Introduction

Bridging the Black-White Divide

CHARLES J. OGLETREE, JR., AND AUSTIN SARAT

Race continues to play an important role in America’s society, recent race based events throughout the country have left us gasping for a solution for America’s social cancer. These events have only reinforced that race continues to define who we are as Americans and perpetuate the fact that we are not living in a post racial society in the age of Obama.
—Stephen Balkaran, “Post Racial America in the Age of Obama”

During the last few years, from Trayvon Martin to Eric Garner’s painful words of “I can’t breathe”, to Ferguson, to voting rights and more, we as a nation continue to deal with issues of race—and more specifically racial inequality—in the areas of criminal justice, voting, housing, education, health care and just about every area of life.

From Baltimore, Maryland, and Ferguson, Missouri, to the University of Missouri at Columbia and Flint, Michigan, from Charlestown, South Carolina, and Dallas, Texas, to Baton Rouge, Louisiana, and Minneapolis, Minnesota, the dream of a post-racial era in America has run up against the continuing reality of racial antagonism. More than sixty years after Brown v. Board of Education put an end to de jure racial segregation in public education, the fact of racial difference in life chances remains very much a part of the American condition. De facto seg-
Segregation is so widespread in public schools that, as one commentator put it, “Segregation is again being accepted as normal.” Thus, in New York, only 13 percent of black students are educated in majority white schools. In California that number is 8 percent. Taking the country as a whole, in 2011, only 23 percent of black students attended a majority white school. The result is that “we live in a complex multiracial society with woefully inadequate knowledge and little support for constructive policies geared toward equalizing opportunity, raising achievement and high school completion rates for all groups, and helping students learn how to live and work successfully in a society composed of multiple minorities (including whites).”

And today, nonwhite families earn about 65 percent of the income earned by white families. While the overall national poverty rate is 15 percent, the black poverty rate is nearly double that at 27 percent. Moreover, on college campuses and in workplaces throughout the country, even where barriers to entry have been lowered, African Americans confront conditions in which implicit bias remains unchallenged and microaggressions are a fact of daily life. The college graduation rate for black students is still barely half that of whites. Current debates about affirmative action, multiculturalism, and racial hate speech reveal persistent uncertainty and ambivalence about the place and meaning of race and especially the black-white divide in American culture.

Racial polarization is a continuing fact of our political life. As a report of the Joint Center for Politics and Economic Studies noted, recent federal election cycles show that “voting choices by race trumped all other demographic indicators, such as income, education age, and sexual orientation.” As that report suggests, “When a core dividing line in a nation becomes so closely aligned with race and ethnicity, larger concerns about inequality, conflict, and discrimination emerge.”

In noting these persistent racial divides we do not mean to suggest that no progress in race relations has occurred since Brown. Surely that is not the case. Law has banned racial segregation not only in schools but also in workplaces and public accommodations. The black middle class has grown. And, until very recently, a majority of Americans of all races thought that this country had made “real progress” in getting rid of racial discrimination.
Yet there can be little doubt that the aspiration for post-racialism, or simply for benign acceptance of racial difference, is a long way from being realized. All told, the story of racial progress and reconciliation in the America is far from a happy one. The legacy of that story is today seen in what Hazel Carby calls “political apartheid” and in Carol Greenhouse’s description of the “criminalization” of racial minorities. And, as the continuing controversy and confusion surrounding race all too dramatically reveals, the civil rights movement unsettled as much as it resolved; it opened up new avenues for contestation, new ideas about how Americans should think about race, new challenges that law could not and cannot resolve.

American uncertainties and ambivalence about race go at least as far back as Tocqueville’s pained observations about the three races in America and their sad inability to live together as equals. In the intervening two centuries those uncertainties have not been resolved by civil war, legal prescription, mass protest, or inspiring leadership. Today conflict between blacks and whites, and conflict about black-white relations, are as vexing as they have ever been. Race remains, to use Gunnar Myrdal’s famous phrase, the “American Dilemma.”

When Americans have thought about the project of promoting racial reconciliation they have thought about it in many different ways, but two of the most important are what we call “racial tolerance” and “racial respect.” The former calls on racial groups to “put up” with differences that already exist in the world. Reconciliation in this version is a kind of cold peace in which antagonism is replaced by acceptance. Racial respect is a more demanding version of racial reconciliation. Building respect involves producing the conditions for an embrace and appreciation of difference, for a desire that it exist in the world not just grudging acceptance.

