

Whiteness as Audition and Blackness as Performance: Status Protest from the Margin

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Most talk by whites about equal opportunity seems to me now to be about equal opportunity to try to get into a position of dominance while denying that systems of dominance exist.

—Peggy McIntosh¹

If race is something about which we dare not speak in polite social company, the same cannot be said of the viewing of race. How, or whether, blacks are seen depends upon a dynamic of display that ricochets between hypervisibility and oblivion. . . . If, moreover, the real lives of real blacks unfold outside the view of many whites, the fantasy of black life as a theatrical enterprise is an almost obsessive indulgence.

—Patricia Williams²

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I also thank Barbara Flagg for inviting me to participate in the conference, “Whiteness: Some Critical Perspectives.” Held at Washington University School of Law, October 29, 2004, with spectacular presentations, the conference more than lived up to its billing: “[This] interdisciplinary conference [will] explor[e] the ways whiteness and white privilege create, entrench, and reproduce themselves. Conference presenters include leading scholars in the field of Critical Race Theory and Whiteness studies, from the disciplines of history, law, and sociology.” See Washington University in St. Louis School of Law, Whiteness: Some Critical Perspectives (Oct. 29, 2004), at http://law.wustl.edu/Whatsnew/Fall2004/Conferences/whiteness_Oct_29.html.

1. Peggy McIntosh, *White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences Through Work in Women’s Studies*, in POWER, PRIVILEGE AND LAW: A CIVIL RIGHTS READER 32, 32–33 (Leslie Bender & Daan Braveman eds., 1995).

2. PATRICIA J. WILLIAMS, SEEING A COLOR-BLIND FUTURE: THE PARADOX OF RACE 17 (1997).

You can't explain to Whites what they can't see.

—A Latina law student, University of Michigan³

INTRODUCTION

This essay responds to the introductory epigraphs. It seeks to make visible a white social identity that presents itself as abstract individualism while masking its support from systems of dominance. Against this hidden connection, blacks must not only represent our reality, but also advocate on its behalf to bring some balance to a form of dominant white voyeurism that places us in the ricocheting tension “between hypervisibility and oblivion.”⁴ Finally, I hope that my personal story provides an illustration of racialized experience that performs identity beyond this voyeurism and beyond what many whites cannot, or will not, see. In short, this essay addresses racialized identity (blackness) as performance and whiteness as audition.⁵ Moreover, as a marginal man, I view my marginality as a positive position from which to launch a status protest.

As sociologist Howard Winant points out, common approaches to the study of race have displayed “an insufficient appreciation of the performative aspect of race.”⁶ In looking at the performance of race, moreover, as Sarah Susannah Willie’s study shows we gain a better appreciation of how race is “defined by both subject and situation.”⁷

3. Walter R. Allen & Daniel Solórzano, *Affirmative Action, Educational Equity and Campus Racial Climate*, 12 BERKELEY LA RAZA L.J. 237, 277 (2001).

4. WILLIAMS, *supra* note 2, at 17.

5. See generally Camille Gear Rich, *Performing Racial and Ethnic Identity*, 79 N.Y.U. L. REV. 1134, 1139 (2004) (“Race/ethnicity performance is defined as any behavior or voluntarily displayed attribute which, by accident or design, communicates racial or ethnic identity or status.”). Among legal scholars, Devon Carbado and Mitu Gulati also provide important discussions of racial performance, particularly in the employment context. Devon W. Carbado & Mitu Gulati, *Working Identity*, 85 CORNELL L. REV. 1259 (2000); Devon W. Carbado & Mitu Gulati, *The Law and Economics of Critical Race Theory*, 112 YALE L.J. 1757, 1771–72 (2003). Performing race makes racial identity operational in a self-conscious way. It is closely related, certainly, to racial identity development. See generally BEVERLY DANIEL TATUM, “WHY ARE ALL THE BLACK KIDS SITTING TOGETHER IN THE CAFETERIA?” AND OTHER CONVERSATIONS ABOUT RACE 54–59, 75–80 (rev. ed. 1999).

