

Review Essay

Loving the Messenger

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We know that nothing kills a nigger like too much love.
—Julius Lester, *Look Out, Whitey! Black Power's Gon' Get Your Mama!*¹

I. THE SOUL OF THE MOVEMENT

What has happened to the civil rights movement? Just a quarter of a century ago, the spiritual and moral courage of civil rights leaders touched the conscience of a nation, which watched while peaceful protesters were beaten and small children were blown to bits. The images demolished the mythology that the system of racial segregation had any relationship to the preservation of civilization and brought about an avalanche of federal and state initiatives aimed at eradicating discrimination. Some of them—the public accommodations provisions of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, to take two prominent examples—worked radical transformations in the fabric of American society. The air was rich with a sense of confidence, and triumph, and loving sacrifice.

But something has happened. The civil rights movement, if it still exists at all, has lost its ascendancy among American social movements. It has

* Copyright © 1989 by Stephen L. Carter. I have had the benefit of discussions with Enola Aird and a number of other friends and colleagues, as well as the absolutely splendid research assistance of Denise Morgan, Karen Porter, and Sushma Soni.

1. J. Lester, *Look Out Whitey! Black Power's Gon' Get Your Mama!* 107 (1968).

lost energy, lost purpose, lost popularity. Something has gone terribly wrong, and everybody has a story about what it is. Most of the stories are ideological. For critics from the right, the movement is said to have lost its spiritual moorings, to have sacrificed the glowing principle of color-blindness on the altar of racial preferences.² Critics from the left, in one of those fascinating ironies that drive liberal centrists half mad, offer a symmetrical assessment: the civil rights movement has lost ground because it has pressed for more than the society is ready to give.³

Julius Lester offers a different and quite tantalizing theory. For Lester, the trouble in the contemporary civil rights movement has little to do with its goal, and a good deal to do with its soul. The problem, he says, is that black leaders have tried to appropriate suffering as something unique to the experience of black Americans. This explains why black leaders often seem to see their task as reminding the larger society that it has profited from the exploitation of racial minorities, and then crying racism when the society's sense of guilt proves evanescent or non-existent. In Lester's view, the civil rights movement will not recover its spiritual greatness or its momentum until the leadership of the black community once again preaches to the oppressed that only the inner moral progress of suffering individuals moves the conscience of the society around them.

This is what I take to be the subtext of *Lovesong*, Julius Lester's warm, witty, yet sharply outspoken recounting of his journey toward Judaism.⁴ I would not contend that the story I have read is the one that the author decided consciously to tell, but as I reflect on a book I first picked up nearly a year ago, I am quite certain that the subtext is there. On the surface, Lester's is a tale in part of wonder, in part of joy, in part of tragedy. The wonder comes in the opposition of two Julius Lesters. One of them, twenty years ago, stood accused of anti-Semitism, and Lester is the first to admit that the criticism was not wholly without merit. The other Lester today is Jewish, finally at peace with himself after a life-long spiritual odyssey.⁵ The joy comes in his recounting of his struggle toward

2. The classic statement is perhaps this one by Alexander Bickel:

The lesson of the great decisions of the Supreme Court and the lesson of contemporary history have been the same for at least a generation: discrimination on the basis of race is illegal, immoral, unconstitutional, inherently wrong, and destructive of democratic society. Now this is to be unlearned and we are told that this is not a matter of fundamental principle but only a matter of whose ox is gored.

A. Bickel, *The Morality of Consent* 133 (1975). See also N. Glazer, *Affirmative Discrimination* (1975); Reynolds, *Individualism v. Group Rights: The Legacy of Brown*, 93 *Yale L.J.* 995 (1984).

3. For example, one critic has recently concluded that the vision of antidiscrimination as inconsistent with broad group-based remedies "seeks to proscribe only certain kinds of subordinating acts, and then only when other interests are not overly burdened." Crenshaw, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 *Harv. L. Rev.* 1331, 1342 (1988). See also D. Bell, *And We Are Not Saved: The Elusive Quest for Racial Justice* (1987); Freeman, *Antidiscrimination Law: A Critical Review*, in *The Politics of Law: A Progressive Critique* 96 (D. Kairys ed. 1982).

4. J. Lester, *Lovesong: Becoming a Jew* (1988) [hereinafter cited by page number only].

5. As it happens, one of Lester's great-grandparents was a Jewish man who married an ex-slave,

his faith which, in the end, he discovers and embraces with a passion that he had not known was in him. The tragedy comes in the way that he has been made to suffer in the course of his odyssey. Unfortunately, this troubling, triumphant story possesses as many elements of tragedy as of comedy, and its ending, in which the author discovers his faith and embraces it in love, leaves a faintly bitter aftertaste.

Lovesong should have been a happier book. After reading it, one cannot help but be saddened, not simply because Julius Lester has suffered, but because the suffering has so marked him. A tale of a spiritual and intellectual odyssey away from home and back again should be an occasion for joy, for the journey is one that many of us attempt and few of us complete.

Despite his personal and spiritual triumph, and despite all of his admirable efforts to meet adversity with love, Julius Lester is obviously a bitter man, perhaps with reason. His narrative sparkles when he writes of his childhood, or of his love of God and of his faith, but it drips venom when he describes his colleagues at the University of Massachusetts at Amherst—at least the black ones—and Jesse Jackson and a host of other icons of the contemporary black community. None of these people, in his judgment, understands Judaism; none wants to take the trouble to know what it is to be a Jew.

This is where the book acquires its bittersweet aspect, for Lester's story, which is moving when read as straightforward autobiography and depressing when read as an allegory on the civil rights movement, is also a tale of anti-Semitism and intolerance, subjects on which Lester himself can speak with some expertise. The way in which Lester has been made to suffer marks the book, and the resulting account is sometimes venomous in its disparagement of the author's enemies. All too often, the reader must cut through a truly passionate anger that mars what is otherwise a very fine and poignant narrative.

And yet one does not want to be too quick to question the tone, because there is a sense in which events have vindicated Lester's controversial criticism. In the year since *Lovesong* was published, he has been drummed out of the Afro-American Studies Department at the University of Massachusetts at Amherst—evidently in response to his views—and even though the Judaic and Near Eastern Studies Department welcomed him, the threat to academic freedom is palpable and, to black intellectuals, should be chillingly familiar. Thus it seems appropriate to reflect on *Lovesong* a year later, both by rehearsing the story and its message, and by considering the link between its message and the way in which too many in the

but to call that the "reason" for his conversion would trivialize the narrative force of the book-length explanation that he offers.

black community have chosen to isolate dissenters from the community's orthodoxy.

II. THE STORY AND THE METAPHOR

As a child growing up in Arkansas, Julius Lester says, he did not identify with any of the heroes in the pantheon of great black Americans: Robeson, Dubois, Washington, Carver, Bethune and the rest. He saw himself instead as Shylock in *The Merchant of Venice*. He suggests an explanation: Those great black Americans "are models of success," whereas the young Julius Lester needed "a model of suffering." And then he suggests another: Perhaps "through Shylock I learn that blacks are not the only people in the world who must ponder in their flesh the meaning of meaningless suffering."⁶

For the mature Professor Lester this memory is a symbol, as are some other early instances of doubt about the tenets of the Christianity that he learned from his domineering father, a clergyman, especially about the divinity of Jesus (a doubt carefully hidden from his father). They symbolize the possibility that he has been chosen by God to be different⁷; that his destiny might not lie along the Protestant Christian path followed by so many black families for generations, especially in the South.

Also lurking here is a criticism, however indirect and tactful, of something that the civil rights movement tends to do, especially now. In suggesting that only in Shylock was he able to find a model of suffering, Lester implicitly challenges the notion that black people have suffered as a people in some special manner that touches everyone who is black and no one else—a notion that undergirds all manner of prescriptions for curing social ills. For if we who are black have suffered like no other people in history, then quite naturally (so the modern argument seems to run) we deserve to be the beneficiaries of a system of protections and preferences like no other in history.

To deny this proposition is to deny the validity of a substantial part of the racial critique of American law and history. "When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state," the Supreme Court declared in *The Civil Rights Cases* a century ago, "there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be the special favorite of the laws."⁸ These words have come to stand for racist insensitivity. According to what might be called the racial critique of law and history, black people never were the special favorites of the laws, except when the laws have favored them with op-

6. P. 22.

7. P. 19.

8. *The Civil Rights Cases*, 109 U.S. 3, 25 (1883).

pression, and the oppression with which black people have long been favored is the root cause of most of the problems that bedevil the black community today.⁹ Racial preferences are most often justified by reference to this history.

One would almost have to be willfully blind to deny that many of the problems of black people in contemporary America are related to a history of vicious racial subjugation. But of course, other people have suffered too, sometimes on account of color, sometimes for other reasons. The usually unspoken suggestion inherent in the construction of special programs to remove the legacy of history is that black people (and perhaps some other people of color) have suffered in ways that other people have not—for only a unique suffering can demand so unique a remedy.

But in the opening pages of *Lovesong*, Julius Lester challenges the case for black uniqueness, suggesting a truth at variance with civil rights orthodoxy: True, you (we) have never been the special favorites of the laws; but you (we) should also not seek to be that. For you (we) are not alone in your (our) suffering. Others have suffered, and others have persevered. Do not insist on the uniqueness of your (our) suffering. Instead, you (we) should seek to make common cause with others who have suffered. Early in the book, this is a hint; later on, it will explode into a fulmination against what, in his view, the civil rights movement has become.

To Lester, the commonality of suffering is no recent discovery. *Lovesong* is full of examples of his early concern that black people not exclude the possibility of sharing the suffering of others—even if we have only the author's word that these were his feelings. When he goes to speak at Berea College in 1969, for example, he is literally surrounded by the black students and becomes, he says, "a prisoner of the black collective."¹⁰ And there is more:

At dinner, the black students sit at separate tables in the center of the dining hall, me in their midst like a prize orchid they have bred. I am angry at myself for not asking some of the white students looking fearfully at us from the surrounding tables to join us. They are Southerners, too, and I share a history and an agony with them, too, and want to talk about it. I do nothing.¹¹

In Lester's view, evidently, the black students whose captive he is would deny any commonality between their suffering and the suffering of the white students. It should not be surprising that the students assumed that Lester would join them in their lonely solidarity. In the late sixties, Julius Lester was what was then called a black activist, capable of authoring

9. Perhaps the pre-eminent exponent of this critique is Derrick Bell. See, e.g., D. Bell, *Race, Racism, and American Law* (1973); D. Bell, *supra* note 3.

10. P. 66.

11. *Id.*

Look Out, Whitey! Black Power's Gon' Get Your Mama! a book that frightened some people and offended many more. The late sixties were an angry and frightening time in the civil rights movement, not only because of the rhetoric of the age, but also because of the violent action and reaction in the streets.

