

HARVARD LAW REVIEW FORUM

© 2020 by The Harvard Law Review Association

REFLECTIONS ON *WHITENESS AS PROPERTY*

*Cheryl I. Harris**

I. CHATTEL

Chattel (Black) is the fusion of race and property — embodied as always essential and forever disposable.

II. TIME

Hard time.

8 minutes and 46 seconds is an eternity. Centuries without a breath.

III. HOME

Home is not a haven. You can be shot eight times in your home, in your bed. Before anything. Before you can breathe.

IV. TERRA NULLIUS

A walk in the pandemic. Dappling sunlight through the leaves. A quiet street in early morning. The symphony of birds. The air as clear as the sky is blue. A bucolic scene that conjures security, tranquility, timelessness. It was always meant to be. But it is a mirage: the tableau was born in theft, and theft continues to sustain it. Through violence, the land and the people are transformed into property, into commodities, abstracted into investments, financial products, and debt instruments.¹

* Rosalinde and Arthur Gilbert Foundation Chair in Civil Rights and Civil Liberties, University of California Los Angeles School of Law. My thanks to the editors at the *Harvard Law Review* for the opportunity to seek and reflect on connections between past and present. My gratitude also to voices of protest who point towards possible futures.

¹ Black bodies were cast as living currency around which were built valuation systems, insurance, financial products, banking institutions, and other forms of financialization central to the development of racial capitalism. *See, e.g.*, ERIC WILLIAMS, CAPITALISM AND SLAVERY (1944) (discussing the constitutive role of new world slavery in developing industrial capitalism); CALVIN SCHERMERHORN, THE BUSINESS OF SLAVERY AND THE RISE OF AMERICAN CAPITALISM, 1815–1860, at 2 (2015) (“North American capitalism developed in the context of an Atlantic system

Protected by law, this property regime is reassured of its logic and projects a raceless façade.

V. THE WEIGHT

[H]istory is not the past. It is the present. We carry our history with us If we pretend otherwise . . . we literally are criminals.

— James Baldwin, 1965²

But it is not so: the racelessness of the façade is a myth. We know this because the incommensurable weight of the unreckoning is pressing down. The heft of history is too heavy to toss aside, to float away.

VI. PREEXISTING CONDITIONS

A rupture — a break in the façade — is erupting from intersecting pandemics, each reflecting intersecting systems of domination and extraction.³ Power organizes hierarchies. Inequality is not the product of dysfunctional culture, or the biology — the “comorbidities” — of mis-

of exchange most recognizable perhaps in the transatlantic slave trade and the systems of indebtedness responsible for its contours.”); Matthew Desmond, *In Order to Understand the Brutality of American Capitalism, You Have to Start on the Plantation*, N.Y. TIMES MAG. (Aug. 14, 2019), <https://www.nytimes.com/interactive/2019/08/14/magazine/slavery-capitalism.html> [<https://perma.cc/D398-XEZK>] (noting that “[t]o raise capital, state-chartered banks pooled debt generated by slave mortgages and repackaged it as bonds promising investors annual interest — bonds . . . [that found] buyers in Hamburg and Amsterdam, in Boston and Philadelphia”).

² JAMES BALDWIN, *Black English: A Dishonest Argument*, in THE CROSS OF REDEMPTION: UNCOLLECTED WRITINGS 154, 154 (2011).