6. HOWARD WINANT, RACIAL CONDITIONS: POLITICS, THEORY, COMPARISONS 18 (1994).

7. SARAH SUSANNAH WILLIE, ACTING BLACK: COLLEGE, IDENTITY, AND THE PERFORMANCE OF RACE 7 (2003).

Thus, context becomes a key focus point. In Willie's study of black alumni from Northwestern and Howard universities, she found that race was highly malleable and contingent. Her subjects reflected this through their descriptions of the ways they consciously *acted white* in certain settings and *acted black* in others. According to Willie:

Although they saw themselves as black, that did not mean they understood blackness as something simple or simplistic. *The people with whom I spoke treated race as sets of behaviors that they could choose to act out*, as expectations they had of themselves and others, as physical difference, and as ethnicity and subculture. Consciously negotiating their identities, even when there was sometimes very little room to do so, the men and women in this study described *performing*.⁸

Acting black for me, however, is not a matter of vacillating from acting white to black in certain settings. I seek constancy, though I adjust to settings where my acting black defies conventional expectations and stereotypes but does not entail acting white. At this margin, strange though it may appear, sometimes acting black must be performed in personally unprecedented circumstances, representing a new experience even for the actor. When this is the case, life is not merely a script; it is often an improvisation. The performance of identity thus must be nimble and open to constant change. As Homi Bhabha says, "the question of identification is never the affirmation of a pre-given identity, never a self-fulfilling prophecy—it is always the production of an image of identity and the transformation of the subject in assuming that image."⁹

Non-white performance in a dominantly white setting has been a historical predicament. From 1790 to 1952, whiteness was a prerequisite for naturalized citizenship.¹⁰ From the first racial prerequisite case in 1878, a total of fifty-two cases were brought before such racial restrictions were eliminated in 1952.¹¹ In these

8. *Id.* at 5.

9. Homi K. Bhabha, *Interrogating Identity: The Postcolonial Prerogative*, in *ANATOMY OF RACISM* 183, 188 (David Theo Goldberg ed., 1990).

10. IAN F. HANEY LÓPEZ, *WHITE BY LAW: THE LEGAL CONSTRUCTION OF RACE* 1 (1996).

11. *Id.* at 4. For a list of cases, see *id.* at 203 app. A.

cases, immigrant applications for citizenship were assessed in terms of whether the applicant could perform whiteness.¹² Indeed, the rights enjoyed by white males could only be obtained through assimilatory behavior.¹³ Under these circumstances, in social contract terms, white performance was the *quid pro quo* for white privilege.¹⁴ Today, this is still largely the *quid pro quo*, but this is a bad bargain for people of color.

In 1992, I wrote an article about the jazz saxophonist Archie Shepp in which I associated his “fire music” with critical race theory.¹⁵ In that article, I wrote something that is still pertinent: “As a form of oppositional scholarship, critical race theory challenges the universality of [combined] white experience [and] judgment as the authoritative standard that binds people of color and normatively measures, directs, controls, and regulates the terms of proper thought, expression, presentment, and behavior.”¹⁶ This essay is an extension of that earlier observation.

In focusing on the relational identities of black and white, I traverse the complex ground where identity and subjectivity interrelate. Julie Matthews points out that, “while ‘identity’ and ‘subjectivity’ are often used interchangeably, in contemporary social theory ‘identity’ refers to the recognition of a person or thing. It is a strategic and relational entity that is ‘marked out’ by symbols and does not signal a stable core of the self.”¹⁷ In performing identity, recognition by others often includes a deployment of “marked-out” symbols that undergird the process of audition. For me, the self-recognition aspect of performing identity is race-consciously subjective, where “[s]ubjectivity demarcates the site of feeling and

12. *Id.* at 3 (“[T]he courts were responsible for deciding not only who was White, but why someone was White.”).

13. John Tehranian, Note, *Performing Whiteness: Naturalization Litigation and the Construction of Racial Identity in America*, 109 YALE L.J. 817, 821 (2000).

14. *Id.*

15. John O. Calmore, *Critical Race Theory, Archie Shepp, and Fire Music: Securing an Authentic Intellectual Life in a Multicultural World*, 65 S. CAL. L. REV. 2129 (1992).

16. *Id.* at 2160.

17. Julie Matthews, *Deconstructing the Visual: The Diasporic Hybridity of Asian and Eurasian Female Images*, 8 INTERSECTIONS n.55 (Oct. 2002), available at <http://www.she.murdoch.edu.au/intersections/issue8/matthews.html>.

consciousness.”¹⁸ As Matthews elaborates, subjectivity, in contemporary usage, “does not signal a unitary identity or source of agency, but a consciousness determined, regulated and produced by social relations and language.”¹⁹ Accordingly, I will explore what whiteness means to me as a black man; what it means not only as a concept, but also as an operational influence in the performance of my own racial identity. Race consciousness is my springboard.²⁰

Thus introduced, this essay proceeds in four parts. Part I examines the audition frame of dominant, standard-bearing whiteness as it subjects black identity to perform against a backdrop of white narratives that portray oppositional dualities of representation where white images are positive and black images are negative. Here, individually holding white privilege may appear to be benign, but that privilege is not held independently of group-based white supremacy, dominance, and power. Part II discusses the operation of a racialized identity that implores blacks to re-invent themselves as they perform within a framework of whiteness as audition. This performance often places blacks at the margin of dominant society’s expectations. Part III incorporates the sociological analyses of Robert Park, Everett Stonequist, and Everett Hughes in discussing performance as a status protest rather than as accommodation, assimilation, or retreat. Under my analysis, marginality is translated into a positive orientation. Finally, Part IV looks at black identity’s diversity within itself, raising the issue whether dominant society is inclined to subordinate African-Americans and, at their expense,