Lester says now that *Look Out, Whitey!* was supposed to be funny, and while he admits that it was also angry, the anger, he says, is of a special kind: "not the deadly ire which seeks to kill, but the anger of love that mocks and pokes fun at whites."¹² Plainly, the reviewers who made him the pre-eminent spokesman for the Black Power movement understood Lester as little as the students who made him captive did:

To be seen as the personal emissary of Black Power, a "militant," is confusing, distressing and downright embarrassing. I doubt that militants go to the Brasserie as often as possible for its superb caviar-and-sour-cream omelet, or stay up until four-thirty in the morning to watch a Bette Davis movie on the late show, or until 6:00 a.m. listening to Bill Watson on WNCN reading from Thucydides' *Peloponnesian War*. Not only am I not a "militant," I'm not even political, even if I am involved in a political movement. (Eating Chinese food with chopsticks doesn't make me Chinese.) Writing politically is a function of Mind. Mind is not me. How can others not know that?¹³

He was in an odd position, a favorite militant of the media who did not fit the image—in part because he sympathized too much with the enemy, and not only at Berea:

I am aware that in public appearances and on my radio show I am not living up to people's expectations. I do not have a ten-foot-high Afro and don't eat white people for breakfast—without sugar. I scarcely raise my voice above conversational level, and prefer to joke and laugh rather than prophesy doom as a latter-day Savonarola. I sympathize with white college students who come to hear me; they expect to be called honkies and to be made to lie prostrate with guilt for all of white America's sins, and are pathetically grateful when I speak to them as human beings deserving respect. I ache for the black students who need me to be their whip, flaying white flesh for sins, real and imagined. I can't do it, and often after I speak I am surrounded by white students eager to talk with me while the disappointed black ones drift sullenly away.¹⁴

Some emissary. Some militant. But there he sat, in the late sixties, unable

12. P. 42.

13. P. 43.

14. P. 45.

to tell the good guys from the bad guys with quite the ease of some of his contemporaries.

Today, Lester the caviar-eating militant has become Lester the dissenting intellectual. He is a tenured professor at a major university, author of a dozen or so books, and he still has the same problem today that he did in the sixties: he is still unable to tell the good guys from the bad guys with ease. In fact, he seems less certain than before that the category of "bad guy" is very important in everyday life. And he continues to insist, as he did two decades ago, that suffering should bring people together, not push them apart. He argues in particular that black people err in assuming that no one else can possibly understand what it means to be black, and what it means to have suffered as black folk have. To Lester the commonality of suffering is virtually a self-evident truth. Throughout the book, he recounts the difficulties that have arisen, not simply from trying to convince others (other black people, that is) of this truth—but even in getting them to listen to it. For the unhappy truth is that too much has been allowed for too long to turn on whether or not the suffering of black people is unique.

To see why this must be so, consider the matter the other way around: if all people who have suffered have suffered in essentially similar ways, then it is difficult to explain why some sufferers should, in law, be treated differently than others. Perhaps others who have suffered the predations of racial oppression might be admitted to share in the uniqueness—but no one else. Special treatment for everyone, after all, means special treatment for no one.¹⁵ Everything from minority set-aside programs¹⁶ to political solidarity rests in some way on the claim of uniqueness. Thus it ought to be unsurprising that many black people find the notion of commonality of suffering to be profoundly threatening. If we lose our claim to have suffered in ways that are unique in history (so the fear must run), then how much else of our hard-won political ground will we have to surrender?

The claim that the suffering of black folk is unique grounds much of the current civil rights orthodoxy. We have been dragged here unwillingly on slave ships, our culture has been forcibly abolished, our education prohibited in one century and inferior in the next, our general unfitness for the ordinary occupations of life drummed into us relentlessly for centuries, so that we have very nearly been destroyed as a people. We are society's

15. Harold Cruse, among others, has criticized the society's willingness to address the concerns of women along with or ahead of the concerns of black people, notwithstanding what he insists are important distinctions between the ways in which the two groups have suffered. H. Cruse, *Plural but Equal: Blacks and Minorities in America's Plural Society* 363-369 (1987).

16. At least when created by a local rather than national government, set-aside programs created in the absence of a clear record of discrimination must now be deemed constitutionally suspect. *Compare* *City of Richmond v. J.A. Croson Co.*, 109 S. Ct. 706 (1989) (striking down set-aside program adopted by Richmond City Council) *with* *Fullilove v. Klutznick*, 448 U.S. 448 (1980) (sustaining set-aside program adopted by the Congress). *See generally* *Days, Fullilove*, 96 Yale L.J. 543 (1987).

victims. Consequently, racial preferences and other special programs are described as payment for a debt that society owes us, and whether society pays out of guilt or out of simple justice, pay it must, because we have been wronged like no people before.

To expunge the debt, the argument runs, the society must recognize our claim on a share of such scarce resources as jobs with real prospects of advancement and education in the most selective programs of the best professional schools. The underlying assumption is that the problems that the rest of the world has caused are problems that the rest of the world must solve. Life may be unfair, and, in Thomas Sowell's sensible aphorism, tests may measure the results, but those are only interim results; the world that has caused the unfairness must come back later and adjust the scores.

This claim of uniqueness takes the majority's historical insistence on the difference between black and white and tries to make it work the other way. Once upon a time, the nation justified its oppression of us on the ground that we were different than they. It is easy to make it a crime to teach a black person to read once you are prepared to concede that it is not possible to do so. Well, fine, the argument concludes. You treated us as different then; you will choke on those differences now.

Of course, the idea of difference is more than a rallying cry. It is also a critique of accepted understandings, a demand for a share in the interpretation of the world. It says, "We matter. Our oppression makes our world different from yours and our world matters. That difference matters. Our oppression makes our voice different from yours. That voice matters."

The idea of difference, and its importance, has been worked out more fully by feminist scholars than by those propounding what might be called the racial critique.¹⁷ Most prominent is perhaps the controversial work of Carol Gilligan, who contends that from early childhood, males and females evidence markedly different forms of moral reasoning.¹⁸ Gilligan has her critics, including psychologists who have questioned her methodology or who have conducted independent studies that throw some doubt on her results.¹⁹ Other critics are fearful of the uses to which their opponents

17. For a legal scholar's useful overview of the difference literature, with an emphasis on the feminist literature, see Minow, *The Supreme Court, 1986 Term—Foreword: Justice Engendered*, 101 Harv. L. Rev. 10 (1987).

18. C. Gilligan, *In a Different Voice* (1982); accord Gibbs, Arnold & Burkhart, *Sex Differences in the Expression of Moral Judgment*, 55 Child Development 1040 (1984).

19. See Walker, *Moral Stages and Moral Orientations in Real-Life and Hypothetical Dilemmas*, 58 Child Development 842 (1987); Walker, *Sex Differences in the Development of Moral Reasoning: A Critical Review*, 55 Child Development 677 (1984) (asserting that substantial evidence of lack of sex differences in moral development is disregarded); Greeno & Maccoby, *How Different Is the "Different Voice"?*, 11 Signs 310 (1986) (questioning Gilligan's methodology and citing contrary evidence); Luria, *A Methodological Critique*, 11 Signs 316 (1986) (rejecting Gilligan's methodology). For Gilligan's response to her critics, see, e.g., *Reply by Carol Gilligan*, 11 Signs 324 (1986).

might put the notion that there is some fundamental distinction between the way men analyze problems and the way women do.²⁰

A vision similar to Gilligan's was long ago seized upon by scholars asserting the "point of view" of the putatively oppressed black community. Although much of the analysis of the significance of difference requires considerable erudition to be understood, the underlying proposition does not, and indeed, it possesses a rough and ready common sense that probably reflects the day-to-day experience of vast numbers of people in our "us and them" society.

The difference approach proposes, for example, that writers who are white and writers who are not are at opposite ends of an unbridgeable chasm, that their experiences of reality diverge so sharply that beyond a certain, limited point, a shared understanding is virtually impossible. Black writers (and other non-white writers) are said to have different voices from white ones, to think and speak and of course write in the way that their background has prepared them. They see some things—those related to their oppression, those related to their culture—more sharply than others possibly can.²¹ A just society, it is said, would take account of that difference rather than seek to silence it.

This vision of difference presupposes the existence of what is often called the "black experience," a uniquely black reality that has shaped in similar ways the lives of all people who are black. This black experience is said to be something that no one who is white can possibly fathom. A

20. See, e.g., C. MacKinnon, *Feminism Unmodified* 38-39 (1987) (arguing that Gilligan's work affirms difference "when difference means dominance" and therefore affirms "the qualities and characteristics of powerlessness"); Kerber, *Some Cautionary Words for Historians*, 11 *Signs* 304 (1986) (assessing dangers in suggesting biological source of differences). Some feminists who have embraced her conclusions have been critical of her methodology or style. See, e.g., Auerbach, Blum, Smith, & Williams, *Commentary: On Gilligan's A Different Voice*, 11 *Feminist Studies* 149, 160 (1985) ("The problem with her book is not that its politics are bad, but that it lacks a politics altogether"). Others have accepted the work, and considered principally its implications. See, e.g., Benjamin, *Book Review*, 9 *Signs* 297, 298 (1983) ("Gilligan's work . . . points to the radical potential of women's search for universal norms through a psychological rather than a formal logical mode of thought"); Sherry, *Civic Virtue and the Feminine Voice in Constitutional Adjudication*, 72 *Va. L. Rev.* 543, 591 (1986) (Gilligan's work implies "a feminine vision" of "a mature virtue-based ideology" that "has been conspicuously absent from the shaping of [American] moral or political traditions"). Cf. Van Gelder, *Carol Gilligan: Leader for a Different Kind of Future*, Ms., Jan. 1984, at 37 (uncritical acceptance of the work).

21. Cf. H.L. Gates, *The Signifying Monkey: A Theory of Afro-American Literary Criticism* (1988). This position should not be confused with the critical stance attacking the use of the concept of racial difference as a tool for oppression. See, for example, the essays collected in "Race," *Writing, and Difference* (H.L. Gates ed. 1986).

The notion that black theorists reason in ways that are different from the ways of white theorists has sparked a small controversy within the literature on race and law. As a result of their special experience, it is said, scholars of color will support such programs as racial preferences by articulating reasons unlikely to occur to white civil rights advocates. See Delgado, *The Imperial Scholar: Reflections on a Review of Civil Rights Literature*, 123 *U. Pa. L. Rev.* 561 (1984); cf. Matsuda, *Looking to the Bottom: Critical Legal Studies and Reparations*, 22 *Harv. C.R.-C.L. L. Rev.* 323 (1987). This contention, however, has been sharply challenged on both empirical and logical grounds. See Kennedy, *Racial Critiques of Legal Academia*, 102 *Harv. L. Rev.* 1745 (1989).

classic statement of this proposition came from Stokely Carmichael and Charles Hamilton in their book *Black Power*:

Our point is that no matter how “liberal” a white person might be, he cannot ultimately escape the overpowering influence—on himself and on black people—of his whiteness in a racist society.

Liberal whites often say that they are tired of being told “you can’t understand what it is to be black.” They claim to recognize and acknowledge this. Yet the same liberals will often turn around and tell black people that they should ally themselves with those who can’t understand, who share a sense of superiority based on whiteness.²²

Plainly, this idea has the advantage of silencing critics, because the three magic words, “You can’t understand,” free the speaker from the need to seek a dialogue with those who disagree; the fact of oppression becomes its own authority.