³ Professor Kimberlé Crenshaw defines intersectionality as “an analytic sensibility, a way of thinking about identity and its relationship to power. Originally articulated on behalf of Black women, the term brought to light the invisibility of many constituents within groups that claim them as members but often fail to represent them.” Kimberlé Crenshaw, *Why Intersectionality Can’t Wait*, WASH. POST (Sept. 24, 2015), <https://www.washingtonpost.com/news/in-theory/wp/2015/09/24/why-intersectionality-cant-wait> [<https://perma.cc/HGD7-TKCP>]. Intersectionality critiqued the erasure of Black women’s experience in antidiscrimination law and antiracist racist and feminist politics as exemplary of deficiencies of the traditional antidiscrimination paradigm:

Underlying this conception of discrimination is a view that the wrong which antidiscrimination law addresses is the use of race or gender factors to interfere with decisions that would otherwise be fair or neutral. This process-based definition is not grounded in a bottom-up commitment to improve the substantive conditions for those who are victimized by the interplay of numerous factors. Instead, the dominant message of antidiscrimination law is that it will regulate only the limited extent to which race or sex interferes with the process of determining outcomes. This narrow objective is facilitated by the top-down strategy of using a singular “but for” analysis to ascertain the effects of race or sex.

Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 U. CHI. LEGAL F. 139, 151 (using an intersectional analysis to assess how Black women are marginalized, not in service of marking particularity for its own sake, but to unmask how systems of power interact and operate to produce subordination).

behaving, undisciplined bodies: rather, racial regimes construct and exploit vulnerabilities.⁴ These are preexisting conditions, embodiments, material manifestations of exploitation. This is a feature of racial capitalism.⁵

VII. HERE AND THERE

The pandemic is global and universalizing. The pandemic is locally targeted and differentiated. Dissolving the notion of secure borders and the boundaries of property, the virus demonstrates the capacity to disrupt key presumptions, that threat can be reliably marked through phenotype and emanates only from specific racialized bodies. Like state sanctioned racial terror, danger is free floating, ubiquitous, and hidden: it is at once anywhere and nowhere.

VIII. MAPS

Yet, systems of racial/spatial ordering persistently track the prevalence and lethality of the pandemic.⁶ Zip codes do more than encode maps; they tell stories.⁷ Black geographies,⁸ Latinx spaces, “ghettos,” “barrios,” — all places where “others” live — are structurally deprived of the means or opportunity to protect, to provide shelter (in place), their

⁴ Professor Ruth Wilson Gilmore defines racism as “the state-sanctioned and/or extralegal production and exploitation of group-differentiated vulnerability to premature death.” RUTH WILSON GILMORE, *GOLDEN GULAG: PRISONS, SURPLUS, CRISIS, AND OPPOSITION IN GLOBALIZING CALIFORNIA* 247 (2007).

⁵ Professor Cedric Robinson’s seminal work, *Black Marxism*, considers “the encounter of Marxism and Black radicalism” to more carefully analyze the relationship between race and capitalism:

The development, organization, and expansion of capitalist society pursued essentially racial directions, so too did social ideology. As a material force, then, it could be expected that racialism would inevitably permeate the social structures emergent from capitalism.

I have used the term “racial capitalism” to refer to this development and to the subsequent structure as a historical agency.

CEDRIC J. ROBINSON, *BLACK MARXISM* 2 (2d ed. 2000).

⁶ See Andrea N. Polonijo, *How California’s COVID-19 Surge Widens Health Inequalities for Black, Latino and Low-Income Residents*, THE CONVERSATION (July 30, 2020), <https://theconversation.com/as-covid-19-surges-in-california-black-latino-and-low-income-residents-face-higher-death-rates-why-health-inequality-is-widening-143243> [<https://perma.cc/WHZ5-VCTN>].

⁷ See OFF. OF INSPECTOR GEN., U.S. POSTAL SERV., THE UNTOLD STORY OF THE ZIP CODE, at i (2013), https://www.uspsoig.gov/sites/default/files/document-library-files/2015/rarc-wp-13-006_0.pdf [<https://perma.cc/WHZ5-VCTN>] (“The code was originally intended to allow mail sorting methods to be automated but ended up creating unimagined socio-economic benefits as an organizing and enabling device. The ZIP Code became a social tool for organizing and displaying demographic information, a support structure for entire industries such as insurance and real estate, and even a representation of social identities . . .”).