18. *Id.*

19. *Id.*

20. According to the National Research Council, race consciousness among blacks involves four features:

One, a feeling of closeness or identification with other group members; two, a dissatisfaction with group status, especially in the political arena; three, an attribution of the unsatisfactory group status to illegitimate causes such as discrimination; and four, a belief that group members must act collectively to improve the group’s position.

A COMMON DESTINY: BLACKS AND AMERICAN SOCIETY 236 (Gerald David Jaynes & Robin M. Williams, Jr. eds., 1989). When I say that I am a race man, or when I say that I am race conscious, I am primarily race conscious in these four respects. Now, often against an acute backdrop of race consciousness but in deference to whiteness, my black identity is performed incognito.

reward those blacks who are not descendants of slaves. Self-conscious adoption of a diaspora identity may help blacks to transcend intra-group conflicts and establish common operational grounds based on our collective hybridity.

I. DOMINANT WHITENESS AND IDENTITY PERFORMANCE:
THE AUDITION FRAME

Whiteness, as a category and as a social construct of racial identity, is a chameleon. While it does not literally change its color, the meaning and significance of whiteness varies over time and space.²¹ The variations may run from a simple whiteness to a complex whiteness; from a transparent whiteness to a self-consciously bonding whiteness; from an unnoticed whiteness of atomized, individual privilege to a whiteness of group position that is secured by a system of racial supremacy and domination.²²

Within this great variety of whiteness, I would guess that for most people of color, whiteness is never viewed as simple, transparent, or benignly individualized. This brings me to a particular whiteness that I call “problematical whiteness”—whiteness in the way, whiteness on the back. Not all whiteness is problematical, but when it is, I see it and experience it as the “interlocking pattern” and “embedded systems” that Elena Feartherston and Jean Ishibashi describe in the following terms:

Whiteness must be recognized and acknowledged as more than color. Whiteness is an interlocking pattern of beliefs, values, feelings, and assumptions; policies, procedures, and laws;

21. As Duncan Kennedy observes, “[w]e need to conceptualize groups in a ‘post-modern’ way, recognizing their reality in our lives without losing sight of the partial, unstable, contradictory character of group existence.” Duncan Kennedy, *A Cultural Pluralist Case for Affirmative Action in Legal Academia*, 1990 DUKE L.J. 705, 705 (1990) (footnote omitted).

22. Ruth Frankenberg defines “whiteness” as the cumulative way that race shapes the lives of white people. See RUTH FRANKENBERG, *WHITE WOMEN, RACE MATTERS: THE SOCIAL CONSTRUCTION OF WHITENESS I* (1993). For various treatments of the topic, see BARBARA FLAGG, *I WAS BLIND BUT NOW I SEE* (1998); TONI MORRISON, *PLAYING IN THE DARK: WHITENESS AND THE LITERARY IMAGINATION* (1992); DAVID R. ROEDIGER, *THE WAGES OF WHITENESS: RACE AND THE MAKING OF THE AMERICAN WORKING CLASS* (1991); STEPHANIE M. WILDMAN, *PRIVILEGE REVEALED: HOW INVISIBLE PREFERENCE UNDERMINES AMERICA* (1996).

behaviors and unwritten rules used to define and underpin a worldview. It is embedded in historic systems of oppression that sustain wealth, power, and privilege.²³

When I speak of the whiteness that I most often *must* take into account, I am referring specifically to this problematical whiteness.

Whites tend to disassociate themselves from problematical whiteness, even though their group history, membership, and position make such disassociation virtually impossible. While the attempt to disassociate may be made in good faith, it fails because whites generally are caught up in histories, socializations, systems, and structures that defeat the best of intentions.²⁴ Being caught up in these terms is not inevitable; it is simply not on most whites' agenda to break free.

Whiteness in these problematical terms is mostly a constant audition, or "a trial performance to appraise . . . [my] merits,"²⁵ in my quest for acceptance, dignity, respect, and material reward. As I performed my identity under the pressures of the ever-present white (dominant) critical hearing, I used to struggle with attempting to get whites to give up the center. Although the spotlight is on the performer, the power of appraisal is at the center. As I mature, I have come to embrace, rather than reject or circumvent, my status as a "marginal man"—a status that enables me to negotiate a white-biased world and that, more importantly, keeps me sane.²⁶

In looking at the black performance of identity on the stage of whiteness, a focus on white privilege alone half-steps. White privilege does not exist and operate independently of white supremacy, dominance, and power. White individuals do not go through life without the benefit of historical, systemic, cultural, and institutional advantage. The almost inescapable attributes of whiteness—privilege, supremacy, dominance, and power—are the

23. Elena Featherston & Jean Ishibashi, *Oreos and Bananas: Conversations on Whiteness*, in IDENTIFYING RACE AND TRANSFORMING WHITENESS IN THE CLASSROOM 87, 105 (Virginia Lea & Judy Helfand eds., 2004).

