present events will unfold. With this kind of cognitive and determinist process, neither group can change easily. Blacks will suspect that present changes will simply and necessarily yield past results. I do not suggest that all whites operate in the best interest of blacks or other historically marginalized people. Rather, I suggest that new policies can benefit people regardless of their race or that such policies might be specifically designed to alleviate present effects of past discrimination. Yet, it is equally true that all blacks do not seek to benefit all blacks. Unfortunately, some whites hold profound doubts about blacks, especially because they view black males as murderous criminals or potential rapists of white women. Likewise, some blacks view whites as oppressors and exploiters of black communities. As a consequence, each group holds to an expert knowledge, and thus a racial identity, that has its roots in past and recent histories. Neither group has vested time in knowing itself (and each other) outside of a reactive process. Expert knowledge of race and its consciousness, therefore, grounds itself on past and re-

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118 Id. at 3. "White people had murdered Emmett Till and Mack Charles Parker and Medgar Evers and Herbert Lee and the four little girls in the Birmingham church. And white people had acquitted the guilty." Id. at 3–4.

119 See Richard Delgado, Storytelling for Oppositionists and Others: A Plea for Narrative, 87 MICH. L. REV. 2411, 2413 (1989) (defining mindset as a "bundle of presuppositions, received wisdoms, and shared understandings. ... These matters are rarely focused on. They are like eyeglasses we have worn a long time. They are nearly invisible; we use them to scan and interpret the world and only rarely examine them for themselves.").

cent histories, all reacting to racialized experiences or to experiences that they have recast in present racial terms.

How do blacks overcome an expert knowledge that denies them a skeptical read on race as nature\(^\text{121}\) and mires itself in a reactive cognitive and determinative process? In part, this question suggests that blacks who have suffered horrible racial experiences ought simply to forgive and forget. I do not make this recommendation. However, I do suggest that they have a choice: live in the past, even the recent past, or let go and move forward, even if in fits and starts, toward a future that they can proactively create. Otherwise, they will simply remain stuck in the injurious past, indignant, however righteously.

Such indignation can produce several reactions. First, blacks so injured can conclude that whites hold evil intent for blacks, and they can hate them. They can refuse ever to forgive them. Second, blacks can say with fervor that whites will never keep them down, and thus they can use the injury and its pain as a catalyst, a belly fire of enduring force and power, a passion source of unending dedication and focus. Third, blacks can experience the injury and its pain, and they can conclude that the actor should never have acted as he or she did. Thereafter, they can undergo a healing process that requires them to ask how they helped to create the experience. They can question why they chose to react, to feel, and to internalize as they did.\(^\text{122}\) In so doing, they can note that experiences operate dynamically. As such, they cannot blame whites without blaming themselves too.\(^\text{123}\) In my view, all human life begins with free will, and blacks must choose their fate.\(^\text{124}\) As a society, however, we should not privilege one of these three (or more) choices over the other, and if we have the free will to choose, then on whom can we—blacks, whites, and others—credibly place blame? If we live without free will, then God or some lesser demi-god (e.g., the white elite) has imposed structure upon historically oppressed people, and, to this extent, blacks exist totally as vic-

\(^{121}\) See, e.g., Karl Llewellyn, A Realistic Jurisprudence—The Next Step, 30 Colum. L. Rev. 431, 453 (1930) ("[A] realistic approach to any new problem would begin by skepticism as to the adequacy of the received categories for ordering the phenomena effectively toward a solution of the new problem").


\(^{123}\) See generally Laing, supra note 7 (arguing that one can act only on one's own experience of the other person's experience).

\(^{124}\) See Janes, supra note 107, at 35–37 (discussing the interrelationship between morality and indeterminism as a basis for understanding human possibilities).
If white America simply victimizes blacks, then blacks can hate whites and blame them until they decide to be kinder and gentler rulers or blacks can become feared liberation warriors like Mau Mau. And when blacks have vanquished whites, then does the real revolution begin in which blacks take personal responsibility for their day-to-day choices when they have never had the personal responsibility experience?