Like the claim of gender difference, the claim of racial difference has its critics. Critics of difference challenge, for example, the premise that a monolithic “black experience” exists and has shaped all black people in ways that make them more like each other than any black people are like people who are white.²³ The idea of difference, moreover, carries a very real risk of stigmatizing and perhaps even ghettoizing black intellectuals. If they—white intellectuals—can’t do what we—black intellectuals—do, then perhaps we can’t do what they do either. Harold Cruse must have been painfully aware of this possibility two decades ago when he wrote in *The Crisis of the Negro Intellectual*:

Even at this advanced stage in Negro history, the Negro intellectual is a retarded child whose thinking processes are still geared to piddling intellectual civil writism [sic] and racial integrationism. This is all he knows. In the meantime, he plays second and third fiddle to white intellectuals in all the establishments—Left, Center, and Right. The white intellectuals in these establishments do not recognize the Negro intellectual as a man who can speak both for himself and for the best interests of the nation, but only as someone who must be spoken for and on behalf of.²⁴

Small wonder—if our claim is that we speak, in effect, in a language that others cannot hope to understand.

22. S. Carmichael & C. Hamilton, *Black Power: The Politics of Liberation* 61-62 (1967).

23. This, perhaps, is what Andrew Delbanco had in mind when he warned, in a generally favorable review of the recent work of Henry Louis Gates, that the effort to define a uniquely black literary tradition “flirts with the compensatory, but potentially insidious, idea of a residual race-consciousness that somehow survives in the blood.” See Delbanco, *Talking Texts*, *New Republic*, Jan. 9/16, 1989, at 28, 34.

24. H. Cruse, *The Crisis of the Negro Intellectual* 475 (1967).

Besides, there is something vaguely derisive in the conclusion that those of us who are black intellectuals are stuck with doing things in one way, forever marked by race. Edward Shils, writing at about the same time as Cruse, surely recognized this when he observed:

[M]embers of the various communities in the major areas of intellectual life evaluate intellectual performance with little or no reference to nationality, religion, race, political party, or class. An African novelist wants to be judged as a novelist, not an African; a Japanese mathematician would regard it as an affront if an analysis of his accomplishment referred to his pigmentation; a British physicist would find it ridiculous if a judgment on his research referred to his being "white."²⁵

This was obviously a hope, not a statement of fact, and as hopes go, it was a good one. But Shils's closing prediction—that "primordial attachment to color . . . will survive but not so strongly as to deflect the intellect and imagination from their appropriate activities"²⁶—is precisely what theorists of difference deny. And in that denial they implicitly, if unwittingly, condemn scholars of color to a narrow and unhappy path, writing mostly for one another, and never able to aspire to a higher goal than, for example, best *black* economist.²⁷

Theorists of difference have a further and more fundamental difficulty. Without a good deal of side-stepping and rhetorical excess, they are unable to account for the work of such prominent black critics of racial preferences and other aspects of the civil rights orthodoxy as Thomas Sowell and Glenn Loury. Has the black experience touched them? Does it touch their work? Ah, well, perhaps they have surrendered to the racist society or sold out or something of that sort. In any event, the problem must be with them, the dissenters, and not with the theory that the black experience has shaped us all in the same way. The notion that reasonable minds, even reasonable black minds, might differ over some part of the orthodoxy is treated by theorists of difference as worse than absurd—why, it isn't even worth mentioning!²⁸

Theorists of difference will very likely have similar trouble accounting for the work of Julius Lester, who is nobody's conservative, neo- or otherwise, but nevertheless is evidently a critic of difference. His narrative is a statement of the universality of human experience—including the suffering and oppression that are said by scholars of difference to be so crucial

25. Shils, *Color and the Afro-Asian Intellectual*, Daedalus, Spring 1967, at 279, 288.

26. *Id.* at 293.

27. In a story that might be apocryphal, but is too good to pass up, it is said that Thomas Sowell hung up on a member of Ronald Reagan's staff who telephoned him shortly after the 1980 election to inform him that the new President wanted Sowell to be his first *black* cabinet member.

28. For an extended criticism of the refusal by theorists of difference to acknowledge the black dissenters, see Kennedy, *supra* note 21.

to creating the different voices in which different communities speak. But for Julius Lester, different communities speak *to* each other, and there are messages for those prepared to listen. Thus although he wonders as he prepares a seder whether "a Gentile can understand Judaism and Jewishness," his conclusion is a rejection of the idea that the uniqueness of black experience makes white understanding impossible:

The thought is as repugnant to me as when blacks tell whites they cannot know what it is to be black. It is a statement that negates literature, art and music, nullifies the realm of the imaginative and says it is impossible for human beings to reach out from one loneliness to another and assuage both. If that were true, I would not see aspects of myself in haiku and the poems of Sappho, the music of Bach and the watercolors of Winslow Homer.²⁹

The point of this passage, and a good one, is surely not that the scholars of difference are wholly wrong, but that the experiences that make us different do not make us unable to understand or appreciate one another. Difference is a bridgeable chasm. It is bridged when we "reach out from one loneliness to another," not in anger, not in frustration, not in hatred, but in love; not lifting the world up by its ears, but touching the world on its human heart.³⁰

Still, in order to be useful, the bridge must finally be built not simply in the mind of the observer, but in the world; the decision might begin with emotion, but it must end with will. This, surely, is what David Tracy had in mind when he noted that "[e]mpathy is much too romantic a category to comprehend this necessary movement . . . from otherness, to possibility, to similarity-in-difference."³¹ Bridging the chasm is a choice, and not always an easy one. But it is not enough simply to look at the one who is different, the lonely, suffering other, and say, "Gee, that's too bad" or "Gee, I understand." For Lester, as for Tracy, the triumph over difference is finally a social act as well as a spiritual one.

Once armed with the notion of difference as a chasm to be bridged, one can readily imagine an impressive panoply of lines that might be blurred or crossed by a world willing to proclaim, "We love you because you are different; we love your differentness; we value it; we want to learn from it." The continuing struggle to mend the division between black and white in the United States is only one such border-crossing. The battle against the oppression of gay men and lesbian women and efforts to empower the

29. P. 172.

30. In this vision, Lester sounds a theme common to some of the work of the black radicals who reached political maturity in the 1960s (a group with which, accurately or not, he was once identified). Cf. H. Newton, *Revolutionary Suicide* 372 (1973): "We will touch God's heart; we will touch the people's heart, and together we will move the mountain." This is not of course to imply that Julius Lester and Huey Newton are ideological soulmates.

31. D. Tracy, *Plurality and Ambiguity: Hermeneutics, Religion, Hope* 20-21 (1987).

homeless are plainly others. Difference, for Lester, has a human face, and people should talk to each other.³²

On this point, too, Julius Lester seems to understand better than many of us where responsibility lies. This is evident not only from *Lovesong*, but from what he has written since, a work product that includes this moving passage:

Suffering belongs to us all. The advantage blacks and Jews can have, if they choose it, is the knowledge of their suffering.

The knowing is only a beginning, however. What to do with our suffering is the task. Only when we assume this responsibility do we learn how to be. Only to the degree that we carry our suffering (without anger or blame or remorse or self-pity), only to the extent that we learn to live with a pain that cannot be relieved do we redeem suffering and make ourselves whole.

But there's the rub! All too many blacks expect, demand, that white people relieve their suffering. After all, have not whites been the agents of it?

That is the historical paradox that must be accepted and not quarreled with. Yes, white people caused the suffering. But they cannot relieve it because it is not suffering that can be relieved. It can only be lived with. And the one who suffers cannot expect that another live his suffering.

Unfair?

Of course.

Unjust?

Without question.

But that is the ineluctable reality. Do I live in perpetual anger at my suffering and the perpetrators of it, or do I receive it with love?

As a black, as a Jew, my responsibility as a teacher is to use my suffering to reach out to touch the suffering of my students. The history, literature, and religions of the peoples of which I am part and about whom I teach require nothing less.³³

32. Lester's approach to difference is consistent across other controversial issues, as Lester himself illustrates in his defense of Israel's policies on the use of military force against Palestinian Arabs. For while he says on the one hand "I have not been to Israel and will probably not go for many years because I do not want to see Jews treating Arabs as blacks were treated in the South," p. 177, and adds that he is saddened because, in his view, Israel will not, as he thinks it should, "be better than other nations" and "set a new standard for politics and international relations," *id.*, he appends a caveat that captures the essence of what contemporary scholars have in mind when they write about difference:

I do not know. I am not Israeli. I have not lived through five wars in twenty-four years. I do not board a bus wondering if a bomb has been planted beneath one of the seats. My dailiness does not include walking the streets seeing soldiers with rifles on their shoulders. My dailiness does not include memories of sons, fathers and brothers killed in one of those wars. *Id.* He does not pretend that this is a complete defense of Israeli policy, but that is not what it is meant to be. It is, rather, a restatement of his main theme, the human face of difference: nearly always, there are two sides.

33. Lester, *Teaching and Being: Autobiographical Reflections, Religion & Intellectual Life*, Summer 1988, at 21, 23.

The words are beautiful; but they are subversive, too. By touching the suffering of others, by encouraging them to bear oppression with love, and by insisting, in the end, that each of us is responsible for himself or herself, Julius Lester challenges more orthodoxy than he might permit himself to recognize.

This matter of responsibility is another point on which left has recently met right, as the neo-conservative movement, especially among black intellectuals, has increasingly come to criticize programmatic and bureaucratic responses to poverty and other legacies of slavery as inefficient and counterproductive.³⁴ Black separatists took the same position long ago, albeit for different reasons.³⁵ Now, quite suddenly, it seems that the old sixties rallying cry—"The freedom of black people is the responsibility of black people"—is not a separatist declaration of independence, but a more traditionalist declaration of self-reliance. Do not rely on others to relieve your suffering, it says; the responsibility is yours. Thus, Lester once more:

I wanted to give [my daughter] a lecture on *The Federalist* papers because she is growing up at a time when the concept of rights has been perverted until it is synonymous with desires. Even a cursory reading of the Bill of Rights makes it clear that rights are guaranteed to the individual as protection from the power of government and that is all. People talk as if rights were handed down by God at Sinai and sanction anything their hearts desire.³⁶

For Lester, curiously, this passage questions whether the Constitution protects the "rights" to abortion or unpopular sexual preference; but whatever one might think of the constitutional merits of those rights, they are plainly claims against "the power of government." His critique has more direct application, one would think, to racial preferences, which are not rights against government as such, but rights to particular social outcomes.

In the era of *Brown v. Board of Education*,³⁷ and the long and desperate struggle that preceded it, the government was the oppressor, and its racist laws were on the books for all to see. It is far too thin a reading of that decision and the struggle against segregation to say, as some critics of racial preferences do, that the principle for which people were fighting

34. See, e.g., Thomas Sowell, *Civil Rights: Rhetoric or Reality?* (1984); William Julius Wilson, *The Declining Significance of Race* (1978); Lory, "Matters of Color": *Blacks and the Constitutional Order*, *The Public Interest*, Winter 1987, at 109.