24. FRANKENBERG, *supra* note 22, at 242–43.

25. WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY OF THE ENGLISH LANGUAGE, UNABRIDGED 143 (Merriam-Webster ed., 1993).

26. *See infra* Part III.

cornerstones of the interlocking patterns and systems of subordination that create, maintain, and perpetuate the white racisms of the day. This holds true regardless of whether those racisms are currently designed or historically perpetrated, whether they are intentionally directed or “just the way it is” in a color-blind society that is making “racial progress.”

Standard-bearing whiteness is relational from the universal, top-down, and center. Auditioning blackness is relational from the particular, bottom-up, and outside-in. Performing identity from these different positions and perspectives is a remarkably different experience. White advantage and black disadvantage are too often discounted when considering the process and result of racial-identity performance. I suspect that many whites would counter-argue that white advantage and black disadvantage are too often inflated. This argument makes accountability difficult. For instance, I have heard stories about white mothers complaining of affirmative action’s unfairness. These mothers explain that if their daughters could simply mark a black racial box on their college applications, it would “greatly improve” their chances of being admitted. In hearing this rather common lament, I wonder: if the daughters had marked the black box on their birth certificate and lived as black daughters up to the time of applying to college, would that experience “greatly improve” their chances of getting into college?

When I look in the mirror, and even more-so when I step into the world in which I live, I see whiteness operating as a coercive intervention. Thus, dominant whiteness is not a free-floating identity. It really is not an individual identity at all. As I have mentioned, while many well-intentioned whites disassociate themselves from dominant whiteness, few can insulate themselves from its influence. Unfortunately, few people of color can insulate themselves from its influence either.

The hierarchy established by dominant whiteness incorporates historical, oppositional dualities. These dualities contrast white images with black images. A list of oppositional dualities illustrates how racialized narratives are used to articulate invidious distinctions

of blacks as the inferior other.²⁷ Herein lies the rub: dominant whiteness, a structured, systemic, and group-based phenomenon, masquerades within the social construction of individualized, atomized, and everyday whiteness. Melanie Bush, for example, demonstrates how these narratives not only present oppositional images, but also apply different standards to different racial groups, allowing whites to be seen as individuals while people of color are seen as representatives of their race.²⁸ She provides this list of polar opposites of black/white terminology:

- Whites don't murder, steal, speed, or take drugs; Blacks do them all.
- Whites are generous; Blacks want more than their fair share.
- Whites are patient and work hard; Blacks are lazy and like to complain.
- Whites are good; Blacks are bad; Latinos and Asians are invisible, in-between, and homogenous.
- Whites are inclusive and reach out to all; Blacks are exclusive and self-segregate.
- Whites are objective; Blacks exaggerate.
- Whites are peaceful; Blacks are violent.
- Whites hire by ability; Blacks hire by race.
- Whites vote by issue; Blacks vote by race.
- Whites are in positions of authority; Blacks are subordinate.
- Whites can't make "Black" jokes; Blacks can make "white" jokes.
- Whites are philanthropic; Blacks are activists.
- Whites run society, and don't have time to complain, or to fight injustice; Blacks waste time whining rather than doing the "real work."
- Whites are realistic; Blacks are idealistic.

27. Kimberlé Williams Crenshaw, *Race, Reform, and Retrenchment*, in *CRITICAL RACE THEORY: THE KEY WRITINGS THAT FORMED THE MOVEMENT* 103, 112–13 (Kimberlé Crenshaw et al. eds., 1995) (discussing these dualities as part of the hegemonic role of racism in establishing the other in American ideology).