In any event, the third response perhaps yields the healthiest outcome, principally because blacks can take personal responsibility for how they might heal and get on with their lives. Such an approach allows blacks to reacquire their abandoned agency. The second response troubles me because blacks, ostensibly moving forward, still remain reactive to the past, and, thus, they are not true to their inner, centered, dare I say, “spiritual” life. Rather, they might deepen their scars by constantly revisiting the horrible event and by perennially resisting a bright, healing future. Without these horrible demons, blacks may not choose an inner strength that mandates personal responsibility. If the belly fire burns out eventually, on what will these injured blacks rely for political, personal, or spiritual guidance? Can they effectively rely on an expert knowledge of race and its consciousness? The first response returns us to the difficulty of expert knowledge. Patricia Raybon writes, “So I hated quietly and politely and pleasantly and I smiled a lot. . . . White people especially would approve of me, [and they] . . . were important and prevailed.” In the end, Raybon suffered. She states that “the effort of it—the sheer idiocy of it—made me utterly[,] thoroughly[,] [m]entally [a]nd physically sick. . . . Indeed, if hate and stress are synonymous—perhaps symbiotic—my body responded accordingly. My medicine chest was full.” In this way, Raybon’s expert knowledge, her certainty about whites, contributed to her limitation, her illness.

As such, an expert knowledge of race and its consciousness gives rise to emotional, psychological, and physical illness. This malaise centers itself in the first and second responses, and, unlike the third

125 Cf. Steele, supra note 103, at 3–4 (“B]lack American leaders were practicing a politics that drew the group into a victim-focused racial identity that, in turn, stifled black advancement more than racism itself did.”).
126 See Laing, supra note 7, at 37 (arguing that, as people become aware of their individual defense mechanisms and realize that they have done things to themselves, “the patient becomes an agent”).
127 Raybon, supra note 5, at 1–2.
128 Id. at 2.
response, the first and second do not promote the degree of personal responsibility that requires oppressed people to create their own oppressionless future. They do not require blacks to accept that experiences work dynamically. One does not experience what one does not believe.\textsuperscript{129} To this extent, an expert knowledge of race and its consciousness intensifies the likelihood of responses one and two, and in this way, blacks, whites, and others draw themselves into isolation, hatred, doubt, and fear. They will also reinforce the idea that racialized experiences victimize them. Accordingly, an expert knowledge works against personal responsibility—the third response—and encases blacks in the ancient wisdom, long since dispatched by Kant\textsuperscript{130} and Heisenberg,\textsuperscript{131} that experiences exist in an objective, empirical world.\textsuperscript{132} Worst of all, this expertise rejects "nonsense": When one knows, when one has certainty, one cannot remain open to seemingly outrageous, but potentially liberating, possibilities.

III. **HUMAN CONSCIOUSNESS: TOWARD A BEGINNER'S MIND AND NONSENSE**

Can blacks, whites, and others who have for hundreds of years immersed themselves in horror, pain, guilt, and fear of white supremacy and racial oppression transcend an expert knowledge about race and its consciousness? In order to transcend this expert knowledge, blacks must do at least two things. First, they must imagine, i.e., really visualize, a new self in a new future, one in which they operate from a spiritual, raceless center. Second, they must change how they perceive

\textsuperscript{129} See KUHN, supra note 7, at 112-13.

\textsuperscript{130} See Renee Weber, Field Consciousness and Field Ethics, in THE HOLOGRAPHIC PARADIGM AND OTHER PARADOXES: EXPLORING THE LEADING EDGE OF SCIENCE 35, 41 (Ken Wilber ed., 1985) (In Kantian terms, "humankind is in a bind symbolized ... by a species universally endowed with contact lenses. Without these lenses, we cannot see [or know] at all. . . . But [with the lenses' built-in tinted filters], we can 'see' only what the filters permit. Thus we see either nothing or else distortedly.").

\textsuperscript{131} See ZUKAV, supra note 2, at 111 (Under Heisenberg's uncertainty principle, "there are limits beyond which we cannot measure accurately . . . the processes of nature. These limits are not imposed by . . . our measuring devices or the extremely small size of the entities that we attempt to measure, but rather by the very way nature presents itself to us."").