Whether tolerance or respect, building racial reconciliation is often seen as most importantly a project of legal change and of expanding legal rights. Brown v. Board of Education is, of course, the key moment in that project, and it has become one of America’s sacred texts, a decision to which almost everyone pays homage even when they act in ways incompatible with its central premises. Moreover, it is to the spirit of Brown that groups seeking recognition continuously appeal, a spirit that played a key role in recent debates over gay marriage.
As is now widely recognized, until 1954 the project of establishing the American Constitution was radically incomplete. It was incomplete because, in both chattel slavery and then Jim Crow, the law systematically excluded people from participating fully, freely and with dignity in America’s major social and political institutions on the basis of their race. But Brown changed everything. “Brown,” J. Harvie Wilkinson contends, “may be the most important political, social, and legal event in America’s twentieth-century history. Its greatness lay in the enormity of the injustice it condemned, in the entrenched sentiment it challenged, in the immensity of law it both created and overthrew.”

It stood for the proposition that “race is an impermissible basis for governmental decisions.”

While it did not end the indignities that the law itself had heaped on African Americans, Brown was at once a turning point and a source of resistance, a point of pride and an object of vilification. It was seen by many to have laid the basis for racial reconciliation between blacks and whites and to have offered a model for other racial groups.

Its legacy, like the legacy of all great historical events, is, even today, contested and uncertain. While almost everyone recognizes that Brown has not resulted in the elimination of racism in American society, some suggest that the civil rights movement in general and Brown in particular have been given too much credit for sparking progress toward racial reconciliation. “From a long-range perspective,” Michael Klarman argues, “racial change in America was inevitable owing to a variety of deep-seated social, political and economic forces. These impulses for racial change . . . would have undermined Jim Crow regardless of Supreme Court intervention.”

For scholars like Klarman, the victories of the civil rights movement stand, not as a monument to the law’s ability to bring about social change and to foster tolerance or respect, but instead as a monument to its failure to do so. In their view, whatever racial progress America has achieved cannot be traced back to Brown. “Courts,” Gerald Rosenberg contends,

had virtually no effect on ending discrimination in the key fields of education, voting, transportation, accommodation and public places, and housing. Courageous and praiseworthy decisions were rendered, and
nothing changed. . . . In terms of judicial effects, then, Brown and its progeny stand for the proposition that courts are impotent to produce significant social reform.37

And some now say that the integrationist vision, most closely associated with Brown, is inadequate to deal with the continuing subordination of African Americans in contemporary American society.38

Integration, of the kind promised by Brown, offers a model of racial reconciliation built on the assumption that if blacks and white could just get to know each other they would get over mutual distaste.39 The father of the idea that integration can lead to reconciliation is Gordon Allport, who developed “Contact Theory” in his 1954 book The Nature of Prejudice. Contact between different groups, Allport argued, is both the cause and cure of prejudice. Casual contact with other groups, seeing them on the streets or in the subway, often magnifies negative stereotypes, exacerbating prejudicial attitudes. More intimate contact, however, can contest stereotypes, diminish bigotry, and build respect. After examining studies of integrated military units, Allport noted that “prejudice may be reduced by equal status contact between minority groups in pursuit of common goals. The effect is greatly enhanced if this contact is sanctioned by institutional supports, and if it is of a sort that leads to the perception of common interests and common humanity between the two groups.”40

Others, following the promise of Brown, look to desegregated schools to provide opportunities for the kinds of interactions that Allport argued would lead to racial reconciliation. In this view, educators then have a unique responsibility to promote what David Johnson and Roger Johnson call the “three Cs:” establishing a cooperative community, creating constructive conflict (such as debates in which participants must argue both sides), and fostering cooperative, rather than individualistic, values.41 Not everyone, however, shares their optimism about the opportunities presented in schools. Status differences, prior biases, and school practices recreate a segregated environment in schools and have neutered the effects of school integration.42

Integration might also facilitate reconciliation by leading to the formation of common “superordinate” identities, such as those created by going to the same school or living in the same neighborhood, that can
supplant racially based subgroup identities. However, Marilynn Brewer notes that such dual identification often leads racial subgroups to generalize their own values, making members of outgroups who do not share those values seem disloyal to the larger group. In the end, loyalties to subgroups win the day, effectively undermining the superordinate identity.43