35. See, e.g., R. Allen, *Black Awakening in Capitalist America* (1969); S. Carmichael & C. Hamilton, *Black Power: The Politics of Liberation in America* (1967). One would have to count Julius Lester, in his earlier incarnation, as a member of the same group. See Lester, *The Necessity For Separation*, *Ebony*, August 1970, at 167.

36. P. 116.

37. 347 U.S. 483 (1954).

and dying was that the government ought to be color blind.³⁸ Surely the evil was a pervasive system of racial subjugation, designed and operated to keep black people in thrall. But pointing out the distinction is not a refutation of the charge that racial preferences carry costs. Even if color consciousness was not the principal evil then, it does not follow that color consciousness is a good thing now. In particular, the transformation of the struggle from one against *government subjugation* to one against *societal oppression* has left the enemy more amorphous and the principle behind the struggle a little harder to specify.

The enemy that racial preferences are designed to attack is history itself. The inheritors of those who were the oppressors are charged with the responsibility of cleaning up the mess their ancestors made.³⁹ Perhaps they should; but if racial preferences are to be a part of our reality, we ought not to pretend that they are a happy one. One need not be an opponent of preferences to understand that they have real costs, not only to the amorphous mass of individuals excluded from their benefits, but, more important to the immediate point, to those the programs are designed to assist. True, it conceivably goes too far to say, as some critics do, that racial preferences are a major cause of white derogation of the ability of students or professionals of color.⁴⁰ On the other hand, there may be effects on the psyches of successful black professionals, because of the driving need to know that we have made it on our merits. It is the peculiar tragedy of racial preferences that in the name of improving the position of the group, they make it difficult for individual members of the group to be sure of what they have done. If jobs and education are somehow "due" us, because of our color and our history, then when we get them, what do we have? Can we tell whether anything is earned?⁴¹ Can we tell how good we are—or if we are any good at all?⁴² Where is the work, the gain, the self-respect that comes from knowledge of individual accomplishment?

38. To suggest that racial segregation and racially conscious remedial programs present the same issue "is to pretend that history never happened." Carter, *When Victims Happen to Be Black*, 97 Yale L.J. 420, 434 (1988). See also Kennedy, *Persuasion and Distrust: A Comment on the Affirmative Action Debate*, 99 Harv. L. Rev. 1327 (1986).

39. Proponents of racial preferences use the term "ancestors" figuratively, not literally. A part of the burden of ameliorating the lingering effects of the past is also to be shouldered by those whose ancestors could not have participated in the oppression because they were on the other side of an ocean. Charles Black has eloquently defended this burden as an obligation of citizenship, little different from paying taxes. See Black, *Civil Rights in Times of Economic Stress: Jurisprudential and Philosophic Aspects*, 1976 U. Ill. L.F. 559, 562.

40. For a rejection of the criticism, see Kennedy, *supra* note 38, at 1331. My own view is that there might be more to the criticism than meets the eye, a point I assess in a forthcoming essay. See Carter, *On Being an Affirmative Action Baby* (work-in-progress).

41. For examples of this argument, see T. Sowell, *Black Education: Myths and Tragedies* 292 (1972); Loury, *supra* note 34. I do not mean the statement in the text to represent some final word in these matters, and it is certainly not my intention to deny that I myself have been a beneficiary of racial preferences; on the contrary, I would not have had my education, and conceivably my job, without them. In a forthcoming essay, I will set out in more detail my views on the relationship between preferential treatment and professional achievement. See Carter, *supra* note 40.

42. See Loury, *Beyond Civil Rights*, New Republic, Oct. 7, 1985, at 22, 25 (racial preferences

Julius Lester is a supporter of racial preferences.⁴³ Whether it was his intention or not, however, when Lester celebrates the individual who dreams and works and transforms himself or herself, he is participating in the continuing societal conversation about preferences, most poignantly when he expresses his jealousy of his son's unencumbered childhood:

If you were a black child in the 1940s, childhood was a luxury that could get you killed. Education in those all-black schools was a process of being trained—intellectually and emotionally—to survive and persevere. We were not allowed to think that the white world could defeat us. It would discriminate against us, deny us jobs, force us to live where it wanted us to, lynch us, but defeat us? Never. If we didn't succeed in becoming doctors, lawyers, teachers, ministers or writers to serve our people, we were to keep the dream alive and pass it on to the next generation—the dream and the toughness to endure when dreams do not come true.⁴⁴

And he adds:

I am merely one in the generations of black intellectuals and professionals who were required to sacrifice their childhoods, personal dreams and desires because our task was to prepare the way. No other alternative existed.⁴⁵

The point, surely, is that it is possible now to dream other dreams than what one's posterity might accomplish; and one of the dreams that it is possible to dream is of accomplishment, not by luck, not by gift, not even by right, but by dint of earning a place—by being better than others.

But these are not words that black people are supposed to speak—that is, not if they do not want to be dismissed angrily as “conservative” or “reactionary” or some grimmer epithet. Racially conscious affirmative action programs are the shibboleth of the contemporary civil rights agenda. One may quibble on the burden of proof needed to make out a case of racial discrimination, one may debate the best way of relieving the pathology of the underclass, one may even attack that former shibboleth, school busing, and not be silenced with a label. But opposition to affirmative action is evidently different. To be against racial preferences is to be against the progress of the race. To be white and against it (as most white people are) is to be racist; to be black and against it (as many black people are and most black people may well be) is to be a tool of the oppressor.⁴⁶

make it impossible for black people “confidently to assert, if only to themselves, that they are as good as their achievements would seem to suggest”).

43. See Lester, Letter to the Editor, N.Y. Times, June 19, 1988.

44. P. 111.

45. P. 112.

46. A February 1988 Gallup survey commissioned by *Newsweek* asked the following question: “Because of past discrimination should qualified blacks receive preference over equally qualified

Yet there is nothing wrong, and much right, with advocacy of a color-blind society,⁴⁷ and it is a peculiarity of modern civil rights rhetoric that those who proclaim this as their goal are so often, on that evidence alone, placed in the enemy camp. That there are racists who oppose preferential set-asides and affirmative action programs is doubtless true. But it does not follow that every opponent is one of them.

There is something peculiar, moreover, about advocating a continuation of racial consciousness for the sake of eradicating it. The one thing that every version of racial preferences has in common, by definition, is an explicit consciousness of race; in effect, the programs *insist* that an employer or college or professional school take note of the race of an individual applicant. That might be a way to ensure minority representation or diversity or role models or better opportunities, but it has little to do with getting people to stop thinking of others in racial terms.

On the contrary, systems of racial preferences force upon us a peculiar and risky grammar. People become fungible representatives of groups, and the groups do not mix. If ten percent of the spaces in the entering class at the medical school of the University of California at Davis are set aside for members of particular races (the euphemism "disadvantaged" is a non sequitur), then Allan Bakke, because he is white, cannot have one.⁴⁸ He is not a disadvantaged individual, he is a white person, and nothing that he can do can transform him into a person eligible for entry through the special program. Those admitted to the program are not individuals, either; they are representatives of racial minorities, and no matter what they achieve, they will likely be thought of that way throughout their professional lives.

There is a surface innocence to all of this, and certainly systems of racial preferences are not intended to denigrate either those permitted to benefit from them or those who are excluded. But we blink at reality if we deny that the peculiar grammar forced upon us by programs that treat people as members of groups, and assign characteristics on the basis of that membership, has an ugly mirror image, for it is as easy to assign negative characteristics as positive ones.⁴⁹ Moreover, although Allan Bakke is plainly not a victim of a system of racial subjugation, such as the one that long oppressed people of color, he is just as plainly a victim of

whites in such matters as getting into college or getting jobs or not?" Among white respondents, 80 percent said no, 14 percent said yes. Among black respondents, 50 percent said no, 40 percent said yes. *Newsweek*, March 7, 1988, at 23.

47. It must be said, however, that if majority rule really aggregates private preferences, then it is somewhat paradoxical to expect color-blind governance in a society in which individuals often make private decisions that incorporate considerations of color. See Carter, *supra* note 38, at 434-38.

48. See *Regents of the University of California v. Bakke*, 438 U.S. 265 (1978).

49. Cf. Carter, *supra* note 38, at 434 ("Once it is accepted that race can carry significance—a point which is central to the case for racial consciousness in remedial programs—the dispute may be reduced to one over what race more rationally signifies: an educational disadvantage that a just society will find ways to overcome, or a tendency toward criminality that a just society will avoid.")

racial discrimination, an entirely distinct wrong, but not a trivial one. The backlash against racial preferences is not trivial either, and explaining it away as racism is just another way of silencing critics without debating them—and another sign that we are losing the moral high ground, for there was a time when the movement had no reluctance to debate. We must learn once more to love and cherish individuals for who they are, not what they represent; and, having learned it once more ourselves, we can once more teach it to the world.

It is not really my purpose, however, to weigh the relative merits of color-blindness and racial preferences. My larger point, rather, is to note the way in which Lester's celebration of the individual and of the commonality of suffering is inconsistent with important aspects of racially conscious programs. Still, I hasten to add that Julius Lester does not explicitly offer this challenge; the gloss on his views is entirely mine. Lester makes no criticism in *Lovesong* of the goals of the inheritors of the civil rights mantle; his message, in fact, has nothing to do with policy prescription. The task that he sets for the black community is one of cleansing our souls. He makes no pretense that if we can do that, everything else will fall into place, but I do understand him to insist that we are heading in the wrong direction.

III. OUR ENEMIES, OURSELVES

One of the wrong directions in which Julius Lester believes that we are heading is exemplified by his own experiences as he was drawn ever closer to Judaism. For a good part of the troubles in which Lester has found himself have arisen not from his emphasis on commonality of suffering, but because of his insistence that black people are particularly reluctant to admit the commonality between their suffering and the suffering of Jews. Or perhaps reluctance is too weak a word for the phenomenon he is trying to describe; for while Lester is not prepared to come out and say so, his view is plainly that anti-Semitism is widespread in the black community, and that those to whom he refers as "black leadership" are doing little about it.

Now, it must be said that Julius Lester knows more than a little bit about anti-Semitism, having been on both ends of it. During the late sixties he struggled through his own period of what he calls "political anti-Semitism,"⁵⁰ a stance that included the airing of virulently hateful remarks about Jews (not, it should be noted, his own remarks) on his radio show.⁵¹ He did this, he explains now, in order to "facilitate contact be-

50. P. 59.

51. Most controversial was a poem written by a high-school student and including the line: "Hey, Jew boy, with that yarmulke on your head/You pale-faced Jew boy—I wish you were dead." P. 51.

tween Jews and blacks.”⁵² Well, maybe. Just possibly the objective could have been achieved without filling the airwaves with hate. But that is very old news, and whatever one thinks of Lester’s present explanation for what he did two decades ago, it is far more urgent to come to grips with what he claims now—that there is anti-Semitism throughout black America, and that black Americans refuse to talk about it.