\textsuperscript{132} See MICHAEL TALBOT, MYSTICISM AND THE NEW PHYSICS 3 (Arkana ed. 1993) (arguing against a physical, objective world in which one neutrally observes, in which one could reach out and touch a physical object independent of what the touching person thought or did, by stating that "[w]e cannot observe the physical world, for as the new physics tell us, there is no one physical world. We participate within a spectrum of all possible realities."). Talbot adds, "Heisenberg stated that the observer alters the observed by the mere act of observation." Id.
race as nature. If blacks can weaken race as nature, then they can perhaps engage race and its consciousness deconstructively, reading the text of race as nature in order to destroy race altogether;133 thereby moving toward a human consciousness. By human consciousness, I mean an awareness of the Great Creator’s expression. As such, through a long-term process of deconstructing an expert knowledge of race and its consciousness, we can choose to return to a beginner’s mind and, thus, to nonsense, an era in which we live spirit-created justice because we—all people—believe in it as a person’s “search for meaning.”134 It is not by attaining the end but by enduring the search that we again experience a beginner’s mind or nonsense. Without this long-term process, we would not place such expert knowledge under erasure; nor would we deliberately reunite with our human consciousness.

In order to place this expert knowledge under erasure, we—blacks, whites, others—must accept that our racial identity and the way we think about that identity emanate from social language and purposeful action. Such language and action lead to habitual and unconscious practices, all of which result in social conventions that undergird “all reflective or conscious thought.”135 What is most challenging is to accept that language, habits, and practices exist interdependently. If this statement is true, we must acknowledge that expert knowledge lacks an objective foundation and essential meaning. As such, an expert knowledge depends on culture and context which, like experience, function fluidly and dynamically.136 With this fluidity, we can shift from an expert knowledge toward a human consciousness, but it requires that we begin by accepting that this expertise locates itself in unconscious, habitual practices of racism that inform how we experience others.137

133 See Norris, supra note 26, at 19.
136 See id. at 854 (“For Dewey, the second pragmatist tenet, the culturally situated and contextual aspect of all human inquiry and deliberation, undercuts any idea that all human activity is aimed at some limited set of fixed ends.”).
137 Cf. Helms, supra note 51, at 53 (in developing a positive white consciousness, whites, for example, must address “their feelings of oppression, [must seek out] accurate information, [must discharge] feelings related to racism, and [consequently change] their attitudes and behaviors.”) (citing J. B. Kaip, Emotional Impact and a Model for Changing Racist Attitudes, in Impacts of Racism on White Americans 88 (B. P. Bowser & R. G. Hunt eds., 1981)).
How then do we, blacks, whites, and others, experience another person when we operate from an expert knowledge of race and its consciousness? In seeking a human consciousness, we must address this question. A move to human consciousness represents a purposeful act, designed to interrogate an expert knowledge's continued value. On this point, Ronald D. Laing instructively writes that after we are born, we become damaged personalities, bearing an injured consciousness. Why? For Laing, "[w]e are born into a world where alienation awaits us. We are potentially men, but are in an alienated state, and this state is not simply a natural system. Alienation as our present destiny is achieved only by outrageous violence perpetrated by human beings on human beings." One form of this violence must be racial oppression. This violence imposes added injury when blacks and whites tell their children in words or by deeds who they must be—racialized personalities. In so doing, blacks and whites pass on their damaged personalities and injured psyches to their children, and, in effect, their children operate within such limited horizons. As such, Laing can properly ask: "Can human beings be persons today? . . . Is love possible? Is freedom possible?"

In seeking to shift from expert knowledge to human consciousness, Laing's point cannot be missed: We are not in touch with our humanity, with our human consciousness. Thus, we do not know who we are because we are not persons. What then is a person? For Laing, a person exists through experiences. Yet, more than just understanding who we are through experiences, Laing argues that a person's experiences come from him or her, and, to this extent, a person constitutes the "center of orientation of the objective universe." Although we know ourselves through experiences, behavior also defines a person, actions that begin with the person. At bottom, people

138 Cf. MAV, supra note 17, at 17 ("It is the courage to relate to other human beings, the capacity to risk one's self in the hope of achieving meaningful intimacy. It is the courage to invest one's self over a period of time in a relationship that will demand an increasing openness. . . . Intimacy requires courage because risk is inescapable.").


140 See LAING, supra note 7, at xii ("We are all murderers and prostitutes—no matter to what culture, society, class, nation, we belong, no matter how normal, moral, or mature we take ourselves to be.").