28. MELANIE E. L. BUSH, *BREAKING THE CODE OF GOOD INTENTIONS: EVERYDAY FORMS OF WHITENESS* 225 (2004).

- Of Whites, Italians and Jews appear mixed or “different”; all Blacks look alike.
- Whites are orderly and safe; Blacks are rowdy and dangerous.
- Whites are authentic and honest; Blacks are phony and manipulative.
- Whites succeed on their own; Blacks need help.
- Whites are moral; Blacks are immoral.²⁹

These dominant narratives communicate through discrete and implicit imagery and discourse. Let us examine how dominant whiteness operates in this context. According to Bush:

The centering of whiteness gives whites significant and positive unearned advantage while it marginalizes, vilifies, and objectifies Blacks, Latinos, and Asians, reflecting a differential valuation of these groups. The implicit moral presumptions of white as superior and people of color as inferior emerged repeatedly as whites described themselves as multicultural, realistic, relevant, open-minded, caring, educated, and honest, in contrast to people of color, who were characterized as self-centered, unrealistic, irrelevant, close-minded, selfish, and dishonest.³⁰

As a professional, affluent black man, I inhabit the tension between these images, never fully presenting the positive ones and never fully free of the negative ones. As a successful black male journalist remarked, “[t]o almost all cops and most of society, I am a criminal who happens not to have committed his first crime.”³¹ This image is powerful. Even driving a Mercedes while black is an identity performance where whiteness is the audition. I must demonstrate that I am not unwanted traffic.³² From these narratives, dominant whiteness influences whites to believe in egalitarian ideals

29. *Id.* at 225–26.

30. *Id.* at 226.

31. LEONARD STEINHORN & BARBARA DIGGS-BROWN, *BY THE COLOR OF OUR SKIN: THE ILLUSION OF INTEGRATION AND THE REALITY OF RACE* 40 (1999).

32. See John O. Calmore, *The Law and Culture-Shift: Race and the Warren Court Legacy*, 59 WASH. & LEE L. REV. 1095, 1106 (2002).

and to recognize racial inequality, but to refrain from assuming any accountability or responsibility for the translation of the ideals into reality. Whites fail even to acknowledge the consequences of not doing so.³³

II. BLACK PERFORMANCE OF RACE: SPINNING GOLD FROM STRAW

The concept of black performance extends the exploration of “racializing identity.”³⁴ According to Bryant Alexander, “to perform Blackness is in essence to perform an aspect of Americanness or a result of being Americanized—twisting and turning the script, applying it to the Black experience.”³⁵ Within the academic world, Manthia Diawara characterizes “Black performance studies” as examining “several interrelated notions, among them that ‘performance’ involves an individual or group of people interpreting an *existing* tradition reinventing themselves—in front of an audience, or public.”³⁶ Moreover, “black agency in the U.S. involves the redefinition of the tools of Americanness.”³⁷ Here, racial performance transgresses the bounds of race as category, and incorporates and activates race as consciousness. In this sense, racial performance as practice involves re-interpretation, re-invention, re-presentment, and re-definition of one’s racialized identity within the dynamic context of being American. The notion of “opportunity” is the primary tradition that drives black performance in these terms.

Weak, formalized versions of opportunity, such as the civil rights legacy of equality of opportunity, can no longer carry the day. To advance social justice, black performance must demand a script that reflects a stronger concept of opportunity. For example, James Nickel and Iris Young speak of such an opportunity. For Nickel,

33. BUSH, *supra* note 28, at 226.

34. Bryant Keith Alexander, *Racializing Identity: Performance, Pedagogy, and Regret*, 4 CULT. STUD.-CRITICAL METHODOLOGIES 12, 13 (2004).

35. *Id.* at 14.

36. *Id.*

37. *Id.* As Ruth Frankenberg recognizes, “notions of race are closely linked to ideas about legitimate ‘ownership’ of the nation, with ‘whiteness’ and ‘Americanness’ linked tightly together.” Ruth Frankenberg, *Introduction: Local Whiteness, Localizing Whiteness to DISPLACING WHITENESS: ESSAYS IN SOCIAL AND CULTURAL CRITICISM* 1, 6 (Ruth Frankenberg ed., 1997).

opportunities are “states of affairs that combine the absence of insuperable obstacles with the presence of means—internal or external—that give one a chance of overcoming the obstacles that remain.”³⁸ For Young, “opportunity is a concept of enablement rather than possession; it refers to doing more than having.”³⁹ I tie this concept very much to my freedom; that is, I have opportunities if I am not constrained from exercising that freedom, from doing things. The focus is on the enabling conditions that permit me to do those things: “Evaluating social justice according to whether persons have opportunities, therefore, must involve evaluating not [simply] a distributive outcome but [also] the social structures that enable or constrain the individuals in relevant situations.”⁴⁰ Black performance is fueled primarily by this notion of enabled opportunity that challenges and contests those structures and systems that constrain freedom. The freedom to do things proceeds from the absence of opportunity-denying circumstances.