⁸ Professor Katherine McKittrick describes Black geographies as follows: “These black geographies, while certainly not solely inhabited by black bodies, are classified as imperiled and dangerous, or spaces ‘without’/spaces of exclusion, even as those who have *always* struggled against racial violence and containment populate them.” Katherine McKittrick, *On Plantations, Prisons and a Black Sense of Place*, 12 SOC. & CULTURAL GEOGRAPHY 947, 951 (2011) (citations omitted).

occupants always in fraught relation to place, to property, to rights. The places are erased, renamed, redeveloped, improved. Sometimes there are traces.⁹

IX. MOURNING FOR WHITENESS

One of William Faulkner's most famous and controversial novels, *The Sound and the Fury*, took its title from Shakespeare's *MacBeth*.¹⁰ MacBeth's soliloquy is a bitter lament, characterizing life as "but a walking shadow, a poor player/ That struts and frets his hour upon the stage/ And then is heard no more: it is a tale/ Told by an idiot, full of sound and fury,/ Signifying nothing."¹¹ Faulkner's novel, told through the voices of multiple characters, relates the dissolution and unraveling of the Southern aristocratic Compson family over a period of thirty years at the early part of the twentieth century. The story recounts their loss

⁹ See, e.g., Abby Phillip, *A Permanent Reminder of Wall Street's Hidden Slave Trading Past Is Coming Soon*, WASH. POST (Apr. 15, 2015), <https://www.washingtonpost.com/news/morning-mix/wp/2015/04/15/a-permanent-reminder-of-wall-streets-hidden-slave-trading-past-is-coming-soon> [<https://perma.cc/94NE-H6U5>]. The African Burial Ground was unearthed when construction commenced in 1991 on a new federal office building. See NAT'L PARK SERV., *History and Culture*, <https://www.nps.gov/afbg/learn/historyculture/index.htm> [<https://perma.cc/CHY9-VZXS>]. As predicate to building, federal law requires an archeological site review. In this case:

Preliminary archaeological research excavation found intact human skeletal remains located 30 feet below the city's street level on Broadway. During survey work, the largest and most important archeological discovery was made: unearthing the "Negroes Burial Ground" — a six-acre burial ground containing upwards of 15,000 intact skeletal remains of enslaved and free Africans who lived and worked in colonial New York. The Burial Ground's rediscovery altered the understanding and scholarship surrounding enslavement and its contribution to constructing New York City. The Burial Ground dates from the middle 1630s to 1795. Currently, the Burial Ground is the nation's earliest and largest African burial ground rediscovered in the United States.

Id.

More recently, the commemoration of the 1921 Tulsa Race Massacre highlighted the history of the Greenwood district, also called "Black Wall Street." See generally TULSA HISTORICAL SOCIETY AND MUSEUM, *1921 Tulsa Race Massacre*, <https://www.tulsaohistory.org/exhibit/1921-tulsa-race-massacre> [<https://perma.cc/86V4-MMUQ>]. Following the arrest of a young Black man who had been on an elevator with a white woman, despite the absence of any evidence of wrongdoing, the media and rumor mill inflamed local white mobs, who then threatened to take him from official custody. Armed Black citizens surrounded the courthouse and temporarily thwarted the attack, retreating back to the Greenwood district when they came under fire. In the early hours of June 1, 1921, white mobs descended on Greenwood. Not only did the authorities not assist the residents; but they also deputized and armed a corps of all white men, many of whom were earlier part of the mob, to "restore order." Along with the state National Guard, these men violently removed and arrested Greenwood's Black residents, effectively leaving the area open to plunder and arson. Estimates are that between 150 and 300 Black men, women and children were killed by private and state-sanctioned violence. Nearly all the structures in the area were destroyed. No one was prosecuted for these crimes. For a definitive and powerful treatment of this history, see ALFRED L. BROPHY, *RECONSTRUCTING THE DREAMLAND: THE TULSA RIOT OF 1921 — RACE, REPARATIONS, AND RECONCILIATION* (2002).