141 Id. at xiii.

142 Id. at 23.

143 See id.

144 See id.

145 See LAING, supra note 7, at 23.
transform themselves through their thoughts and actions: "Personal experience transforms a given field into a field of intention and action: only through action can our experience be transformed."146 Given this definition, a person lives not as a singular, isolated agent, but rather as a part of an interactive system of experience.147 As such, a "person is the me or you, he or she, whereby an object is experienced."148 A person constitutes the center of her experiences, and from this centered position, she experiences the "objective universe."149 By moving from this center, her behavior originates action, transforming "simple" space into dynamic space by acting and intending.

It follows then that if we seek to transform ourselves from holders of expert knowledge to centers of human consciousness, giving our lives meaning beyond oppression, then we must intend to change. We must act on those intentions. Yet, at this point in the process of bringing meaning unrelated to racialized experiences into our lives, we—blacks, whites, and others—must garner specific experiences in which we relate to others without regard to race. I do not argue that blacks should ignore racism or discriminatory practices, or that whites should continue to live by the expression that they do not "see" race. I posit that blacks and whites must first acknowledge that we live in a social context in which race has always played a major role.150 Then we should make a conscious decision to seek out role models, even if blacks and whites must leave the comfort of their groups or communities to practice the intent and then act on that intent to deal specifically with individual attributes rather than with racial stereotypes. In effect, I am asking people who are committed to changing how they experience others to take risks. Without role models, none of us can begin to alter effectively our experiences. Furthermore, we cannot move from expert knowledge to human consciousness without intent, action, and risks.151

146 See id.
147 See id.; DAVID BOHM, THOUGHT AS A SYSTEM 1 (1993) ("Everything is interdependent; and yet the more interdependent we get, the more we seem to split up into little groups that don’t like each other and are inclined to fight each other and kill each other, or at least not to cooperate.").
148 LAING, supra note 7, at 23.
149 See id. at 24.
150 See generally Helms, supra note 51.
151 See LAING, supra note 7, at 34 ("Personal action can either open out possibilities of enriched experience or it can shut off possibilities. Personal action is either predominantly
In making this move, why take risks to leave our groups or communities? Laing provides an answer that is axiomatic: "behavior is a function of experience; and both experience and behavior are always in relation to someone or something other than self."\(^{152}\) Laing goes further by placing experience and behavior in a social context in which most of us operate as alienated—and racialized—selves. Laing posits, "When two (or more) persons are in relation, the behavior of each toward the other is mediated by the experience by each of the other."\(^{153}\) That is, I cannot know another person. Rather, I know my prejudices, and these prejudices inform the manner in which I simply experience my already preconceived prejudices. As such:

the experience of each is mediated by the behavior of each. There is no contiguity between the behavior of one person and that of the other. Much of human behavior can be seen as a unilateral or bilateral attempt to eliminate experience. A person may treat another as though he were not a person, and he may act himself as though he were not a person.\(^{154}\)

In the end:

There is no contiguity between one person’s experience and another’s. My experience of you is always mediated through your behavior. Behavior that is the direct consequence of impact, as of one billiard ball hitting another, or experience directly transmitted to experience, as in the possible cases of extrasensory perception, is not personal.\(^{155}\)

At root, we can move from expert knowledge to human consciousness if we appreciate that experiences are dynamic and contextual. Without this appreciation, can we know ourselves? If we are alienated from others, especially due to such difficult issues as race and its consciousness, who are we? As alienated people, we cannot reach our divine humanity, where I would argue a beginner’s mind, or nonsense, resides. For Laing, we are alienated, lesser forms of what Rollo

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\(^{152}\) Id. at 25.

\(^{153}\) Id.

\(^{154}\) Id.

\(^{155}\) Id.
May called our "human potentiality."

What is this potentiality? Does it depend on people asserting that they are persons regardless of the racial paradigm that awaits them, much like Laing's alienation? Our potentiality lies in our unconscious (or our human consciousness or beginner's mind). According to May, our potentiality holds power that we perhaps fear to actualize. Yet, if a so-called black person were to declare that she has no race, but is first a person, has she tapped into her human consciousness or what May termed her non-being? Is her statement like blacks abandoning their expert knowledge of race and its consciousness? How should we react? Should we label her a black conservative for seeking her truth privately or publicly? Should we dismiss her declaration as false consciousness? Should we delimit it as "vulgar constructivism"?