Performing blackness is neither romantic nor heroic. It is a struggle. While racial performance furthers agency, it is neither autonomous nor transcendent. Externally imposed racial categorization remains an important part of the script, because “[r]acial categories themselves—their vicissitudes and the contests over them—reflect the competing notions of history, peoplehood, and collective destiny by which power has been organized and contested on the American scene.”⁴¹ This organization and contestation play out within a framework of whiteness as audition. The political history of whiteness certainly bears on this framework. Matthew Jacobson summarizes this history:

The saga of European immigration has long been held up as proof of the openness of American society, the benign and absorptive powers of American capitalism, and the robust health of American democracy. “Ethnic inclusion,” “ethnic mobility,” and “ethnic assimilation” on the European model set

38. IRIS MARION YOUNG, *JUSTICE AND THE POLITICS OF DIFFERENCE* 26 (1990).

39. *Id.*

40. *Id.*

41. MATTHEW FRYE JACOBSON, *WHITENESS OF A DIFFERENT COLOR: EUROPEAN IMMIGRANTS AND THE ALCHEMY OF RACE* 9 (1998).

the standard upon which “America,” as an ideal, is presumed to *work*; they provide the normative experience against which others are measured. But this pretty story suddenly fades once one recognizes how crucial Europeans’ racial status as “free white persons” was to their gaining entrance in the first place; how profoundly dependent their racial inclusion was upon the racial *exclusion* of others; how racially accented the native resistance was even to *their* inclusion for something over half a century; and how completely intertwined were the prospects of becoming American and becoming Caucasian. Racism now appears not anomalous to the working of American democracy, but fundamental to it.⁴²

Performing blackness is, in quite significant ways, an attempt to break free of this history, to outperform it, if you will.

Given the fundamental features of historic and current racism, black performance constitutes “an individualized project of self-examination—confirming membership without conforming to [those] performative mandates”⁴³ of whiteness as audition. In performing blackness, I am claiming membership within the social group of other African-Americans without essentializing my representation of them. As Alexander observes, “[p]erforming race is ultimately performing self in the face of history and in the company of others—and negotiating the problems and pitfalls of claiming and maintaining membership.”⁴⁴ Here, membership is at least dual: African-American and American.

III. PERFORMANCE AS STATUS PROTEST: THE PLUS AT THE MARGIN

I trace the beginning of performing racial identity to my matriculation in college. Prior to that, growing up in the black northwest section of Pasadena, being black was not the tight fit it would prove to be in Palo Alto.⁴⁵ Shortly after the 1965 civil disorder

42. *Id.* at 12.

43. Alexander, *supra* note 34, at 25.

44. *Id.*

45. For elaboration, see John O. Calmore, *Random Notes of an Integration Warrior*, 81 MINN. L. REV. 1441, 1453–55 (1997). This time at Stanford was over forty years ago, and

in Watts, I returned to Stanford University as a junior. In a sociology class that fall, I remember readings on the topic of “Class, Minority Status, and Minority Role.” I was finding myself (or at least looking for myself) in a very white setting, so I dug in attempting to come up with an effective, positive self-awareness that was not white-washed. The professor directed our attention to the following passage in our textbook:

One of the defining characteristics of minority status is the self-awareness of minority group members. This would be quite similar to the notion of “consciousness-of-kind” for members of the same social class. Many sociologists of stratification hold that the working “class” is not really a class until its members develop (1) an explicit awareness of their class position and (2) the feeling of awareness that others around them share the same condition.⁴⁶

At that time, a significant number of black students were first generation middle-class, far less privileged than today’s black students at selective universities and colleges.⁴⁷ Thus, in terms of race and class, many of us within the small but critical black mass were, if not a new race, certainly a new race presence. We regularly worked to manifest a consciousness-of-kind, as we became a “class,” as suggested in the quoted passage.

Among the assigned readings in this sociology class was a seven-page excerpt from an Everett Hughes essay.⁴⁸ Herein lay the conscious beginnings of the racial odyssey, now forty years in the making, of John Otis Calmore, the marginal man engaged in status protest. Robert Park coined the phrase “marginal man” in his essay “Human Migration and the Marginal Man” in 1928.⁴⁹ Park viewed the “marginal man” as a “function of the break-up and mixing of

many who are familiar with the university’s exemplary diversity will find it hard to appreciate the isolation and rejection black students dealt with then.

46. Raymond W. Mack, *Introduction: Chapter 8*, in RACE, CLASS, AND POWER 252, 252–53 (Raymond W. Mack ed., 1963).

47. BART LANDRY, *THE NEW BLACK MIDDLE CLASS* 86 (1987).

48. Everett C. Hughes, *Social Change and Status Protest: An Essay on the Marginal Man*, in RACE, CLASS, AND POWER, *supra* note 46, at 290.

49. *Id.* at 290.

cultures attendant upon migration and the great cultural revolutions.”⁵⁰ He was “one whom fate has condemned to live in two societies and in two, not merely different but antagonistic cultures.”⁵¹

As if describing perfectly my predicament at Stanford, Park portrayed the emancipated man as one who is both “eager for new things” and “painfully homesick for that which he left behind.”⁵² As Hughes points out, he may long more intensely for that which may no longer exist.⁵³ In my case, this was my place within the black community I had left behind. The community was physically there, but my place in it was gone.