The idea that anti-Semitism is rampant within the black community is an old theme of Lester’s. In fact, it got him into trouble a decade ago, when Andrew Young was forced to resign as the Carter Administration’s ambassador to the United Nations after violating American policy by meeting with representatives of the Palestine Liberation Organization. Across the country, black people attacked the Administration for turning its back on Young, and some of the critics claimed that Jimmy Carter had abandoned his friend and supporter because of pressure from Jews. Julius Lester was incensed, and he penned a well-known essay entitled “The Uses of Suffering.” In that essay, he attacked the positions of some black leaders who had demanded that Jews “consult” with them “before taking positions contrary to the best interests of the Black community.”⁵³ Lester responded: “Black leadership still seems to be ignorant of the fact that Jews have been hurt by Black indifference to the fate of Israel.”⁵⁴ And then he added the lines that probably made most of the subjects of his criticism enemies for life:

Because Blacks have been silent while Jews continued to be murdered, I am appalled that they dare come forward now to self-righteously lecture Jews to “show more sensitivity” when Black leadership is guilty of ethnocentric insensitivity. Arrogance is, however, a common fault of oppressed people when they believe their own status as victims gives them the advantage of moral superiority. But morality is not found in lecturing others on morality. Morality is painfully earned by constant awareness of one’s own limitations, mistakes, and fragile humanity. Morality comes by constantly adjuring yourself and not others to “show more sensitivity.”⁵⁵

Perhaps he could have stopped there and avoided the worst; perhaps he should have. (As Lester and his wife awaited the essay’s publication in *The Village Voice*, she asked him how he felt. “Scared,” he replied. “I wish someone else had written this.”⁵⁶) But Lester was driven by something close to anguish to write what had to be written. Even now, a decade later, the words leap from the page; they are the words of a man too

52. P. 56. For Lester’s fuller account of this incident, see pp. 50-65.

53. *Quoted at* p. 128.

54. *Id.*

55. *Id.*

56. P. 131.

angry to stop. Jewish opposition to affirmative action, he insisted, was no excuse:

I cannot understand why Black leadership lacks the simple humanity to express gratitude for past support, as well as the anger we now feel in the face of Jewish conservatism. Instead, Black leadership has acted as if Jews were responsible for Andy Young's resignation. I thought Andy was responsible for that, and, with great dignity, he explained that he needed to speak as he wished. But, as Western history amply demonstrates, whenever something goes wrong, it is easy to blame the Jews.⁵⁷

Thus, he asserted, the black leadership is "morally barren," and is in effect saying of the world's indifference to the fate of Jews, "we don't give a damn." He concluded with the five angriest words in the entire essay: "Blacks, too, can be Germans."⁵⁸

As one might imagine, when the essay was finally published, there was bedlam. Overnight, he says, he became "a nonperson" in the black community.⁵⁹ He summarizes the reaction to his essay in a single, neat phrase: "I feel like a Mennonite who has questioned the existence of the Holy Trinity."⁶⁰ The sentence is more poignant than it first appears, not only because of its strange, sad subtext ("I am only proclaiming truth as I understand it, and no one should get angry at me for that"), but because it anticipates an episode that Lester describes later in the book, when he receives an agonized telephone call from his father, the minister, who has learned that his son has rejected Jesus as his saviour:

Daddy does not understand and, I realize now, has never understood. He has tried to accept but he cannot. How could he have spent most of his eighty-three years traveling and preaching, bringing the word of Jesus to thousands and thousands and having them accept Jesus into their hearts as Lord and Saviour, and yet neither of his sons goes to church, neither of his sons believes in that Jesus who is the center of his life.

I hear that eternal child in me wanting to plead, "But, Daddy. Just because I don't believe in Jesus doesn't mean I'm not religious." But I do not allow the child to speak, because Daddy cannot understand. To be religious is to be Christian, and Protestant Christian at that.⁶¹

His father's mortification at Lester's rejection of the Christian faith mirrors the rejection he feels from colleagues and friends as he moves closer

57. *Quoted at* p. 129.

58. *Quoted at* p. 130.

59. P. 145.

60. P. 134.

61. P. 149.

and closer to Judaism. He is not prepared to label his father an anti-Semite, and from the loving portrait in the book, there is no reason to assume that the elder Lester was one. Colleagues and friends, however, are a different matter. Their responses to what for Lester is a profound spiritual journey are, in his view, essentially anti-Semitic.⁶² Since the publication of *Lovesong*, Lester has repeated his theme that anti-Semitism is a problem of the black community with which the leadership refuses to deal.⁶³

Lester's critique appears at an uneasy moment in the relationship between the black and Jewish communities. The traditional alliance, which struggled so hard for so many basic freedoms, has lately been under considerable strain. Theories abound on the reasons.⁶⁴ Without getting into that point, at least not in detail, it certainly bears mention that Lester's criticism notwithstanding, any number of black leaders have mourned the rift and are tending, with Jewish allies, to its repair. What success they will have remains to be seen. But it must also be said that trying to offer reasons for the split, and even trying to mend it, simply finesses Lester's central, implicit claim, that anti-Semitism pervades the black community in general, and its leadership in particular.

Here as elsewhere, Lester is faced with an immediate and unacknowledged difficulty: it is not as easy as it might have been twenty-five years ago—before Memphis, say—to point to a single group and say, "This is the black leadership." If the black community ever was monolithic, if its leaders ever presented a united front, that era has passed. The black community is divided, often heatedly so, over ends, means, politics, and personalities. Lester might just as well say "black people whose positions I reject" as refer to the "black leadership" as a readily identifiable entity.

Even if one concedes, moreover, that there is still a "black leadership"—comprising, perhaps, the principals of the most influential civil rights organizations and a handful of well-known politicians, journalists, activists, and intellectuals—it is still not so clear that Lester ought to single them out for special criticism, while leaving the masses alone. The black leadership, if there is a black leadership, did not arrive suddenly from another planet. The leaders are not leaders (*pace* Ronald Reagan) because of some self-interested pursuit of power; they are the leaders because they see and are able to articulate the often dimly realized feelings of anger and discontent that abound in the black community. If, as Lester

62. See, e.g., *Black Professor Accuses His Colleagues of Censorship and Anti-Semitism*, *Chronicle of Higher Education*, June 8, 1988, at A13.

63. See Lester, *When Black Unity Works Against Critical Inquiry*, *N.Y. Times*, July 12, 1988.

64. For discussions of the strains in the alliance, see J. Kaufman, *Broken Alliance: The Turbulent Times Between Blacks and Jews in America* (1988); J. M. Cuddihy, *Jews, Blacks, and the Cold War at the Top*, in *The Ordeal of Civility* (1974).

seems to think, black leaders tend toward anti-Semitism, it is fantasy to imagine that their constituents do not.

Still, the premise—that anti-Semitism is prevalent in the black community—is irksome. It is tempting to dismiss his claim as lacking empirical support, as merely anecdotal, as a product of his understandable anger at his own treatment at the hands of the Afro-American Studies Department at the University of Massachusetts at Amherst. Lester describes a scene in which one of his colleagues, on reading “The Uses of Suffering,” becomes apoplectic, and screams:

You think I haven't studied the Holocaust? Well, I have, goddamit! I don't see a damned thing about it that's unique. I think black folks have been through more hell than a Jew in Auschwitz could imagine.⁶⁵

Lester, by his own account, becomes so angry in return that he tells his colleague never to speak to him again.

There are many layers to the tragedy in that small story. The worst, probably, is the way that his colleague insists on making suffering a competition—that it matters who has suffered most. The argument is quite commonly made, and by no means by black people alone, that the Holocaust is not unique, that it is no worse in its way than, for example, the slaughter of the Hutu by the Tutsi or the Armenian genocide. But that is the same trap. The horror of the Holocaust does not come in its uniqueness; the horror does not even need an explanation.

The same can be said of the centuries of oppression of black folk in the Western world. This does not mean that the oppressions are the same, but it also does not mean that they are different. Humanity has proved itself capable of perpetrating any number of horrors, and to those who suffer under them, each is unique. The tragic error comes in assuming that it makes a difference which one is the most horrible.

Is it anti-Semitic to criticize Jews for refusing to let the world forget the Holocaust? I would rather put the question another way: Why criticize Jews for refusing to let the world forget the Holocaust? God knows, we who are black ought never to let the world forget the African slave trade. I would think that our responsibility is what Lester says it is: to share in the suffering of others. Thus, we who are black should also refuse to let the world forget the Holocaust; and we should insist that Jews join us in refusing to let the world forget the slave trade. Nothing ought to turn on who has suffered more. Alliances of people traditionally despised are natural and important, and with good reason: had black people been present in Europe in significant numbers, Hitler would have had another

65. *Quoted at p. 134.*

project besides making the continent *judenrein*, for he despised us as well.⁶⁶

But of course, Lester's belief in black anti-Semitism is fueled by more than the fact that one of his colleagues said that he was tired of hearing about the Holocaust. The reactions to Lester himself, and to his Jewishness, were—at least in his perception—too passionate to be readily explained in any other way. Yet, to call black anti-Semitism pervasive is surely to exaggerate it. In particular, if Lester's claim is that *most* black people or *most* black leaders are anti-Semitic, then it is overstated.⁶⁷ At the same time, my own impression, admittedly as anecdotal as Lester's, is that those of us who are black are kidding ourselves if we pretend that we as a people are somehow invulnerable to the taint of bigotry. There *is* anti-Semitism in our community. Sometimes it comes out as insensitivity, sometimes it explodes into hostility, and its roots are mysterious and complex—but it is there. The fact that it is not a majority sentiment is no reason for complacency; on the contrary, it is cause to be scrupulous in rooting it out.

Plainly, when one thinks of black anti-Semitism, one thinks at once of Louis Farrakhan, who calls himself a man of God while weaving into his gospel of self-reliance and self-esteem a stark and unmistakable thread of hate. It is a deep tragedy that so many black people insisted that Farrakhan's remarks during the 1984 presidential campaign—including his slur on Judaism as a "gutter religion," his statement that Hitler "was a very great man," and his comparison of himself to Hitler—were misunderstood, taken out of context, or blown out of proportion. The first two defenses stand up only weakly against the evidence,⁶⁸ while the last shows

66. Early in 1942, Hitler told associates: "My feelings against Americanism are feelings of hatred and deep repugnance. . . . Everything about the behavior of American society reveals that it's half Judaized and the other half Negrified." *Quoted in* 2 W.L. Shirer, *The Rise and Fall of the Third Reich: A History of Nazi Germany* 895 n. (paper ed. 1966).

67. For example, when Steve Cokely, an aide to the mayor of Chicago, suggested that Jewish doctors were responsible for the spread of AIDS in the black community, a handful of black politicians issued bizarre statements in his defense, but after Cokely was fired, a survey indicated that only 8 percent of black Chicagoans believed that he should have been retained. *N.Y. Times*, July 29, 1988.

68. In a radio sermon broadcast on March 11, 1984, Farrakhan said this about comparisons between himself and Hitler:

Here, the Jews don't like Farrakhan, so they call him Hitler. Well, that's a good name. Hitler was a very great man. He wasn't great for me as a black person, but he was a great German, and he rose Germany up from the ashes of her defeat by the united force of all Europe and America after the First World War.