Some critics of integration say that reconciliation requires a dissolution of diverse cultures. They aim to make race irrelevant, making it no more socially significant than eye color.44 Richard Alba, looking at the trajectories of the Irish, Italians, and Jews, identifies three conditions necessary for reconciliation by assimilation: the ability of the minority group to attain high-paying jobs, converting higher socioeconomic status into social proximity to white people, and a cultural shift in how the whites view the moral status of other racial groups.45

Of course, making these conditions applicable to black-white relations faces numerous barriers, perhaps none more important than the continuing reality of implicit racial bias. The Harvard Implicit Associations Test, made famous by Malcolm Gladwell in *Blink*,46 revealed that a large percentage of the population, white and black, is to some degree affected by implicit bias.47 However, people with high internal motivation to avoid prejudice can be taught to avoid their implicit bias once they are introduced to the cognitive dissonance between their ideals of equality and their bias-driven actions.48 The effect, of course, disappears in those without such internal motivation.

Beyond integration or assimilation, some suggest that there can be no racial reconciliation without an explicit acknowledgment of America’s long history of racial wrongdoing and injustice. Sometimes drawing on Christian theology, they argue that reconciliation requires a confession of wrong, a pledge to cease wrongdoing, and penance.49 Without apology, atonement, and reparations blacks will not, and should not, they claim, forgive the country’s history of brutal oppression.50 Some claim that reparations are the only way to show meaningful regret, while others claim that it is a cheap way to trade on the honor and suffering of black ancestors. Some call for an apology by the government as an important first step,51 while others see it as a superficial and insulting attempt to close the book on historical injustice.52
J. Angelo Corlett claims that those who are wronged deserve compensation. He notes that the United Nations's Universal Declaration of Human Rights includes the right to “an effective remedy . . . for acts violating the fundamental rights granted [the wronged person] by the constitution or by law.” America’s continued inaction on the matter of reparations, in Corlett’s view, betrays a lack of concern and respect for black people. Reparations, therefore, are a matter of moral necessity and not social utility.

Roy Brooks outlines a plan of apology, coherence, and reparations that he believes the United States should adopt. In his view, the government should establish a reparations trust fund that would fund young blacks for twenty-five years, long enough to take a person through college and some types of graduate or professional school. Once this is done, Brooks believes that black Americans have a civic responsibility to participate in a meaningful reconciliation process.

Litigation has been proposed, and occasionally attempted, as a way to bypass political obstacles to reparation. No suit has yet been successful. Charles Ogletree, a leader in this movement, describes the challenges faced by plaintiffs in these suits. The first is identifying the parties and finding a definitive nexus between plaintiff and defendant. Another problem arises, however, in the form of a statute of limitations. Ogletree believes that the statute of limitations should be tolled in these circumstances. Statutes of limitations are designed to protect defendants from being tried on stale evidence and fading memories, but in cases like this, when evidence is suppressed owing to the defendant's own misdeeds, that justification is irrelevant.

Reparations itself is not an entirely unproblematic proposal. It seems to some foolish for American taxpayers, very few of whom are descendants of slaveholders and many more of whom are descendants of immigrants, northerners, or Union soldiers, to pay reparations to the descendants of the victims of a practice that ended a century and a half ago. Critics of reparations also point to the current existence of affirmative action and welfare, claiming that they are adequate reparation for past injury.

Others worry about the way that reparations will frame the black experience in America. Armstrong Williams notes that the rhetoric sur-
rounding reparations leads black people to believe that they are lost souls without hope of advancement. Moreover, Williams worries that reparations will reinforce the idea that maintaining blackness requires a rejection of the worldly and sophisticated.

Reparations are but one vehicle for trying to redress material inequities in the lives of blacks and whites and of “righting” history. The creation of truth and reconciliation commissions, such as was done in South Africa, is one potential option. The W. K. Kellogg Foundation launched a truth, reconciliation, healing, and transformation process that seeks to change community narratives and broaden American understanding of diverse experiences. Surveys show that this process has led previously “colorblind” whites to acknowledge the racial divides plaguing modern America and to open the way for racial tolerance, if not racial respect.

Randall Robinson, in *The Debt: What America Owes to Blacks*, argues that lack of candor surrounding pernicious race issues is the largest obstacle to reconciliation. “Smoke kills,” he says. The more that white people tell themselves that they are racially unbiased, the more easily they can justify acts of discrimination. The more that black people see themselves as only victims, the harder it will be to build new forms of racial tolerance and respect.