After beginning with the entirely emancipated man, Park moved on to the “cultural hybrid,” defined as:

[A] man living and sharing intimately in the cultural life and traditions of two distinct peoples; never quite willing to break, even if he were permitted to do so, with his past and his traditions, and not quite accepted, because of racial prejudice, in the new society in which he now sought to find a place.⁵⁴

With regards to the true marginal position, Hughes argued that culture and race develop independently.⁵⁵ Although a racial hybrid is ordinarily a cultural hybrid as well, in America this is not necessarily so.⁵⁶ Tellingly, Hughes pointed to African-Americans as the primary example.⁵⁷ Hughes said that, “whether of mixed blood or not,” African-Americans are not cultural hybrids.⁵⁸ Nonetheless, we do inhabit a similar status dilemma; moreover, this dilemma becomes greater as African-Americans increasingly embrace elements of American culture.⁵⁹

50. *Id.*

51. Robert Park, *Introduction* to EVERETT V. STONEQUIST, *THE MARGINAL MAN: A STUDY IN PERSONALITY AND CULTURE CONFLICT* vii, xv (1961).

52. Hughes, *supra* note 48, at 291.

53. *Id.* at 291.

54. *Id.* Park considered Jews to be the prototype “cultural hybrid,” while Hughes thought “the person of mixed blood . . . [to be] perhaps the most permanently and fatally condemned of all to the condition of marginality.” *Id.*

55. *Id.*

56. *Id.*

57. *Id.*

58. *Id.*

59. *Id.*

Writing in the 1960s, Hughes claimed that “the American Negro is a living contradiction of the canons of status in the American culture.”⁶⁰ I personified that living contradiction. According to Hughes, the contradiction is that a group, such as American Negroes, was assigned a limited status within American culture, yet possessed characteristics that would ordinarily allow the individual to achieve a higher status.⁶¹ The objective dilemma is that the individual can neither accept the “Negro” status assigned to him, nor free himself from it.⁶² The subjective dilemma lies in the fact that the individual who passes as white eliminates “any contradiction to the eyes of others,” but retains the internal dilemma.⁶³ While I could never pass biologically, I can and do pass sociologically as part of a strategy of upward mobility. Psychologically, this is probably unhealthy.⁶⁴

Viewing status as a term of society that “refers specifically to a system of relations between people,”⁶⁵ Hughes argued that status is actually defined by culture, and that one’s identification with a culture may be one of the “essential features of a person’s status.”⁶⁶ In American society at the time, a “mobile and changing society[,] new kinds of persons continually acquire[d] the technically and formally demanded skills or qualities of a profession, or other position. Whenever this happen[ed], sociological news [wa]s made and a new and unexpected combination of social characteristics appear[ed].”⁶⁷ During my matriculation at Stanford from 1963–1967, black students there and at other elite colleges and universities were “new kinds of persons” in this very sense. Our growing presence on campuses and in other domains where we had been traditionally absent was discombobulating not only to us, but also to society. As William Banks notes:

In 1966 a public opinion poll indicated that 85 percent of all white Americans felt that “the pace of civil rights progress was

60. *Id.*

61. *Id.*

62. *Id.* at 292.

63. *Id.*

64. See Calmore, *supra* note 45, at 1451–52.

65. Hughes, *supra* note 48, at 292.

66. *Id.*

67. *Id.*

too fast.” As one twenty-two-year-old white woman put it, “They’re asking for too much all at once. They should try the installment plan. People don’t adjust that quickly.”⁶⁸

In assessing the marginal man, Hughes pointed out that these new people do not lack the socially expected characteristics of individuals in their newfound positions.⁶⁹ Instead, we are simply viewed as members of groups positively possessing characteristics that do not match these positions.⁷⁰ In my experience, we come into these positions with stereotypes of our groups that reflect the traditional roles assigned to them by society. We, the new people, do not so much represent blacks as we personify the exceptions that prove the rule. Hughes observed that these individuals are faced in certain situations with the dilemma of whether to act completely in their new role, or in their traditional group role.⁷¹ At that time and place, our culture, Hughes would argue, does not provide acceptable behavior protocol for various situations that may arise from the new role— “[t]his is their dilemma.”⁷² Finally, Hughes distinguished between “that kind of protest which is merely a squirming within the harness, and that which is a questioning of the very terms and dimensions of the prevailing status definitions.”⁷³ In actuality, I have experienced status protest as each of these separately, and both simultaneously.