¹⁰ See WILLIAM SHAKESPEARE, *MACBETH* act 5, sc. 5, l. 2381–85.

¹¹ *Id.*

of material privilege, family, integrity, sanity. But it is more: As the incomparable Toni Morrison also teaches, it is a tale about race, the declining value of whiteness, and the crisis that attends its diminution.¹²

Morrison's essay, entitled *Mourning for Whiteness*, written in the wake of Trump's election in 2016, describes the contemporary manifestation of Faulkner's tale in Trumptime.¹³ She notes that while Black enslavement buttressed the meaning and value of whiteness, "in America today, post-civil-rights legislation, white people's conviction of their natural superiority is being lost. Rapidly lost. There are 'people of color' everywhere, threatening to erase this long-understood definition of America The threat is frightening."¹⁴

She continues:

In order to limit the possibility of this untenable change and restore whiteness to its former status as a marker of national identity, a number of white Americans are sacrificing themselves

So scary are the consequences of a collapse of white privilege that many Americans have flocked to a political platform that supports and translates violence against the defenseless as strength. These people are not so much angry as terrified, with the kind of terror that makes knees tremble.¹⁵

Morrison invokes another Faulkner novel, *Absalom, Absalom!*,¹⁶ to illustrate the visceral nature of this fear and the racial terrorism it produces. In the novel, Quentin, a member of the Compson clan (who commits suicide in *The Sound and the Fury*), retells a story told to him of a fallen Southern white patriarch. The tragedy unfolds when the patriarch's son, Charles, learns that the person seeking to marry his sister is their long-lost half-brother. While troubled by this circumstance, Charles, the brother, reluctantly comes to accept the relationship, notwithstanding its incestuous character. However, when Charles later learns that the brother-fiancé is part Black, Charles kills him to prevent the marriage of his Black half-brother to their white sister. For Morrison, this story at the heart of the novel reflects the terror that accompanies the loss of whiteness. And, so she argues:

William Faulkner understood this [terror] better than almost any other American writer. In *Absalom, Absalom*, incest is less of a taboo for an upper-class Southern family than acknowledging the one drop of black blood that would clearly soil the family line. Rather than lose its "whiteness" (once again), the family chooses murder.¹⁷

¹² See Toni Morrison, *Mourning for Whiteness, Aftermath: Sixteen Writers on Trump's America*, NEW YORKER (Nov. 6, 2017), <https://www.newyorker.com/magazine/2016/11/21/aftermath-sixteen-writers-on-trumps-america#anchor-morrison> [<https://perma.cc/T5CF-L9DR>].

¹³ See *id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ WILLIAM FAULKNER, *ABSALOM, ABSALOM!* (1934).

¹⁷ Morrison, *supra* note 12.

Morrison thus marks the 2016 election as reflective of a moment of white panic, a break, a breakdown, at once political, affective, and institutional. The outcome of the 2016 election is not history but a present anxiety — a reminder that indices of public disapproval do not portend transformation. How should one reckon with the fact that the misdeeds, malfeasance, and racist distemper of the Trump administration are well known, but, for a significant percentage of the (white) population, have not proved disqualifying?¹⁸

X. STARVATION WAGES

Whiteness does not confer immunity from disaster on all white bodies, however. Poor and working-class whites suffer greatly in all areas; the gap between them and wealthier whites is profound, and, by all metrics, growing.¹⁹ “White,” “poor,” and “sick” are words that can and do converge. Yet, whiteness mitigates risk through racial/spatial structures that sort probabilities and distribute access and opportunity. Thus, while Trump’s exhumation of the promise to protect the suburbs²⁰ and “our way of life”²¹ may seem hopelessly retrograde, the point is that the spatial allusion is readily legible as a racial geography of exclusion. Everyone knows what this means.²² Everyone knows who is being hailed.