In our time the questions of whether Americans can clear away the smoke, and of how we live with racial differences, are very much alive. Moreover, the work of racial reconciliation remains incomplete. This book seeks to assess where we are in that work and to examine sources of continuing racial antagonism among blacks and whites. It also highlights strategies that hold promise of promoting racial reconciliation in the future. Rather than revisit arguments about the importance of integration, assimilation, and reparations to the project of racial reconciliation, it explores perspectives on reconciliation between blacks and whites that have not had pride of place in the existing literature. It connects identity politics, the rhetoric of race and difference, the work of institutions and actors in those institutions, and structural inequities in the lives of blacks and whites to our thinking about tolerance and respect among blacks and whites.
This book does not offer a systematic assessment of the capacity of law to facilitate racial reconciliation. Instead, it invites readers to think beyond law and rights and to examine social, political, cultural, and psychological factors that fuel racial antagonism as well as others that might facilitate racial reconciliation. The work collected here offers varying ideas about the meaning of racial reconciliation and differing visions of what it would look like were it to be achieved. In those ideas and visions it calls attention to questions of power and the limits of the nation-state. It highlights both individual factors and large-scale social forces that mark our current racial condition.

The first chapter in this book acknowledges that structures matter. A different future—one in which bodies marked by race aren’t shot dead in the street, in which communities of color have access to excellent schools, clean and safe living conditions, jobs that pay more than a living wage, to real hope and real change—will require significant structural change. But this chapter focuses as much on the self as on structure.

Matthew Pratt Guterl discusses the practice of racial passing in the supposed post-racial age for what it can tell us about the conditions and possibilities of racial reconciliation. Reconciliation, of course, has many meanings. It doesn’t just mean peace with equality or even a fair and just world. It refers, as well, to what might be called “abridgment of the ideal and the real.” Guterl contends that racial passing is often presented as a reconciliation of the inner truth “we know” with structures all around us.

Guterl’s chapter takes up the story of Rachel Dolezal and her “trans-racial” subject position. Dolezal was born to two Caucasian parents. She has four adopted black siblings. She attended Belhaven University and received a scholarship to attend the historically black Howard University. She taught at Eastern Washington University and was president of the Spokane Chapter of the National Association for the Advancement of Colored People. She attempted to sue Howard University for reverse discrimination and failed. She claimed to be the victim of at least nine racist hate crimes, although police had difficulty verifying her claims. For much of her life Dolezal had been “black passing.” She tans her skin and styles her hair, clothing, and speech in such a way that causes most people to perceive her as black.
Guterl reads Dolezal, as she did, through the experiences of Caitlyn Jenner, the trans-gender sports figure. He asks what it means to celebrate racial self-fashioning as if it were akin to gender transitioning and thinks about the broader cultural responses to Dolezal's story of passing and subterfuge.

Just a day after Dolezal appeared on the Melissa Harris-Perry Show to discuss this “fakery,” Dylann Roof shot and killed nine black people at Emanuel African Methodist Episcopal (AME) Church in Charleston, South Carolina. Shortly after, Bree Newsome removed the confederate flag from the South Carolina State House in Columbia and was taken away in handcuffs. Both occurrences highlight the costs of being and appearing black. In comparison to such a serious tragedy and such a radical political act, Dolezal’s actions seem trivial. However, her fakery offers more than just a contrast to “serious” racial issues. Rather, it offers another angle from which those issues can be viewed.

Dolezal’s racial fakery reveals, Guterl claims, that race is fictional and performative. Race is based in culture and appearance rather than biology. The permeability of the race line and its lack of foundation in concrete identifiers seriously challenge the soundness of a political or social system structured around race. Dolezal’s transgression of the race line complicates the traditional conception of racial passing and fakery.

Guterl offers a number of historical examples of people crossing color and class lines. Light-skinned black people who can pass as white can adopt new family histories, new jobs, and new customs, leaving their old racial identity behind. In such instances, passing confers monetary, social, and psychological benefits.

Guterl draws a parallel between the way that we see and sense class and the way that we see and sense race. He then suggests that perhaps “faking” class is no less real than having class, with the implication that perhaps race should be considered in the same way. Regardless, he argues, neither the state nor the public should be verifying the authenticity of peoples’ race or class. Rather, we should be concerned with the fact that we consider claims on race or class to be verifiable in the first place.

Guterl’s chapter moves back and forth between this story about the remaking of the racial self and one woman’s quixotic quest to become black and the everyday, violent truths of modern America: “In a moment when whiteness is afforded great structural advantage, when dark
skin color can make you a literal target, is there an odd, offbeat lesson here in the story of a woman born to privilege who chooses to ‘become black’?" Does “meaningful” or “progressive” racial reconciliation require a reification of race? Or does it allow for an abridgment of the gap between categories?