He added what was apparently intended as a conciliatory note:

Now, I'm not proud of Hitler's evils against the Jewish people. But that's a matter of record. He rose Germany up from nothing. Well. In a sense, you could say there's a similarity in that we're rising our people up from nothing. But don't compare me with your wicked killers.

Transcript reprinted in *N.Y. Times*, April 13, 1984, at B6. And in a television interview a month later, he clarified the Hitler remark:

We know that the definition of "great" means something that is huge in magnitude, important, consequential, exceedingly skillful. Hitler was all of that, but he was wicked. Babylon was great, but wicked. Sodom and Gomorrah, Rome was great, but wicked. Hitler was great, but

a tragic lack of sensitivity to the suffering of others. We are kidding ourselves, moreover, if we pretend, for example, that it is possible to follow a Farrakhan and remain untouched by the hatred in his message. Someone who likes the Minister's message of self-help and says of the rest, "I know he also says some nutty stuff about the Jews, but . . ." is already making a judgment about priorities, and condemning anti-Semitism is obviously not one.

It is tempting to dismiss Farrakhan as a marginal character, but that is a little too easy. While he has been condemned by major black organizations,⁶⁹ he does not exist in a vacuum; he has audiences, and large ones, who wax enthusiastic at every denunciation of Jews.⁷⁰ His defenders include the editors of *Essence*, a fashion magazine with a huge circulation in the black community.⁷¹ Moreover, Jesse Jackson's entanglement with Farrakhan in 1984 (and Jackson's "Hymietown" remark that somehow led Farrakhan to national prominence)⁷² did little to drive black voters

wicked. . . . [I]t is wicked in my judgment to take my words in saying that Hitler was great but yet wicked, and then saying that I, a Jackson pal, hail Hitler. That's wicked.

CBS Morning News Interview, May 14, 1984, *transcript reprinted in* Amsterdam News, May 19, 1984, at 15. A few weeks later, in a broadcast on June 24, 1984, he said this about Israel and Judaism:

Now that nation called Israel never has had any peace in 40 years and she will never have any peace, because there can be no peace structured on injustice, thievery, lying and deceit and using the name of God to shield your gutter religion under His holy and righteous name.

Transcript reprinted in N.Y. Times, June 29, 1984, at A12.

69. For example, Benjamin Hooks, executive director of the National Association for the Advancement of Colored People, said that his organization "cannot and will not be a party to casting aspersions on Judaism." N.Y. Times, June 29, 1984. John E. Jacob, head of the National Urban League, called Farrakhan's remarks "inflammatory," but added—correctly—that "it is not proper to hold black leadership responsible for every ill-conceived statement made by a prominent black." N.Y. Times, June 28, 1984. Warith Deen Muhammad, leader of the American Muslim Mission, which claims to be the true inheritor of the Black Muslim movement, said that Farrakhan "represents the same kind of thing that Hitler taught." N.Y. Times, July 5, 1984. Bayard Rustin, chairman of the A. Philip Randolph Institute, called Farrakhan "a marginal spokesperson for a dangerous, out-of-date politics." N.Y. Times, June 17, 1984. Some civil rights leaders were more equivocal. Joseph Lowery, head of the Southern Christian Leadership Conference, was quoted as saying that he could not respond to the "gutter religion" remark because he did not know what it meant. He added that "it serves no good purpose at this point in history to denigrate a nationhood of Israel." N.Y. Times, June 28, 1984. Jackson himself explicitly disavowed Farrakhan's attacks on Israel and Judaism, calling his statements "reprehensible and morally indefensible." N.Y. Times, June 29, 1984.

70. It is difficult not to be shaken on reading Julius Lester's account of sitting in Madison Square Garden, listening to Farrakhan, and following the reaction of the crowd. See Lester, *The Time Has Come*, New Republic, Oct. 28, 1985, at 11.

71. In July, 1984, both the editor and publisher of the magazine weighed in with articles urging Jackson not to disavow Farrakhan. See Edwards, *Winning With Jesse*, *Essence*, July 1984; Lewis, *Impact of Jesse Jackson's Candidacy*, *Essence*, July 1984. The magazine also provided Farrakhan with space to call for the punishment of black leaders who did not support Jesse Jackson's presidential campaign. See Farrakhan, *Crisis in Black Leadership*, *Essence*, June 1984. He specifically mentioned Andrew Young, Julian Bond, Coleman Young, and Coretta Scott King.

72. Lester says that when he heard that Jackson had decided to run for President, "I was not excited. I knew his Achilles' heel was his attitude toward Jews, and I waited for him to nick himself with his poisonous arrow and he did." P. 208. When the "Hymietown" remark became public knowledge, Lester found himself musing: "If Jackson had any integrity he would withdraw voluntarily, thereby proving himself worthy of the presidency." *Id.* See also Lester, *Man in the Mirror: The Apotheosis of Jesse Jackson*, New Republic, May 23, 1988. As will be seen, Lester's criticism of Jackson was apparently one of the factors that turned his colleagues against him.

from him in the presidential primaries in 1984 or 1988: black people who voted overwhelmingly for Jackson.⁷³ Nor were matters made better by those Jackson supporters in 1984 who insisted in the wake of the "Hymietown" and Farrakhan debacles that the Jewish community was out to get him.⁷⁴

In the particular case of Chicago, the racially tense city where Farrakhan has his headquarters, matters are especially bad. One need only think of the outrage expressed by some of the city's most prominent black politicians when the mayor fired an aide, Steve Cokely, for suggesting (among other things) that Jewish physicians were injecting black patients with the virus that transmits AIDS. (Farrakhan was ready for that one, too: "The truth hurts," he explained.⁷⁵)

The short of it is that there is plainly *something* to Lester's case, and without regard to whether anti-Semitism pervades the black community, there is enough of it that we ought to be doing something about it. My own experience (again, admittedly anecdotal) is depressing, however, for I have found that when faced with the claim that anti-Semitism motivates some comment or behavior, the response of all too many black people—including both those of the working class and well-educated professionals—is to *explain* matters; and when one is dealing with hatred, this is already half a mistake. But it occurs nevertheless: "Oh, that wasn't because of anti-Semitism, it was because they—" And there it is, the problem: *they* did something wrong. What one Jew, or group of Jews, may have done (or even allegedly done) is suddenly attributed to all: they oppose affirmative action, or they exploit us in the inner city, or they support South Africa, or they try to run our civil rights movement, or they control the media. We don't hate them for their religion or culture, we only hate what they do; we don't dislike them because they are Jewish, we dislike them because of what they did. And furthermore, in the words of a prominent black activist—furthermore, it's time to put a stop to "ob-

73. In 1984, Jackson received 77 percent of the black vote in the primaries. In 1988, he received 92 percent. N.Y. Times, June 13, 1988, at B7.

74. One Jackson defender, for example, contended that the charges of anti-Semitism lodged against the candidate had nothing to do with the "Hymietown" remark but were simply a way of avoiding meeting head-on the threat posed to "organized forces in the Jewish community" by "his views on Israel and about race relations in the U.S." Beal, *U.S. Politics Will Never Be the Same*, *The Black Scholar*, Sept./Oct. 1984, at 10. Calvin O. Butts, the executive minister of the Abyssinian Baptist Church in New York, described as the "religious coordinator" of the Jackson campaign, called for an end to "obsequious pandering to paranoid ethnic groups." *Amsterdam News*, May 12, 1984, at 4. Audrey Edwards, the editor of *Essence* magazine, charged that "[w]hat the white press really found most disturbing about those 'slurs' was that a Black man had the nerve to suggest that he viewed a certain group of people with the same disdain and distrust that a certain group of people has always viewed us with." *Winning with Jesse*, *Essence*, July, 1984.

75. N.Y. Times, July 29, 1988. This is not to suggest, however, that either the political figures who defended Cokely or Farrakhan himself were speaking for most black Chicagoans. See *supra* note 67.

sequious pandering to paranoid ethnic groups.”⁷⁶ In other words, we’re tired of letting them push us around!

Can these really be black people talking? It’s almost too absurd for comment—and yet it cannot be laughed off. It must be fought off, by our sense of ourselves and our role in history. One cannot help but believe that the shade of Martin Luther King, Jr., stirs with uneasy anger, for King proclaimed it his duty to fight anti-Semitism wherever it might be found and said, “It would be impossible to record the contribution that the Jewish people have made toward the Negro’s struggle for freedom—it has been so great.”⁷⁷ The ghosts of Michael Schwerner and Andrew Goodman and James Chaney, murdered side-by-side in a Mississippi swamp for standing on the right side of history, must shudder with fury. Surely the spirits of all those slain in the struggle for civil rights will rise up as one to condemn this!

How can we, with our history, treat others who have been oppressed as a *they*? We, so often isolated ourselves because, to too many we ourselves have always been *they*, the other, as in “We can’t have them working for us because *they* are lazy and stupid” and “We can’t have them living in our neighborhood because *they* don’t take care of their homes” and “We can’t have them in our schools because *they* steal and disrupt and have bad values”—we of all people ought to know better. But all too many of us think and speak and act as though ethnic stereotyping is the most natural part of our existence. Perhaps it is; perhaps the rest of the world, in stereotyping us, has made us this way; but we ought not surrender to the desire to do unto others as the rest of the world has done unto us.

The problem of black anti-Semitism, then, brings us full circle, back to the central message of *Lovesong*: that those who have suffered should reach out in love to other sufferers, rather than appropriating suffering as something unique. Thus, if the civil rights movement is in tatters, perhaps a part of the reason is that we ourselves have changed the tenor of our thoughts and our words; perhaps we have lost the skill of meeting our suffering with love. Lashing out at the world is a natural response to oppression, but it is not the path to spiritual uplift, and besides, the world might lash back. If Lester has matters right, then what remains of the civil rights movement will not regain its moral and spiritual advantage over its opponents until it rediscovers its moral and spiritual roots.

76. See *supra* note 74.

77. Quoted in *Playboy Interview: Martin Luther King, Jr.*, reprinted in M.L. King, A Testament of Hope, 340, 370 (J. Washington ed. 1986). In the same interview, King asked rhetorically: How could there be anti-Semitism among Negroes when our Jewish friends have demonstrated their commitment to the principle of tolerance and brotherhood not only in the form of sizable contributions, but in many other tangible ways, and often at great personal sacrifice? *Id.* at 370.

IV. SOLIDARITY AND DISSENT

Purges are never pretty. They are not meant to be. The more ruthless and complete the campaign in which one's opponents are eliminated, the more powerful the warning sent to those who might dissent in the future: Beware, the message reads. See how we deal with those who deny the official word. Don't get on the wrong side, or you could be next.

A purge is, in its essence, a denial of the right to think. It punishes those who disagree with the established view, or with a newly minted view that is being made into the established one. And when a purge is underway, the intellectuals, despised by everyone and with no protection in sight, are usually among the first to go. One is reminded of what Karl Marx is supposed to have said of the anarchist Bakunin: on the first day of the revolution he is a treasure, on the second day he should be shot. Of course everyone hates the intellectuals, for to be an intellectual is to be a free thinker and a freer critic, to accept no proposition as beyond analysis or dispute, and to serve as a roaming adversary of all that is perceived as foolish, ill-conceived, or simplistic.