¹⁸ Recent polling data shows a clear majority of voters disapproving of Trump’s presidency, *see Trump Job Approval*, GALLUP, <https://news.gallup.com/poll/203207/trump-job-approval-weekly.aspx> [<https://perma.cc/Z5P9-CJSP>] (showing fifty-six percent disapproval in tracking averages on July 23, 2020), and despite criticisms of his handling of the COVID-19 pandemic, he still is ahead of or tied with his presumptive opponent, former Vice President Joe Biden, in several key states and appears to have a firm hold on approximately forty percent of voters. *See General Election: Trump vs. Biden*, REAL CLEAR POL., https://www.realclearpolitics.com/epolls/2020/president/us/general_election_trump_vs_biden-6247.html [<https://perma.cc/93XD-QSPJ>].

¹⁹ *See, e.g., Rakesh Kochhar & Anthony Cilluffo, Income Inequality in the U.S. Is Rising Most Rapidly Among Asians* (July 12, 2018), PEW RSCH. CTR., <https://www.pewsocial-trends.org/2018/07/12/income-inequality-in-the-u-s-is-rising-most-rapidly-among-asians/> [<https://perma.cc/C4LR-KG26>] (discussing the rising inequality within different racial groups, including whites).

²⁰ Annie Karni, Maggie Haberman & Sydney Ember, *Trump Plays on Racist Fears of Terrorized Suburbs to Court White Voters*, N.Y. TIMES (July 29, 2020), <https://www.nytimes.com/2020/07/29/us/politics/trump-suburbs-housing-white-voters.html> [<https://perma.cc/A37X-KZND>].

²¹ President Donald J. Trump, Remarks at the 2020 Salute to America (July 4, 2020) (transcript available at <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-2020-salute-america/> [<https://perma.cc/3DB3-ZGRE>]).

²² Sometimes, the racial meaning is clear. Justice Harlan’s dissent in *Plessy v. Ferguson*, 163 U.S. 537 (1896), similarly rejected the state’s argument that de jure segregation did not constitute unconstitutional discrimination under the Equal Protection Clause because it treated Blacks and whites equally through a rule of prohibition:

It was said in argument that the statute of Louisiana does not discriminate against either race but prescribes a rule applicable alike to white and colored citizens Every one knows that the statute had its origin in the purpose, not so much to exclude white persons from railroad cars occupied by blacks, as to exclude colored people from coaches occupied by or assigned to white persons.

The relationship of the white working class to whiteness has long been debated. W.E.B. Du Bois described the consequence of racial segregation as a political and economic success, through which the often meager wages paid for white labor under capitalism are supplemented by “a public and psychological wage”²³ — the wages of whiteness. The notion of a public and psychological wage is not metaphoric or abstract. While not easily measurable in currency, white workers received a material advantage relative to the precarious conditions of Black life. In contrast to their Black counterparts, white workers enjoyed the ability to move through public space. Moreover, as Du Bois argued, white workers operated with the knowledge and expectation that the coercive apparatus of the state — police, the courts, the law — would represent and be responsive to white interests.

Although much has changed, the current iteration of racist populism is built on that belief. Despite evidence that this belief may be misguided or betrayed, the underlying institutional structures are built to reinforce it. Whiteness as property undergirds a white subjectivity that is induced to reject any sense of connection to Blackness. Instead, white subjectivity is constructed in antagonism to, and perceives itself as victim of, Blackness. As Professor Derrick Bell describes, the fact that the face at the bottom of the well is Black operates as racial reassurance for those outside the white elite.²⁴ Racial capitalism fosters a white coalition between elites and the majority of whites, who reside outside the charmed circle but tend to identify their race, rather than their class position, as the cause of their predicament.

The presumption had been that illuminating shared interests would create common ground across racial divides to support progressive, redistributive social policy. As the position of working-class people has eroded, particularly since the “Golden Age of Capitalism,” the dire conditions have further eroded the advantages of whiteness. However, the

Id. at 556–57 (Harlan, J., dissenting).