The next chapter continues the work of thinking from the level of individuals to the conditions of racial reconciliation and of trying to move beyond a biological conception of race. Osagie K. Obasogie argues that many of the racial antagonisms that have existed in the United States from slavery up through the end of World War II have been based largely upon a singular idea: that of biological race, or the notion that social categories of race reflect inherent group differences. From scientific racism to phrenology to the eugenics movement and more, science and medicine have played central roles in creating and sustaining the idea that racial differences and disparities are natural phenomena instead of being produced by human choices.

The Holocaust provided a horrifying example of how dangerous and harmful the concept of biological race could be. Obasogie identifies three efforts at reconciliation that resulted from the Holocaust: the Nuremberg Codes of 1947, a series of statements by UNESCO in 1950, and the mapping of the human genome in 2000 (which demonstrated that all human beings, regardless of race, are more than 99.9 percent the same).

In these moments of reconciliation, science appears to openly refute the idea of biological race. Nonetheless, this notion, Obasogie argues, persisted in medical literature and thought. Multiple theories of race, including biological race, motivated research projects. The biological conception of race was used to identify “pure” groupings of humans. Race categories also were used to understand disease and disease patterns.

Obasogie argues for what he calls “preconciliation” as a way to address and mitigate the consequences of the continued prevalence of a biological explanation of race. He draws on Section 5 of the Fourteenth Amendment and argues that it gives Congress the power to remedy a problem of equal protection before an individual’s rights are violated. Congress can proactively legislate to root out future harms that recollect old problems. Legislation, Obasogie notes, is necessary because
“race is such a dynamic and structural detriment of everyday life that it is woefully insufficient to rely upon individual or isolated moments of reconciliation.”

Obasogie argues for what he labels “race impact assessments” that might be used to mitigate the adverse outcomes of racist ideologies. Race impact assessments could be used within administrative agencies in the scientific and medical fields to root out faulty notions of racial biology. Hospitals and medical schools are other “sites” that have the unfulfilled potential to promote racial reconciliation. The continued skepticism toward and resistance to social constructionist understandings of race in scientific and medical research serves as a primary barrier to racial reconciliation. Until science and medicine move away from the idea that human difference, disease patterns, and disparate social and health outcomes lie in molecular or other physiological distinctions and take seriously the ideological origins and import of race, in Obasogie’s view, no meaningful racial healing can take place.

In chapter 3, Carla Shedd focuses on individuals who act as brokers in urban institutions. She notes that there is a symbiotic relationship between urban neighborhoods, public education, and criminal justice. In the name of justice, and often in the name of protecting America’s most vulnerable residents, the nurturing arm of the state, she says, now looks more like the punishing arm of the state. Formative urban institutions, such as schools and neighborhoods, now resemble more penalizing, reformatory institutions like juvenile detention centers and prisons. Simply put, our public institutions are failing. Thus we must examine the fundamental relationship that citizens of every racial and ethnic designation have with the state.

This chapter uses ethnographic and interview data to explore how racial brokers—notably parents, teachers, police officers, and judges—foment racial antagonism via the perceptions and experiences of urban youth. Shedd sees race and the spaces that people occupy as closely related, a theory also espoused by David Sibley, Robert Sampson, and Dawn Bartusch. Physical spaces, in particular the neighborhoods and communities in which people live, reinforce racial and socioeconomic segregation. In other words, it is difficult for people of color to leave the physical boundaries of their neighborhood and escape the fetters of racial antagonism.
Shedd focuses on Chicago to study this intersection of race and space. Neighborhoods are incredibly segregated, with most whites living on the North Side and most blacks and Hispanics living on the South and West Sides. Students either attend their neighborhood high school or test into magnet schools. Thus some students remain in their racially homogenous neighborhoods to attend school, while others travel to racially diverse magnet schools located in racially distinct neighborhoods.

To study the impact of this movement, or lack thereof, Shedd interviewed students from four Chicago schools: Tilden High School, Harper High School, Lincoln Park High School, and Walter Payton College Prep.

