

Critical Race Theory and Morality: New Looks at Original Sins

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I am trained both as a lawyer and an academic. I understand that is oxymoronic to some. But I did not learn about critical race theory (CRT) from my School of Law; I learned about CRT from my School of Education. Immediately, I became, and remain, excited to see philosophical theory applied to the lived experiences, ideas, and beliefs that I carried for years. It is that excitement that motivates and generates each of my research projects. Katrina Dillon's essay excites and motivates me as well. And isn't that what we most hope that an essay will do?

Dillon's essay expands on the underutilization of CRT in philosophy. However, at the outset, she complicates her endeavor. Initially, she states an intention to "analyze the morality(ies) at work within critical theory or CRT." Then, Dillon informs the reader that "[a] critical race theory of morality" could inform a dialogue defining morality. Though subtle, the distinction between the tail wagging the dog or the dog wagging the tail is relevant. Morality could drive an analysis of CRT, its history, and its relevance to America's future. I believe that Dillon is more concerned with how CRT can (re)conceptualize morality. So, this essay originates from that assumption. Moreover, because Dillon grounds her analysis in David Purpel and Derrick Bell, American philosophers, I will also focus my response essay on a European American conceptualization of morality.

Although Dillon argues from a deontological lens, she does not explain why "overcoming existing forms of exploitation and subjugation" or developing "a transformative ethical discourse and public morality" would be of societal benefit. Admittedly, I agree with Dillon's premise; however, others (for example, political or religious conservatives) might dismiss her thesis as inconsistent with a greater good. Dillon's suggestions have too much importance to be digested only by like-minded philosophers.

Within the essay's body, Dillon undertakes a definition of morality, *then* moves into a CRT analysis of morality. She states, "this essay briefly discusses more general notions of morality . . . , and then examines the possible conceptualization of a critical race theory of morality." However, my purpose in this essay is to encourage an earlier utilization of CRT.

CRT requires us to start from the assumption that racism is ordinary and a European American conceptualization of morality is skewed.¹ From there, morality has been and must continually be intentionally skewed to support white supremacy. Morality supported America's original sins – slavery and colonization. Morality dictated the existence of a racial hierarchy. Morality placed the African at the bottom of that hierarchy. Morality assured a religious pardon for all those who desired freedom of religion while simultaneously participating in sacrilegious human domination. Morality mandated what was best for "them."

CRITICAL RACE THEORY TENETS

By grounding our discussion in examples of CRT tenets, we see that interest convergence further supports the aforementioned interpretation. Morality served both psychic and material purposes. European Americans had to rationalize the psychic disturbance caused by participating in an activity intimately connected to activities from which they sought escape: domination and subjugation. They were seeking freedom from human domination and subjugation suffered under the British Empire. They wanted the opportunity to live as “free” men. They sought the opportunity to thrive or fail under their own fortitude, strength, and will. Yet, if this was a goal for which death was not too steep a price to pay, how could any human seek to take a similar freedom away from another? Their morality provided the answer and absolution.

Moreover, any wavering about the psychic immorality of their acts must have been compounded by the material immorality. It is one thing to do what one might possibly believe is best for another; it should be a more difficult act to profit from it. Those committed to America’s financial foundation knew that there was insufficient “manpower” to stimulate the economy necessary for a newborn nation. The “start-up costs” (at the time, blood, sweat, and toil) needed to be borne by a stronger, more numerous chattel. So, the “moral” acts were not only “for their own good” (psychic approval), but for “our” own good too (material approval).

Lastly, for my purposes in this essay and to integrate more current examples, morality’s skewed nature is reflected within another CRT tenet: differential racialization. Throughout much of the nineteenth century and, particularly, on December 7, 1941, American morality turned acidic toward all things Asian.² Approximately a half century later, on September 11, 2001, the same peoples were considered intimate allies as well as business and educational models while anyone with a Middle Eastern appearance or name became a target. Differential racialization suggests that European Americans, as the dominant society, will “racialize” different groups at different times in order to control both access to certain goods and resources as well as public perception. The mobility of racialization in America can be seen traveling from African Americans, to Asians, to Middle Easterners, and more.