Perhaps prior to the moment that we were informed that we were black or white, each of us related to our unconscious or human consciousness. If true, who were we first? When did we first cognitively experience race? I think that this first racializing moment can be both personal and historical. I recently argued that blacks perpetuate oppression by white slave masters by adhering to identities and consciousness that were features of American Negro slavery. Even if one rejects this proposition, what is clear is that we—blacks, whites, and others—have imbued ourselves with an expert knowledge of race and its consciousness, thus effectively losing touch with our inner potential.

If we now fear reclaiming our non-being potentialities, then we will not undertake the quest of eschewing our expert knowledge of race and its consciousness. We will fear human consciousness and the be-

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157 See id. at 17-18. May defines being as an individual’s "pattern of potentialities," and he asserts that "[t]he ‘unconscious,’ then, is not to be thought of as a reservoir of impulses, thoughts, wishes which are culturally unacceptable. I define it rather as those potentialities for knowing and experiencing which the individual cannot or will not actualize." See id. at 17. At this level, repression involves a complex struggle of a person’s being against her nonbeing possibility.
158 See Kimberlé Williams Crenshaw, Intersectionality: Mapping the Margins of Race and Gender, in CRT: Key Writings, supra note 20, at 357, 367.
159 Cf. Owens, supra note 34, at 19-20 ("[I]t would hardly seem feasible, given the difficulties . . . of recalling one’s earliest cognition. . . . The baby would be aware of bassinet or bottle. . . . without any recognition of which was epistemologically prior. The same problem would remain, and the same means would have to be used to solve it.").
160 See generally Robinson, supra note 53. See also Helms, supra note 51, at 49-50 (discussing how proponents of American Negro slavery used white racism to justify legal enslavement of blacks and how blacks and whites developed identities about primary outgroup and ingroup references).
ginner's mind. Instead, we would prefer the "minimal requirements for bio-social survival—to register fatigue, signals for food, sex, defecation, sleep; beyond that, little or nothing."[161] In forcefully making this point, Laing argues that "[o]ur capacity to think, except in the service of what we are dangerously deluded in supposing is our self-interest and in conformity with common sense, is pitifully limited."[162] He further argues that "our capacity even to see, hear, touch, taste and smell is so shrouded in veils of mystification that an intensive discipline of unlearning is necessary for anyone before one can begin to experience the world afresh, with innocence, truth and love."[163]

According to Laing, people live alienated lives.[164] They do not know themselves or each other. When people experience each other, they do so through a veil of constructivism. It would follow that this disability colors their experiences, and, as such, they live disconnected from their selves. If true, we cannot truly know what normal means.[165] If normal means perforce alienation, then we have embraced illusion, or maya, with gusto,[166] perhaps even defending it with our precious lives. Laing argues that "[w]hat we call 'normal' is a product of repression, denial, splitting, projection, introjection and other forms of destructive action on experience. It is radically estranged from the structure of being."[167] Although I accept that race operates as a highly contingent category,[168] I would still prefer to adopt an idea that makes experiences interdependent and dynamic, rather than the alternative view: that very powerful social groups deliberately and successfully manipulate others into serving and protecting very oppressive social

[161] Laing, supra note 7, at 26.
[162] Id.
[163] Id.
[164] See id. at 27.
[165] See id. at 27–28 ("[F]orms of alienation ... are relatively strange to statistically 'normal' forms of alienation. The 'normally' alienated person ... is taken to be sane. Other forms of alienation that are out of step with the prevailing state of alienation ... are labeled by the "normal" majority as bad or mad.").
[166] See Talbot, supra note 132, at 2 ("According to Tantra, reality is illusion, or maya. The major error we commit in not perceiving this maya, say the Tantras, is that we perceive ourselves as separate from our environment. ... The observer and objective reality are one.").
[167] Laing, supra note 7, at 27.
[168] See U.S. v. Bhagat Singh Thind, 261 U.S. 204, 214–15 (1923) ("What we now hold is that the words 'free white persons' are words of common speech, to be interpreted in accordance with the understanding of the common man, synonymous with the word 'Caucasian' only as that word is popularly understood. As so understood and used, ... it does not include the [high-caste Hindus] to whom the appellee belongs.").
institutions. Therefore, "normal" positions us for an alienated existence, regardless of our socially conditioned race experience, and in this way, we do not immediately, if ever, choose to live meaningful lives without an expert knowledge of race and its consciousness.