Tilden and Harper are both neighborhood schools located on the South Side of the city. The neighborhoods they serve, and consequently the majority of the student they enroll, are predominantly black, Hispanic, and poor. Both schools have severe problems with gang violence and crime. Even when given the opportunity to leave their neighborhood and attend a school with better funding, greater diversity, and more opportunity for personal advancement, many students choose to remain in the familiar environment of their neighborhood schools. Shedd notes that the transgressions of geographical and social boundaries required to attend a magnet school have physical and emotional consequences that deter students from leaving their neighborhoods.

Walter Payton College Prep and Lincoln Park High School are located in significantly wealthier neighborhoods on the North Side. Walter Payton College Prep is a selective enrollment school with a racially diverse student body. Lincoln Park High School is a neighborhood school that serves the affluent Lincoln Park neighborhood and once served the Cabrini-Green Public Housing Projects. It has an international baccalaureate program that draws students from all across the city. Both schools provide the opportunity for interaction across racial boundaries, though student accounts suggest that self-segregation within both schools prevents racial reconciliation from occurring.

Shedd found that students who do traverse geographic and social boundaries are more likely to be aware of the discrimination that they face as persons of color and perceive civil and criminal institutions as unjust. Segregation by place isolates and deprives young persons of color of educational opportunities, job opportunities, and housing choices.
For neither group of students do public schools promote racial reconciliation. Although schools have the potential to act as a site of racial justice and social equality, they currently reinforce racial segregation.

Chapter 4, by Naomi Murakawa, focuses on one of the institutions discussed by Shedd, namely the police. The current language used to describe racialized over-policing and over-punishment suggests that they are both problems of mistrust and misunderstanding between police and communities of color. Such language suggests that the solution to police violence is increased dialogue, increased interaction, and increased police training. These reforms, Murakawa argues, increase the power of the police and fail to address the underlying causes of conflict.

This chapter traces the history of calls for “racial reconciliation” in policing and, in so doing, identifies the potential pitfalls of current reform efforts. New proposals for “racial reconciliation” fit within an old architecture of policing reform, extending from the pursuit of stable police “race relations” in the 1950s, to healthy “police-community relations” in the late 1960s, and to proactive “community-oriented policing” of the 1990s. Tracing this post–civil rights history of racial reconciliation in policing, Murakawa identifies potential dangers that lurk within well-intentioned efforts to reconcile police and black communities through truth-telling forums and procedural justice.

As Murakawa sees it, the central problem with current law enforcement policy is the scale and scope of policing. Eleven million to thirteen million police arrests are made each year, the majority of which are petty misdemeanor offenses. The damage that many of these arrests do is almost imperceptible owing to their quotidian character. A citation, fine, or summons might not seem violent, but they can diminish life chances and economic stability. Many misdemeanor offenders are not entitled to a lawyer even though they can face up to six months of prison time and years of probation for alleged infractions. Fines can compound over time, leading to massive debt. Nonwhite communities and neighborhoods experience higher levels of surveillance and stricter policing. Nearly a third of arrestees are black. Although this high-frequency, low-profile policing is less striking than other forms of violence, it is indeed racist and a serious barrier to racial reconciliation.
Historically, Murakawa says, racial reconciliation efforts mystify racial power in ways that ultimately consolidate carceral power. By conceiving of black discontent with policing as a matter of misunderstanding, miscommunication, atavistic suspicion, or misplaced grudge, racial reconciliation efforts end up justifying reforms that fortify police power. In effect, the framework justifies more funding to hire more police officers (of color), more training, and more procedural particularities that ultimately bolster the professional status of police. In short, the language of “racial reconciliation” demands reform but resists normative commitments, effectively translating the potentially transformative work of the Black Lives Matter organization into a set of technocratic, proceduralist fixes with an air of emotional sensitivity.

In an effort to solve problems of mistrust and miscommunication, many police departments have augmented the training of their officers with lessons in “tactical empathy” or similar communication skills. Although empathy has positive connotations, police use it, Murakawa argues, to capture, fool, and seduce. “Tactical empathy” is advantageous to the police as an insurance measure against allegations of unconstitutional policing and because it reduces resistance to police power. It can be used to defuse dangerous situations and elicit compliance.

Murakawa describes “Verbal Judo,” a model of tactical communication, to highlight the dangers of tactical empathy. Verbal Judo is teachable as a set of gestures and phrases that give the practitioner the appearance of empathy. Murakawa compares this to theories on counterinsurgency that teach gestural commands to earn the people’s trust. In order to teach “humane” policing, one must dehumanize policed subjects. There must be an implicit distancing between police and citizen before they can be united again as equals. Verbal Judo relies on the orientalist notion of the self-mastered military man. This lends both a masculine and a combative character to police-citizen encounters.