Therefore, the historical utility of morality as a tool in the maintenance of power must preface our definition and analysis. In America, what is “right” cannot be viewed statically. It must be viewed, at least, in relation to what was defined as right at the nation’s inception. Assuming that slavery was to the “far right” of moral acts, how far to the left must the morality gauge swing before a moral balance or correction is achieved? Or, is the gauge’s starting position, at the far right, determinative of all future definitions of moral and immoral acts? CRT teaches us that having lived in America for some 500 years, we remain uncertain about whose morality we’re analyzing.

CRITICAL RACE THEORY ANCESTRY

As Dillon notes, Derrick Bell, unarguably CRT’s godfather, challenges us to better utilize our moral compass. But, as suggested previously, Bell’s notion of morality is not static. He instructs, “I feel it so important to strive to become ethical . . . to aspire

ethically.”³ He portends the fluidity of morality, particularly within American society and American law, the arenas in which his research is focused. As Dillon and Bell both argue, CRT can provide direction to that fluidity.

Much as Bell informs a CRT analysis, an earlier African American philosopher, W.E.B. Du Bois informed Bell.⁴ Throughout much of his work, Du Bois critiqued America’s version of morality.⁵ The starkness of his critique is very evident on reviewing Du Bois’s work against Booker T. Washington’s.⁶ Du Bois saw European American morality as corrupt and infected, requiring deconstruction and radical reassembly. Washington, on the other hand, saw European American morality as the center from which other communities should map their direction. CRT, Bell, and Du Bois teach us that, at the turn of the twentieth century, a “raced morality” not only infected society’s privileged, it infected historically marginalized communities, both from within and without. During that time, the African American community did not affect America’s perception of morality. On the other hand, Washington and his followers prove that America’s dominant perception of morality affected and divided the African American community.

CONCLUSION

According to CRT, morality is not so much a thing to *have*, as it is a tool to *use*. Morality’s righteousness has justified the ownership, maintenance, and implementation of power. That power has supported exploitation, subjugation, and colonization. But, critical race theorists also argue that morality has the potential to deconstruct and reconceive acts that encourage democratic resistance, a struggle for the humanity of all, and transformation from a society for the few to a society for the many.

Dillon argues for reconceptualization of morality. I agree, but not simply with the idea that there is need for reconceptualization of a current understanding. CRT calls for reconceptualization from formation because the morality that was and is white supremacy poisoned not only the oppressor, but also the oppressed. For those who love America — its strengths and faults — CRT provides an unapologetic mechanism for wrenching a nation’s cancer from its body. To get to the root of the disease, CRT demands critical analysis of the morals that guided a nation and its decisions from birth. If we have the courage to undergo healing, many of the disease’s consequences will be remedied as well. Schools will teach all children, economic growth will occur in all communities, and possibly more (if not all) people will not only be created equal but will also live full lives that reflect equality and equity.

1. Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction* (New York: New York University Press, 2012), 7.

2. *Korematsu v. U.S.*, 323 U.S. 214, 65 S. Ct. 193, 89 L. Ed. 194 (1944). This Supreme Court decision upheld the internment of Japanese American citizens during World War II.

3. Derrick Bell, *Ethical Ambition: Living a Life of Meaning and Worth* (New York: Bloomsbury, 2002), 51.

4. Derrick A. Bell Jr., “The Legacy of W.E.B. Du Bois: A Rational Model for Achieving Public School Equity for America’s Black Children,” *Creighton Law Review* 11 (1977): 409–32

5. Reiland Rabaka, *W.E.B. Du Bois and the Problems of the Twenty-First Century: An Essay on African American Critical Theory* (Lanham, MD: Lexington Books, 2007), 1–35.

6. Booker T. Washington, *The Future of the American Negro* (Boston: Small, Maynard, 1900).