It is our habit to think of the purge as one of the many repulsive habits of the Soviet state, or as a kind of minor political earthquake that intermittently rumbles across the Third World. But we have purges of our own, too, and while some of them are orderly—for example, the reconstitution of the entire leadership of the federal bureaucracy each time that a new President takes office—many others are decidedly unattractive. Few Western-style purges are more saddening, and more threatening to freedom, than the disdainful treatment of intellectuals who dare to challenge orthodoxy. And within this purge, the most frightening aspect to those of us who are not white is the isolation of intellectual dissenters who happen to be black.

The purging of Julius Lester is an unhappy reminder of how fragile a flower is intellectual freedom. Lester's colleagues have criticized him and mocked him and now, finally, banished him: since the publication of *Lovesong*, Julius Lester has been drummed out of the university's Afro-American Studies Department, tenure or not. The final break came when he wrote in *Lovesong* what he evidently had already said in private about a campus lecture by James Baldwin: "I know that he is not an anti-Semite, but his remarks in class were anti-Semitic, and he does not realize it."⁷⁸ For his colleagues, this was the final, back-breaking straw. They issued a statement sharply disputing his comments about Baldwin.⁷⁹ They

78. P. 210.

79. His colleagues were obviously sensitive to the charge that they were infringing Lester's academic freedom, so they worded their statement with care: "While Prof. Lester has the right to publicly characterize James Baldwin in any way that he might desire, the actual results can only be depicted as capricious, irresponsible and damaging in a most pernicious way." *Quoted in* L.A. Times, July 10, 1988.

demanded that Lester leave their ranks. He did so, moving to the Judaic and Near Eastern Studies Department, where he now teaches.

Since Lester's departure, his colleagues have lambasted him publicly as "self-serving and devious" and engaging in "adolescent exhibitionism,"⁸⁰ and have further suggested that he is hostile toward other black people.⁸¹ Reading his book, written before his exile but after the handwriting was on the wall, it is plain that Lester, at least, will never be convinced that the colleagues who tortured him were untouched in their motivations by any breath of anti-Semitism. I suspect that their motivations were a good deal more complex than he paints them, but there can be little doubt that they disliked him intensely, and that a part of the reason for it was the views that he expressed. The thundering silence with which prominent figures in the black community (with some notable exceptions, such as Derrick Bell and the late Clarence Pendleton) have met Lester's mistreatment itself speaks volumes, if not, perhaps, about prejudice, then at least about willingness to tolerate dissent.

Tragically, but perhaps understandably, the black community is one in which dissent is stifled. Evidently, a good deal turns on solidarity, on not revealing to the world that some black people who have thought deeply about the problems facing our community disagree with the consensus position on both the causes and the cures of the problems that bedevil our people. The label that is applied to the dissenters is "black conservatives"—as though the spirit of intellectual independence that leads critics to dissenting positions can be defeated if it is reduced to an insult. For make no mistake: the vision of much of the established black leadership has sufficiently diverged from the vision of most of the American people that "conservative" is thought to describe something unwholesome.

Plainly, there is no reason that the views of the black leadership, or of black people generally, need be closely congruent to those held by others. Freedom to think, freedom to criticize, freedom to be different are at the heart of the American enterprise. In fact, a black leadership that stands to the left of the country as a whole can provide an important service, for it is vitally important that sensitive, thoughtful criticism come from every corner. After all, if no one points out our flaws, they might go forever unnoticed and thus forever uncorrected. And if the cost of that free criti-

80. See L.A. Times, July 10, 1988.

81. One of his colleagues in the department, responding to a question about anti-Semitism, explained: "We have nothing against Judaism, but when one develops a vicious attitude towards blacks and black organizations, [Jesse] Jackson, [James] Baldwin, and civil rights there is some question of the appropriateness of his remaining in the department." N.Y. Times, July 12, 1988. Another asked, "Why is a black studies department under any obligation to give its imprimatur to someone who can't seem to avoid stereotypical attacks on the black community? What is wrong with asking such a person to find some other academic identity from which to attack black people?" Boston Globe, June 12, 1988. A third voiced a procedural complaint: "There is a very subtle, but very clear question of responsibility and professional principle as far as black people are concerned. When I have to be critical of the black community, I find a black journal in which to do it." L.A. Times, July 10, 1988.

cism is that some things will be labeled flaws that are not, the cost is surely one that any free society must be willing to pay.

The mistake is in thinking that because a position represents a consensus, questioning that position is like a crime and dissenting from it is high treason. Unfortunately, in their anger at the dissenters, some influential figures in the black community—people for whom I have the highest respect—have strayed close to or over the line between pointed rebuttal and personal attack. Black people who have come to reject the consensus of the black leadership are excoriated, often through the use of terms to which white dissenters would never be subjected. The unpardonable abuse of Julius Lester is but one example. Another is the assertion by the head of one major civil rights organization that the views of Glenn Loury are “treasonous.”⁸² And then there is this comment on Thomas Sowell, from a distinguished black journalist:

Okay, Sowell has a right to be a conservative and to articulate far-right views. But I must exercise my right to say that Vidkun Quisling, in his collaboration with the Nazis, surely did not do as much damage to the Norwegians as Sowell is doing to the most helpless of black Americans. Sowell is giving aid and comfort to America’s racists and to those who, in the name of conservatism and frugality, are taking food out of the mouths of black children, consigning hundreds of thousands of black teenagers to joblessness and hopelessness.⁸³

Other critics suggest ulterior motives for the dissenters: “Neoconservative analysts like Glenn Loury address these issues for their own Reaganite public policy purposes.”⁸⁴ And then there is simple name-calling, as when the late Clarence Pendleton, during his term as head of the Civil Rights Commission, spoke at Yale Law School, and some of the posters announcing his address were defaced with the epithets “Oreo” and “Uncle Tom,”

82. Benjamin Hooks, executive director of the National Association for the Advancement of Colored People, *quoted in* Time, Nov. 11, 1985. Hooks’ choice of words was especially tragic, given the force of the rest of his remarks, for he went on to say: “It’s always strange to me that somebody with a Ph.D. cannot understand that this organization was designed to eradicate racial discrimination. To say we should stop talking about civil rights is ludicrous.”

83. Carl Rowan, Washington Post, Sept. 29, 1981.

84. Martin Kilson, *Letter to the Editor*, New Republic, Nov. 11, 1985, at 6. It bears mentioning that Loury himself has been similarly intemperate on the subject, albeit, perhaps, with provocation. Thus, responding to the bizarre claim by Walter Williams that “most people in U.S. soup kitchens have a few coins in their jeans they’d rather keep for items not handed out free—like wine, dope or cigarettes,” Loury expressed his “surprise and disbelief,” complained that the assertion was made “without any data,” and then went on to say this:

I think the liberal press is partly responsible for the phenomenon which is Walter Williams. If Ralph D’Arge were to have said the same thing, no one would be able to read about it in *USA Today*, because D’Arge (obviously an arbitrary choice) is white, about as well respected in the economics profession as Williams, but not of an “interesting” racial group. It is absurd that Williams’ views, as inane as they sometimes are, should be so widely considered, simply because the man is a black economist. Applying the notion of affirmative action to the press coverage of conservative economists is surely an instance of taking a good idea a bit too far!

Loury, *Hunger and Politics*, Business and Society Review, Spring 1984, at 60, 61.

references, evidently, to his rather mainstream political stance in opposition to racial preferences.⁸⁵ Both these epithets implicitly accept the case for difference, for what stands behind them is the belief that one who is "truly" black would surely not take what is thought to be the "white" position.⁸⁶

I do not mean to suggest that the evidence is all one way. The National Urban League, for example, invited Glenn Loury to address its convention, and several organizations have sponsored debates between the "conservatives" and figures whose views are closer to the orthodoxy. Still, the ungentle truth remains that all too often, black people who dissent from the orthodoxy of what remains of the movement are silenced by *ad hominem* criticism from the black community itself. The critics are obviously angry at the dissenters, and their anger stems from a deeply felt worry about the consequences of the dissent. It is not simply that they believe the dissenters to be wrong; it is that in an era when much orthodoxy is under siege, they consider the dissenters' views to be terribly damaging. The source of the anger is less the dissenters' positions than the color of their skins. The point seems to be that *black* dissenters are dangerous, because there are in this world people who are racists and who would willingly use the dissenters' views against the black community.

But that claim, even if true, is beside the point, for if there were no black dissenters, a true racist would simply use something else. Free thinking, moreover, is not treason; on the contrary, it is the greatest service that individuals can perform for their communities. Our community—the black community—needs dissent, it needs dialogue, it needs all the fresh ideas that it can get. But the message of the criticism of Loury and Sowell and the rest is that dissent cannot be tolerated because the risks are too great. It is as though our responsibility as people who are black is to decline the invitation offered by our education, that is, the invitation to think for ourselves.⁸⁷

It would, however, be a tragic rejection of our history as a people were those of us who choose to dissent to content ourselves with silence. The battle for the right to read, the right to learn, the right to question and to think and to understand and to challenge has been fought at far too great a cost for us now to pretend that what the struggle was really about was not our right to choose for ourselves, but rather to have a black orthodoxy

85. See *supra* note 46 (citing polling data).

86. To my astonishment, this incident of vandalism provoked considerable debate within the law school, among students and faculty alike, over whether the defacing was outrageous or not and, stranger still, whether "Oreo" and "Uncle Tom" are racial epithets or not. Evidently, the politics of the name-callee often determine the wrongfulness of the name-caller.

87. As Glenn Loury has put the point: "I've got to have the freedom to go where my intellect leads me, in view of the opportunities the civil rights struggle made possible." *Quoted in* Christian Science Monitor, March 27, 1987.

rather than a white one imposed upon us. We of all people ought to understand the costs of silencing independent voices.

But trying to silence dissent is nothing new for us. I often wonder whether the silencers are aware of how often the same technique has been used by leaders of the black community to silence the voices that today's silencers and name-callers would no doubt consider progressive. For while there is a tradition of black intellectual dissent, there is no tradition of black intellectual tolerance; our history as a people has been to cast out those whose views make us uncomfortable, and to reject their views not on the merits, but on the insubstantial bases that the dissenter does not speak for black people (as though that is the intellectual's goal) or that the dissenter is a tool of white people (as though no black person would, unaided, come to the dissenting position).