How did I first come to live a life without meaning, a life alienated from my human consciousness? Assuming that I cannot know myself because I have long since abandoned my beginner's mind, who first introduced my consciousness, my epistemological process, to the complex and interdependent variables called behavior and experience? More than that, how do we get to an existential place where we can ask this question and have a real hope of a comprehensible answer? I think we cannot comfortably ask these questions or faithfully expect an answer because we—blacks, whites, and others—do not imagine living without an expertise on race and its consciousness. We do not intend to tap into that powerful reservoir of our unconsciousness where human consciousness or the beginner's mind resides. It is our commitment, wittingly or unwittingly, to race that positions us for alienated, meaningless lives. W.E.B. Du Bois predicted that the color-line would be the twentieth-century's problem when he recognized that blacks were imbued with a "double consciousness." What he did not foresee was that blacks and other historically marginalized and oppressed people would fatally hold onto this consciousness. In this way, blacks reinscribe themselves as victims, deeply mirroring themselves in a very oppressive, alienated existence. If we ever hope to live truly nonsensical, integrated lives, then we must question what, if any, continued value we draw from an expert knowledge of race and its consciousness, and we must seek a life that centers itself in human consciousness.

In order to attain a human consciousness, blacks must intend to take personal responsibility for how they experience their world and

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169 See Crenshaw, supra note 29, at 117 ("Every morning, I wake up and thank God I'm white."); Helms, supra note 51, at 54 ("One result of this racial status is that, as Dennis points out, even if one has few resources oneself, as long as one has White skin in America, one is entitled to feel superior to Blacks. This sense of entitlement seems to be a basic norm of White society.") (citing R. M. Dennis, Socialization and Racism: The White Experience, in IMPACTS OF RACISM ON WHITE AMERICANS, supra note 137, at 71–85.

170 See FRANKL, supra note 2, at 118.


172 See generally STEELE, supra note 103, at 3–4.

to abandon an expert knowledge of race and its consciousness. In this life-long process, we must look critically at the law and legal paradigms, especially antidiscrimination laws that focus our social institutions and individual consciousness on race and its consciousness. Note that I do not suggest that we should not root out racist behavior and discriminatory practices that seek to diminish the life chances of historically marginalized groups, all in the name of a cancerous idea of white supremacy. This injunction reaches beyond a black-white paradigm. Rather, it applies to everyone, regardless of what Michael Eric Dyson calls racial context. My point is simple: the law focuses our minds on race, and in so doing it reinforces the idea that we all do, and should, possess an expert knowledge of race and its consciousness. None of our current laws mandates that we seek a beginner’s mind where laws might look different and could establish principles on which we could live whole, connected lives.

Why critically look at the law in our hopefully collective desire to live meaningful, purposefully fulfilling lives? Law works interdependently with history, culture, and social practices. At the very least, law has reinforced what we can and cannot do socially. Keep in mind what Plessy v. Ferguson did to reinforce the legal and social inferiority of blacks. The Civil Rights Cases were equal to the task, and historical accounts illustrate exactly how whites intensified their maltreatment of blacks during the rise of Jim Crow. Under America’s Apartheid, blacks were segregated from whites and vice versa. Equally important, Congress granted blacks rights, civil abilities, or constitutional protections no greater than whites possessed. Ever since the Supreme Court ruled in Shelley v. Kraemer that citizens can discriminate, not publicly, but privately, whites and blacks, at the very least, have continued to practice racism (or ignorance) in the confines of their homes and private organizations. As a result, people, especially when they cannot avoid encountering the racialized “Other,” enter the public domain saddled with a private language about what race means and harboring a race consciousness.