²³ As Du Bois put it:

The political success of the doctrine of racial separation, which overthrew Reconstruction by uniting the planter and the poor white, was far exceeded by its astonishing economic results. The theory of laboring class unity rests upon the assumption that laborers . . . will unite because of their opposition to exploitation by the capitalists . . . This would throw white and black labor into one class . . . [But i]t must be remembered that the white group of laborers, while they received a low wage, were compensated in part by a sort of public and psychological wage. They were given public deference . . . because they were white. They were admitted freely with all classes of white people to public functions, public parks, and the best schools. The police were drawn from their ranks, and the courts, dependent on their votes treated them with such leniency as to encourage lawlessness. Their vote selected public officials, and while this had small effect upon the economic situation, it had great effect on their personal treatment and the deference shown them.

W.E. BURGHARDT DU BOIS, *BLACK RECONSTRUCTION* 700–01 (1935).

²⁴ See generally DERRICK BELL, *FACES AT THE BOTTOM OF THE WELL* (1992).

argument for transformation has been undermined by racially encoded discourses of corruption, fraud, and undeservingness that have legitimated the hollowing out of an already partial and weak care infrastructure.²⁵ The neoliberal paradigm of public austerity and financialization are the presumed cure. Public goods and services are replaced by debt. The result is that some whites are dying of whiteness.²⁶

XI. EXPECTATIONS

It is commonplace that the system of property in the United States is intimately tied to race. Beginning with Eric Williams' 1944 classic, *Capitalism and Slavery*,²⁷ generations of historians have marshaled evidence and retold the story that the foundations of modern society were built through slavery. While the framework of settler colonialism is of more recent vintage,²⁸ the insight that colonialism is a system of racialized domination and economic exploitation is an idea that goes back at least as far as Du Bois. Yet, these fundamental truths resist remembering.²⁹ The relationship between present forms of property and this history often is presented as unfortunate, but too remote in time to factor in any significant way into the present.

At one level this can be attributed to the perennial question of the contemporary relevance of historical events, but temporal remoteness may not be the only reason that the racial foundations of property remain so persistently obscure. These continuities are resisted through the assertion of expectations. Expectations and, specifically, settled expectations are inscribed and reinscribed through racial hierarchy and are recognized in law as property. Legality places the power of the state behind particular expectations and legitimates them, notwithstanding their violent racial origins. Legality has material and conceptual consequences: as signified in Jeremy Bentham's famous aphorism, expectations affirmed as property are not physical but metaphysical; a "mere

²⁵ See generally IAN HANEY LÓPEZ, *DOG WHISTLE POLITICS: HOW CODED RACIAL APPEALS HAVE REINVENTED RACISM AND WRECKED THE MIDDLE CLASS* (2014).

²⁶ See JONATHAN METZL, *DYING OF WHITENESS: HOW THE POLITICS OF RACIAL RESENTMENT IS KILLING AMERICA'S HEARTLAND* 1–8 (2019) (describing how white racial resentment fueled opposition to policies such as gun control, expanded health care benefits, and state education funding that ultimately reduce life expectancy and well-being for whites).

²⁷ See WILLIAMS, *supra* note 1.

²⁸ See Patrick Wolfe, *Settler Colonialism and the Elimination of the Native*, 8 J. GENOCIDE RSCH. 387, 388 (2006) (describing settler colonialism as a particular form of colonization in which settler colonizers rely on the logic of elimination in service of the construction of a new society on expropriated Indigenous land; settler colonists "come to stay" as "invasion is a structure not an event").

²⁹ See Greg Grandin, *Capitalism and Slavery*, THE NATION (May 1, 2015), <https://www.thenation.com/article/archive/capitalism-and-slavery/> [<https://perma.cc/M5HP-3NTT>] (describing ever recurrent scholarly focus on the relationship between capitalism and slavery).

conception in the mind,”³⁰ forming intrinsic value so that “our property becomes part of our being.”³¹ This intimate, affective tie is mutually constitutive of both property and “our being” — of subjectivity. And this subjectivity takes the concept of property deep into the heart of race and race deep into the heart of property.