The argument that dissenters from orthodoxy do not speak for the black community is an old and vicious form of silencing. It was used to tragic effect in the age when Booker T. Washington was the only black intellectual whose views mattered. In the early years of the twentieth century, as Washington laid out his program of industrial training for the black masses and a postponement of the fight for political and social rights,⁸⁸ a small number of black intellectuals slowly lined up against him. The opposition, in turn, drove Washington himself into an anti-intellectual fervor, and he railed against his black critics, who were, he said, "ignorant in regard to the actual needs of the masses of colored people in the South today," because "[t]hey know books but they do not know men."⁸⁹ Writing in the *Atlantic Monthly*, he added contemptuously that "a large element of the colored people at first interpreted freedom to mean freedom from work with the hands."⁹⁰

In his autobiography, W.E.B. DuBois, perhaps the greatest of black intellectuals, reflected on what it was like to live and think and criticize in the era of Washington's hegemony:

Things came to such a pass that when any Negro complained or advocated a course of action, he was silenced with the remark that Mr. Washington did not agree with this. Naturally the bumptious, irritated, young black intelligentsia of the day declared: "I don't care a damn what Booker Washington thinks. This is what I think, and *I have a right to think.*"⁹¹

This protest was no mere intellectual conceit. DuBois himself was ulti-

88. For Washington's own accounts of his program, see his three important books: *Up From Slavery* (1903), *The Story of My Life and Work* (1901), and *Working With the Hands* (1904).

89. Quoted in S. Spencer, *Booker T. Washington and the Negro's Place in American Life* 139-40 (1955).

90. Washington, *The Fruits of Industrial Training*, 92 *Atlantic Monthly* 453, 456 (1903).

91. W.E.B. DuBois, *The Autobiography of W.E.B. DuBois* 241 (1968) (emphasis in original).

mately forced from his teaching position at Atlanta University largely because his continuing opposition to Booker T. Washington's program was hurting the school's fund-raising. Nor was he the only black intellectual of the era forced to choose between tempering his views and continuing his employment.⁹²

There are other sad moments in our intellectual history when black dissenters from orthodoxy were routinely silenced. Prominent examples are the Harlem Renaissance between the world wars, when an artist or writer simply had to be left to be in, and the Un-American Activities investigations of the fifties, when leftist black intellectuals were virtually expelled from the black mainstream. One would think that by now, we as a people would have learned a lesson on the importance of permitting, encouraging, even cherishing, critical thinking. But perhaps that is unfair: the rest of the society has not yet learned to cherish intellectual diversity. Why should we be any different?

One reason that we should be different is that in an era in which a third of black people still live in poverty, when the inner cities are besieged by drugs and crime, when so many of our children are themselves having children, we cannot afford the luxury of insisting, in the name of solidarity, that any one of these problems has a single, unchallengeable answer. Certainly it makes no sense to alienate some of the best minds that we have—minds that include the Sowell and the Lourys and the Wilsons and the Lesters. They dissent from the orthodoxy not because they do not care about our problems, but because they have thought about the problems and the orthodoxy alike; and thinking of better answers is something we should not discourage. When we are told—and some among the dissenters tell us frequently—that racial preferences tend to help those black people who least need the assistance, and make little or no difference in the lives of the black underclass, we ought to listen to the evidence, not bristle at the assertion. And if the evidence supports the assertion (and it does),⁹³ we ought to admit it, and perhaps rethink our own ideas.

And of course, we must be careful, for our need for these free-thinking dissenters may prove to be greater than their need for us. The black "conservatives," so-called, are relatively comfortable in their academic sinecures, which is, after all, what academic sinecures are for. Despite the name-calling of their critics, they will not be silenced. And they should not be.

Looking at the deep rift between the dissenters and the mainstream, one cannot help but think back on the Niagara Movement, a forerunner of the NAACP, organized in 1905 by W.E.B. DuBois and other opponents of

92. See *id.* at 223-29. For an evocative account of the battle between Booker Washington and the black intellectuals, see S. Fox, *The Guardian of Boston: William Monroe Trotter* (1970).

93. See W.J. Wilson, *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy* 109-18 (1987).

Booker T. Washington in order to provide a platform for their dissenting ideas and a base for their efforts to thwart Washington's ascendancy. Washington, whose insistence on industrial training for the black masses remained enormously popular in white America, still held most of the black colleges and newspapers in a strangler's grip; the Niagara Movement, as a platform for organized dissent, was intended to serve as a counterweight.

Perhaps the time has come for a latter-day Niagara, for a new manifesto in which we who are black and choose to dissent might proclaim, in much the same terms that DuBois used, our right to think for ourselves. We must demand the right to comment on any subject, no matter how sacred to the orthodoxy. We must worship no authority as absolute, except for truth itself. We must, in short, do what intellectuals are supposed to do: turn our critical and analytical faculties to the problems that seem to us most important, and make up our own minds. We must say what we think. That, at least, is what I think—and I have a right to think.

V. LOVESONG

And what of Julius Lester himself, vilified by members of the Afro-American Studies Department at the University of Massachusetts at Amherst as an "anti-Negro Negro"?⁹⁴ Lester, it seems, has perhaps secured his right to think, for the publication of *Lovesong* is itself a declaration of independence. He has stated his views, and is willing to withstand the criticism, and that in itself is a kind of victory over the pressure on the black intellectual to avoid public dissent. So Lester stands triumphant, not defeated; for his discovery of himself is spiritual, not material, and certainly not political. *Lovesong* is a victory of a sort that few of us enjoy in our lives.

I do not want my praise to be misunderstood. *Lovesong* is not a perfect book. I have already mentioned the fury that undergirds and occasionally distorts the narrative. There are other things in the book as well that I wish were not there. I am bothered, for example, by his denigration of a student who led a demonstration over an issue that Lester thought more complex than the student did.⁹⁵ But the passage that most set me back on first reading is this one:

May 1966. Lowndes County, Alabama. I go to the outhouse. It is a three-sided tin structure without a roof, and a board over a deep

94. See N.Y. Times, April 29, 1988; New Republic, June 27, 1988, at 9. The charge that Julius Lester is an "anti-Negro Negro" is ironically reminiscent of the 1903 charge by a supporter of Booker T. Washington that W.E.B. DuBois was "half ashamed of being a Negro." See Lyman Abbott, in 74 The Outlook 214 (1903).

95. See p. 176 ("That son-of-a-bitch!" I exclaim to my wife. "Well, at least I didn't give him an A.'").

hole. I sit, the warm breeze soft on my exposed buttocks. In the distance, a man plows a field. In the tree above me, birds chirp. I am whole again, at peace and at One with God. Time drops away like an oversized garment, and the poverty and the pain and the death all around me vanish as if they had never been.

That is my most vivid memory of the Civil Rights Movement.⁹⁶

When first I read these words, I was annoyed. If Lester's most vivid memory of the movement is a few minutes in an outhouse, I decided, he is trivializing the struggle for freedom. But as with rising unease I returned to the passage again and again, I found in it something quite different from what I first read there. These lines conclude a brief essay in which the mature Lester, thinking back on the civil rights movement, recalls that even as his mind justified the struggle in which he was engaged, his soul still yearned for something else, something more assuring than an act of mind. The epiphany that the passage records resolved his conflict, and thinking of his words that way, I discovered an affirmation that even at a time of vital and united social action to combat an abominable oppression, Julius Lester wanted, indeed needed, a moment's gentle solitude to pause and meditate and refresh the spirit. I prefer to think that the importance of the memory is not its conflation of outhouse and civil rights movement, but its celebration of peace, of oneness with God. So now, each time I read this passage, I am less troubled by it, for each time I read these words, I feel more and more as though I know this man, as though he is opening his heart and giving of himself—and what I learn about him is that he loves solitude and loves God.

Love of solitude is essential to the character of the intellectual, for the intellectual must be at heart a free thinker, unconcerned with the approval or disapproval of others. The life of the intellectual is finally a lonely one, not necessarily in the social sense, but in the sense of mind. A free thinker is by nature not a follower, because the free thinker is always a critic; and no life is so lonely as the life of one who refuses to be led. And when this free-thinking intellectual puts pen to paper (or, nowadays, fingertips to keyboard), when the intellectual says, "This is what I think," the loneliness increases. For that is the point of no return; one's views are out there to be analyzed, dissected, attacked, dismissed. The life of the intellectual is no life for people with thin skin.

The point is that Lester does not need anyone's approval of what he thinks and writes; certainly, he does not need mine. That is, in a sense, the book's larger message, and even were his views pernicious—which they certainly are not—I would have to admire him for his hardy forthrightness. For he well understands the costs of his dissent, which is why Lester chooses these sad words to describe his state of mind after publish-

96. P. 41.

ing "The Uses of Suffering" but before deciding to convert to Judaism, as he reflects on what it is like to have one's people turn their backs:

I cannot rid myself of the desire to convert. Would I want to if I were not so isolated from blacks now? I don't know. But I do feel lonely and abandoned by my people. If I converted now, I'm afraid I would be doing so only because I am angry at my own people. I know that if Jews did not accept me, I would be devastated. I can only become a Jew when I know that is what God wants of me, even if no Jew in the world accepts me.

I doubt that Jews would accept me in my complexity any more than blacks have. When Hannah Arendt published *Eichmann in Jerusalem*, she became a nonperson among Jews as I have among blacks. Would Jews have responded any differently to a Jew who defended the black response to Young's resignation than blacks have to me? I don't think so.

I must accept that this loneliness is how God wants me to live.⁹⁷

It is in the nature of the pure intellectual to be lonely and distrusted; it is in the nature of the intellectual dissenter to be lonelier and more distrusted still. Julius Lester has understood this for better than two decades; what he perhaps has learned now, and did not know before, is the solution. The solution is to rename your loneliness, and through renaming it to transform it into triumph.

That is why Lester stands triumphant. He needs no one else to persevere; he needs himself, his faith, and his God. And has them all. For the book's most splendid moment comes when a hesitant, uneasy Julius Lester, having asked himself, "[I]f I do not become a Jew, who am I?"⁹⁸ sits in the synagogue at Yom Kippur, hears the cantor singing "Next year in Jerusalem," and quite suddenly finds, in his own words, "I want to dance, to spin around and around until I collapse in laughter and joy."⁹⁹

It is plain from the tone of his book that Lester is not fully at peace; in particular, there is no peace between him and the black leadership on whom he heaps such abuse. And yet I have the sense that acts of contrition, of mutual forgiveness and reconciliation, and of understanding, are possible; certainly, they are desirable. For his concept of the universality of suffering is one that we as black folk ought not to reject, but to embrace. We should welcome the possibility that our beauty and our importance is not in our collectivity but in our individuality, that we are important less for what we are a part of than for who we are. This notion threatens the orthodoxy, because it makes our suffering common (in both

97. Pp. 144-45.

98. P. 191.

99. P. 193.

senses of the word). And if our suffering is common, how can we be special?

But then, Lester once more has seen something that most of us have missed: "How like God to make the most beautiful things the common ones. How human to see beauty only in the rare."¹⁰⁰ And that, finally, is the flaw in creating special preferences on the premise of black uniqueness. If we who are black are special, it is not because we have suffered but because we have persevered. Because we are, all of us, the common people, and therefore the beautiful ones; to think that we are special only if we have been wronged is to see beauty only in the rare. Suffering is everywhere, and it is because he understands this, and wants to love all who suffer, love them for their commonness, and not for their beauty, that Julius Lester is able to dance his dance of loving joy.

Ah, Julius, Julius, do not dance alone! Invite us to join you, let us dance together, not because you are Jewish or because we are black, but because we are all of us human and different and infinitely valuable in our infinite diversity. Let us dance in the joy of our differentness; let us dance because we are not the same.

100. P. 102.