173 See Dyson, supra note 6, at 33.
174 See generally 163 U.S. 537 (1896).
176 See 334 U.S. 1, 20 (1948).
177 See Helms, supra note 51, at 54 ("Vicarious awareness occurs when significant persons in one’s life (e.g., media, parents, peers) inform one of the existence of Blacks as well as how one ought to think about them. Dennis does an excellent job in describing how Whites are socialized directly and indirectly to fear and devalue Blacks.").
discrimination because it does not recognize that it has politically harmful effects unless the state, through its courts, concludes that private behavior has such a public effect, thus mandating regulation by the state. Bowers v. Hardwick was such a case. As a result, the present effects of past discrimination create new opportunities for people to suffer, to feel small, and to live on the marginal, oppressed edges of our communities. Should we limit our potentialities to the narrow imagination of legislators, regardless of their race, who have explicitly or implicitly committed themselves to an expert knowledge of race and its consciousness? In this regard, I believe that we—blacks, whites, and others—must go beyond the permissible limits of what the law requires in placing an expert knowledge under erasure. We must recognize that the easy comfort of legal parameters has not ended race oppression. The law provides blacks and whites with ample fodder to blame others for their experiences and to resist taking personal responsibility for how they live their lives. In effect, the law provides little to enable us to move from an expert knowledge of race and its consciousness to a human consciousness.

**Conclusion**

Our expert knowledge of race and its consciousness cannot be reached by the law. When the law reaches any racist or discriminatory behavior, it focuses on whites who have been labeled individual perpetrators. However, the law has nothing to say directly about the behavior of blacks when they might engage in conduct that intensifies a community’s commitment to an expert knowledge of race and its consciousness. Such behavior reinforces the status quo of race relations between majority and minority groups. To the extent that the state focuses on blacks at all, it tends to maintain that blacks are criminals or welfare queens. Consider the criminal context. Recall how easily Charles Stuart in Boston and Susan Smith in South Carolina could draw the state’s (read: whites’) attention to blacks as criminals. In this way, when whites engage in racist or racially discriminatory conduct, they suffer a legal sanction, and rightly so. By not legally punishing such behavior, the state endorses illegal conduct toward statutorily protected groups or historically oppressed minorities.

Yet, how does the state undermine the expert knowledge that blacks hold about race and its consciousness? In the face of histori-

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180 See generally 478 U.S. 186 (1986).
181 See Dyson, supra note 6, at 35.
ally oppressive and racially discriminatory conduct, the state enacted civil rights laws, such as Title VI and Title VII, and in so doing it carved out special legislative protection for, at the very least, blacks. By not challenging directly how blacks use race consciousness to reinforce racial dynamics, however, we have overlooked this expertise's dynamic energy. In essence, whites can discriminate privately, and blacks can reinforce their feeling that they can explain every aspect of their lives by looking to white racism. Unfortunately, the law cannot imagine reaching private practices if they do not demonstrate an impact on the public sphere. Yet we cannot explain ongoing and extant public racial discrimination without also addressing our private expert knowledge about race and its consciousness.