Time and time again, the law elevates and ratifies (white) expectations with regard to property. Yet these determinations fail to liquidate the claims of the racially dispossessed.

XII. “I’LL TAKE THAT BOX OF REPARATIONS.”

— Cassandra Wilson, from the song “Justice”³²

Of necessity, asserted expectations of the dispossessed challenge and threaten to undo established expectations. Legality, reflecting the enforcement of expectations as property, is tied to predictability, and protection of the value of future expectations, which presumably cannot be radically disturbed. Stability is a paramount value, claiming both moral and economic ground, outweighing other normative and justice concerns regarding racial dispossession.

But legal regimes cannot forestall crisis. Indeed, they may precipitate and fuel crisis. The denial of claims of redress, often expressed through the language of property as repayment for debts owed, has not foreclosed the demands for justice.³³ Indeed, these demands repeatedly erupt, grounded in the refusals of the dispossessed to accept the existing baseline and the racialized expectations on which they are based. The dominant consensus, cultivated by decades of colorblind racial ideology, has long asserted that the way forward to building support for change

³⁰ JEREMY BENTHAM, *THEORY OF LEGISLATION* 112 (R. Hildreth trans., 2d ed. 1871).

³¹ *Id.* at 115.

³² CASSANDRA WILSON, *Justice, on BELLY OF THE SUN* (Blue Note 2002).

³³ Martin Luther King, Jr. expressed the idea this way:

One hundred years [after Emancipation] the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity

In a sense we’ve come to our nation’s capital to cash a check. When the architects of our Republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men — yes, black men as well as white men — would be guaranteed the unalienable rights of life, liberty and the pursuit of happiness It is obvious today that America has defaulted on this promissory note Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked “insufficient funds.”

But we refuse to believe that the bank of justice is bankrupt So we’ve come to cash this check — a check that will give us upon demand the riches of freedom and the security of justice.

Martin Luther King, Jr., *I Have a Dream*, Speech Delivered at the Lincoln Memorial (Aug. 28, 1963) (transcript available at <http://www.americanrhetoric.com/speeches/Ihaveadream.htm> [<https://perma.cc/N34B-BD3P>]).

is to minimize the role of racial oppression. In fact, in demanding attention to the specifics of the conditions and precarity of Black life, in building, in organizing around the basic notion that Black lives matter, radical visions emerge that open up pathways to transformative change.³⁴

XIII. CODA

When you see something that is not right, you must say something. You must do something. Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself . . . Continue to build union between movements stretching across the globe because we must put away our willingness to profit from the exploitation of others.

— John Lewis, 2020³⁵

³⁴ The demands of the “Vision for Black Lives,” developed through organizing coordinated by the Movement for Black Lives, represents the radical imagination that connects the struggle against the exploitation and destruction of Black life to transformation of the social and economic order. See *Vision for Black Lives*, THE MOVEMENT FOR BLACK LIVES, <https://m4bl.org/policy-platforms/> [<https://perma.cc/4YYG-QTUT>].

It is, as historian Robin D.G. Kelley described it, “a plan for ending structural racism, saving the planet, and transforming the entire nation, not just Black lives.” Robin D.G. Kelley, *What Does Black Lives Matter Want?*, BOS. REV. (Aug. 17, 2016), <http://bostonreview.net/books-ideas/robin-d-g-kelley-movement-black-lives-vision> [<https://perma.cc/X7QV-TJBR>].

³⁵ John Lewis, *Together, You Can Redeem the Soul of Our Nation*, N.Y. TIMES (July 30, 2020), <https://www.nytimes.com/2020/07/30/opinion/john-lewis-civil-rights-america.html> [<https://perma.cc/C2EZ-K75F>].