Murakawa urges us to identify terror where it is least discernable and recognize the various forces that contribute to the delegitimization of structural critiques of racism. Body cams, police training, and cops of color are “aesthetic” solutions to state violence. Racism may be less visible or discernable, but it is still present. Meaningful racial progress and
racial reconciliation in policing requires the deconstruction of police power. Murakawa calls for massive decriminalization and for consistent enforcement of the law as prerequisites to racial reconciliation. A spike in arrests of “respectable” people for minor crimes could produce a public demand for decriminalization.

Like Shedd and Obasogie, Murakawa identifies an institution (the police) that is failing to advance racial reconciliation. Murakawa believes that there can be no meaningful racial reconciliation until we strip the police force of much of its power and transfer it to other institutions. We must frontally challenge the racial scale and concentration of policing; meaningful reconciliation should therefore focus less on police professionalization and more on police power.

The next chapter, by Valerie C. Cooper, focuses on another of the institutions that Shedd contends is critical to the possibilities of racial reconciliation, the church. It calls attention both to the significance of religious institutions as well the significance of individual patterns of belief.

Cooper begins with a remark often attributed to Martin Luther King, Jr., decrying the fact that “11 A.M. Sunday morning” is the “most segregated hour of the week in America.” In the more than fifty years since King proclaimed his dream that “one day . . . the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood,” little has changed. Churches remain overwhelmingly segregated, and very little progress has been made in transforming communion tables around the country into tables of real, interracial brother- and sisterhood.

In June 2015, Dylann Roof—a white male—killed nine black people at Emanuel AME Church in Charleston, South Carolina, with a concealed firearm. The shooting was intended to derail efforts at racial reconciliation in the church and ignite a race war. The shooting, Cooper argues, highlights the continued racial tensions within the Christian faith in America and the failure of the church to act as a site to end racial segregation.

A study by Rice University found that, if a diverse congregation is defined as one in which 20 percent of its members provide racial or ethnic diversity, only 8 percent of congregations in the United States are racially diverse. Christian congregations are hyper-segregated, with
a diversity level of approximately zero. Unlike segregation enforced by law, congregational segregation is self-enforced. People choose to return to the same congregation year after year.

The origins of segregation in Christian churches, Cooper argues, can be traced to the impetus for the creation of the first independent black denomination, the African Methodist Episcopal (AME) Church. Whites denied blacks entrance to many of their congregations, thus limiting the number and character of organizations available to black Christians. Even when blacks were allowed to attend white churches, they were segregated and dehumanized. The historical role that Christianity has played in the justification of the American slave system meant that black worshipers needed to separate from white co-religionists and construct a church that acknowledged their full humanity. Consequently there are many areas that have theologically similar but racially distinct congregations that originated from the same organization.

Recent efforts to foster racial tolerance and/or respect among Christian churches have been confounded by a number of factors. Churches are voluntary associations. The government cannot mandate congregational diversity. Members who feel uncomfortable or unhappy with increasing diversification of their congregation can simply leave and join a less diverse congregation. Even if blacks gain entrance into an integrated church, there is no way to ensure that they will be treated like Christians or that the church will become a desirable place for blacks to worship.

Whites may consider integration an assault on a safe and comfortable place of worship. The music may become “too black,” or race may be a topic too frequently discussed in sermons. Whites are often less aware of and less committed to efforts to racially desegregate than their black counterparts. Yet for blacks, the integration of whites into their congregations can feel like Anglo-conformation and the loss of the last black dominant social spaces.

Cooper concludes that religious institutions have been some of the most important sites and organizations in the construction of modern racial identities and relations. As such, they have the ability to either valorize or challenge the status quo. The shootings at Emanuel AME demonstrate that multiracial congregations can leave dominant white racial frameworks unchallenged and that challenging the status quo presents
significant emotional and physical dangers to participants. Churches may advocate racial reconciliation as a social goal while at the same moment resisting it in their own practices.

Our book concludes with an exploration of national politics, structural antagonisms, and racial justice via transnational, indigenous, and women-of-color perspectives. It also puts the black-white racial binary that has animated the rest of the book into a broader racial perspective.

Kirstie A. Dorr argues that the way that social justice movements operate—both historically and currently—reinforces the systems that they are attempting to dismantle, making it difficult to create substantive change in the long term. She questions whether racial reconciliation is a realistic possibility in twenty-first-century America and discusses how American society would have to change in order to achieve racial justice.