In the end, we—blacks, whites, and others—must accept that our expert knowledge of race and its consciousness keeps us focused not on our “non-beingness” and its potentialities—a beginner’s mind—but on the immediate or historical past where most of us learned about the evil ways of the other races. It is too bad that we have not learned to move collectively away from such expertise. But why should we? At present, our society and its laws require us to examine the racialized Other in terms of legal protections and social benefits. In so doing, we rely on our expertise and, thus, on our inherent prejudices and cognitive limitations. We do not appreciate that each of us reinforces our racialized experiences and fears by co-creating and transferring our expectations to the other person. Thereafter, we rationalize our experiences, racial or otherwise, by assigning blame and responsibility to others such as whites. In this essay, I directed my remarks principally toward blacks. I did so for one vital reason: America will in all likelihood be a racist nation for at least the next forty years, and by assigning blame and responsibility to whites for black experiences, blacks have abdicated their powerful agency. By and large, blacks operate like impotent victims. As such, they have consigned themselves to waiting for help, for recognition, for justice. Justice remains an active concept, and I believe that blacks must accept that they co-create racialized experiences. If it “just happens” to them, then they are victims, bearing no personal responsibility for their fate. In this case, justice, liberty, and freedom remain the exclusive province of whites, and they will not acknowledge finger-pointing guilt accusation. As such, neither of the groups will come close to accessing their “non-beingness,” nor will they progress to human consciousness as a collective, dialogic process. In the end, both groups will remain fixated on their expert knowledge about the other.
However, a beginner’s mind or nonsense thinking can move us beyond this expert knowledge. Let us first consider a popular example, and then a historical one. Recall Linda Hamilton’s character, “Sarah Connor,” in Terminator 2. She faced certain death from an apparently unstoppable Terminator 2000, and Earth and her inhabitants were doomed to Armageddon. In Connor’s despair, especially for her son, she blamed everyone. She felt that she could not do anything. For whatever reason, Connor refused to concede fate to an event larger than herself. Before deciding to assassinate the scientist at Cyberdyne, she etched in the picnic table: “Fate is what you make.” She attempted the assassination and failed. Thereafter, Connor and the TI model educated the scientist about what he and his company had done from the perspective of a probable, horrible future. The scientist understood, and Connor relented in her desire to kill him. Rather than lob fault, they worked together, facing certain death to change their future. They changed their position by remaining open to new ways that did not consign either of them to idle hand wringing, emotional paralysis, and political finger pointing. In so doing, Connor had to let go of her expert knowledge of how the enemy would act and what her future held. In the end, Earth’s future would terminate in the year 2000, unless people like the Sarah Connor character—you and me—take personal responsibility for contributing to a different, better one. It took a beginner’s mind—nonsensical thinking—to make a future, thus granting us all a chance to move beyond our expert knowledge—nuclear Armageddon—to human consciousness (e.g., social peace and personal responsibility).

Like this popular fictional story, history also proffers an example of the beginner’s mind or nonsense thinking, all in the pursuit of eradicating our expert knowledge and moving us toward a human consciousness. Consider Reverend Martin Luther King, Jr. Although whites and blacks angrily resisted him, he advanced a message of love, peace, forgiveness, and racial tolerance. Perhaps he had accessed his non-beingness, and he saw beyond the expert knowledge of race and its consciousness that was held by whites (i.e., powerful agents) and blacks (i.e., impotent victims). Perhaps he viewed a human consciousness in which people were “judged [not] by the color of their skin but by the content of their character.” In the end, our society in the

183 See Ronald Turner, The Dangers of Misappropriation: Misusing Martin Luther King, Jr’s Legacy to Prove the Colorblind Thesis, 2 Mich. J. Race & L. 101, 101 (1996) (“I have a dream my four little children will one day live in a nation where they will not be judged by the
person of James Earle Ray killed this self-actualizing visionary. However, Reverend King knew the risks, and, despite what must have been prolonged moments of deep mortality, he preached love and peace anyway. Like other civil rights leaders, Reverend King refused to concede our future to self-hatred by both whites and blacks and to white supremacy and institutional racism. Rather, he took personal responsibility for recognizing the limits of an expert knowledge of race and its consciousness, and he shared his vision of a society oriented toward human consciousness. Before this recognition and vision, however, Reverend King must have acquired a beginner’s mind. He must have allowed himself to question race as nature. He openly doubted and readily accepted. He truly embraced possibilities. He loved everything. In this way, Reverend King exemplifies how a beginner’s mind reorients us away from expert knowledge to human consciousness, a cognitive and epistemological process that begins, not just with blaming finger pointing, but also with personal responsibility.184

At present, blacks place responsibility for their day-to-day experiences on whites and racial oppression. What if the source of how they experience whites and America’s policies rests with their expert knowledge of race and its consciousness? This question does not absolve white Americans of their willful ignorance of how their choices and policies affect minorities, women, and the poor. How long will blacks wait for whites to take personal responsibilities for their expertise before they place theirs under erasure? How long will blacks force their children to experience the limits of a racialized expert knowledge, thus requiring them to relive the impotence of their parents?

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184 See 18A. supra note 7, at 30 ("[E]ach time a new baby is born there is a possibility of reprieve. Each child is a new being, a potential prophet, a new spiritual prince, a new spark of light precipitated into the outer darkness. Who are we to decide that it is hopeless?") (citing A Testament of Hope: The Essential Writings of Martin Luther King, Jr. 219 (James M. Washington ed., 1986)).