Dorr discusses how globalization has changed the networks of production and consumption from contained systems within a nation-state to a complex, decentralized, transnational system. This in turn has changed the nature of race, gender, and capital. Struggles for inclusion and redress often fail to recognize these changes and, as a result, “re-capitulate or fortify the geo-political structures of dominance that they seek to reform or destabilize.” We must be careful to foster anti-racial thought and action, she contends, that is conscious of this new and changing landscape.

Efforts at racial reconciliation are all too often domesticated. This takes several forms. Social justice movements use nationalist rhetoric that reinforces social differentiations such as that between the foreign and the domestic or the citizen and the migrant. Rhetoric about progress, reform, and inclusion relies on heteropatriarchal notions of the homeland and the traditional family unit that are used, Dorr notes, to support racial capitalism. Domestication also impedes our ability to form cross-community coalitions and transnational alliances.

Dorr points to the situation of ethnic studies programs at institutions of higher learning and the backlash they have received. In the decades following their inception, ethnic studies programs have become increasingly domestic—focusing mainly on the study of communities of color within the United States. The assimilation of ethnic studies programs
into American studies programs is indicative of how the radical efforts at racial reconciliation are being tamed and assimilated to fit and even support the extant racist system.

Another example of domestication and the ways in which anti-racism movements reinforce systemic racism is the division of ethnic studies programs into black studies, Asian American studies, and Chicano studies programs. This sterilizes, pigeonholes, and separates different racial identities, interests, and relations. Additionally this domestication (wrongly) superimposes racial norms from the United States onto other countries and cultures.

In Dorr’s view, racial formation is a dynamic and relational process. Dorr argues that the pursuit of racial justice in the new millennium will require thinking through the discursive logics and material conditions that organize “the state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death” beyond the scale of the nation-state and across axes of difference. She concludes that, in our current political moment, analyses of racial discourse and practice must contend with the ways in which racial formation processes are at once geo-historically specific—that is, as temporally emplaced in particular, local, regional, and national contexts—and geo-historically relational—that is, as situated within and articulated with other geographies of racial capitalist formation and networks of cultural circulation. Racial reconciliation, if it is to occur, must work across and beyond the accepted boundaries of the nation-state to imagine new, intersecting, and relational models of racial, social, and economic justice.

Taken together, the work presented in this book reminds us that, as we celebrate and struggle over the meaning and reach of civil rights post-Brown, when it comes to race and racial issues these are strange times, confused and confusing times. This is especially true when the issue of race involves relations between African Americans and caucasians. As Wilkinson argues, “America stands at a critical juncture with respect to its race relations—a juncture every bit as important as that which confronted the Supreme Court in 1954.” This book takes stock of this critical juncture, offering both critical analysis of the barriers to progress and examining strategies beyond law and rights for moving America down the road toward racial reconciliation.
NOTES
8 Noguchi, “Report.”
10 Id. at 5.
16 See “Are We Talking Enough about the Black Middle Class?” Pacific Standard, April 13, 2015, https://psmag.com. See also Khalilah Brown-Dean, Zoltan Hajnal,

17 “Are We Talking Enough?”


19 See A. J. Robinson, “The Two Nations of Black America,” Frontline, February 1997, www.pbs.org. Robinson states that “the Black middle class is not only larger than ever, but that it is the fastest growing and largest segment within the Black community.” Also see Mary Pattillo-McCoy, Black Pickett Fences: Privilege and Peril among the Black Middle Class (Chicago: University of Chicago Press, 1999).


31 See also Myriam Gilles and Risa Goluboff, eds., Civil Rights Stories (New York: Foundation Press, 2007).


39 What follows is taken from material prepared by John Malague for inclusion in this book.


Allport’s hypothesis led other scholars to empirically evaluate the relationship between contact and prejudice. A review of the literature performed by Pettigrew and Tropp found that 94 percent of studies showed face-to-face interactions to be related to reduced prejudice. See Thomas Pettigrew and Linda R. Tropp, “Does Intergroup Contact Reduce Prejudice? Recent Meta-analytic Findings,” in Oskamp, *Reducing Prejudice and Discrimination*.


51 Brooks, *Atonement and Forgiveness*.


57 *Id.* at 155–163.

58 *Id.* at 168.


60 *Id.*


66 Much of what follows is taken from material prepared by Lorenzo Villegas for inclusion in this book.