The social psychology of status protest is suggested in the work of Stonequist, who explains that through interactions with others, both conscious and unconscious, individuals recognize their place in the social world.⁷⁴ Status protest stems from both the recognition of one’s

68. WILLIAM M. BANKS, *BLACK INTELLECTUALS: RACE AND RESPONSIBILITY IN AMERICAN LIFE* 149 (1996) (quoting WILLIAM BRINK & LEWIS HARRIS, *BLACK AND WHITE: A STUDY OF U.S. RACIAL ATTITUDES TODAY* 120 (1966)).

69. Hughes, *supra* note 48, at 293.

70. *Id.*

71. *Id.*

72. *Id.*

73. *Id.* at 297. Even in a “settled society,” one could always question the “terms and dimensions of the prevailing status definitions.” *Id.* Of course, our social mobility creates a greater and more intense status dilemma. I am not sure that change and mobility are necessary conditions of marginality. In fact, I would think not. However, they intensify the dilemma and make it more necessary to accept one’s marginal position in a positive way in order to lead a healthy existence.

74. STONEQUIST, *supra* note 51, at 1.

place and the rejection of its assigned parameters.⁷⁵ Elements of one's personality will be integrated with sentiments of one's society, and one who is in accord with the social system will also have harmony in his personality, his sentiments, his aspirations, and his lifestyle.⁷⁶ For most whites, at least in terms of racial identity, life is relatively smooth sailing.⁷⁷ Performance of race is really just a matter of an individual being one's self, because his conception of himself will parallel the certainty of his group membership.⁷⁸ Stonequist pointed out, however, that such a stable society could only exist in isolation.⁷⁹ According to Stonequist, the modern world (circa 1937 when he wrote) was characterized by uncertainty and change. As a result, the "individual who through migration, education, marriage, or some other influence leaves one social group or culture without making a satisfactory adjustment to another finds himself on the margin of each but a member of neither."⁸⁰ As a personality, one who is "unwittingly initiated into two or more historic traditions, languages, political loyalties, moral codes, or religions" personifies the marginal man.⁸¹ In fact, "[w]herever there are cultural transitions and cultural conflicts there are marginal personalities."⁸²

If the contrasts between the groups or cultures are sharp and the social attitudes are hostile, the conflicts and problems for the individual will be "acute."⁸³ According to Stonequist, the duality of this position does not always create a problem for the individual.⁸⁴ The individual can adjust to each group in which he participates, by showing to each a different side of himself.⁸⁵ It is when two or more social groups come into active conflict that the individual experiences the conflict as an acute internal dilemma.⁸⁶ The external conflict

75. *Id.* at 152.

76. *Id.* at 2.

77. McIntosh, *supra* note 1, at 28.

78. STONEQUIST, *supra* note 51, at 2.

79. *Id.*

80. *Id.* at 2-3.

81. *Id.* at 3.

82. *Id.*

83. *Id.*

84. *Id.* at 201.

85. *Id.* at 4.

86. *Id.*

between the groups is echoed by the internal conflict for the individual.⁸⁷ During my matriculation at Stanford and at Harvard Law School, the external conflict between blacks and whites was stark in almost every way—culturally (black is beautiful; Afros), politically (black power), and socially (civil disorders and the assassinations of Malcolm X and Martin Luther King, Jr.). Stonequist is precisely correct in discussing the echoing of external conflict within the personal experiences of those of us who were “the new people.” Banks observes with some understatement that “[f]or many black students and faculty, a white university environment presented special problems. Students had to contend with academic challenges while sorting out the meaning of their presence on campus—to themselves and to whites.”⁸⁸ For many of us, during the mid-1960s and early 1970s, we went from representing King’s dream of a more open society and multiracial democracy to simply trying to survive. Uncomfortable at home, we were out of place away from it.

Stonequist suggested that incorporation into the dominant culture, through assimilation or passing, may be a goal of those in marginal positions.⁸⁹ He argued that where assimilation is possible, one may be able to shorten one’s time on the marginal stage.⁹⁰ While European immigrants exemplify this process, racial marks, of course, determine the extent to which one is able to physically pass.⁹¹ For much of the nation’s history, race has been viewed as biological, and the distinguishing physical characteristics of blacks rendered them “unassimilable.”⁹²

It is also important to note, in relation to Hughes, the distinction Stonequist made between the social change that comes from “the gradual introduction of new ideas from within and without a given society, and the type of social change which results from the sudden

87. *Id.*

88. BANKS, *supra* note 68, at 173. Banks quotes a new faculty member at UCLA, who said, “When I arrived . . . after my Ph.D. I felt like a powerful shark, just cruising the waters. Now I feel like a wounded minnow, just trying to survive.” *Id.*

89. STONEQUIST, *supra* note 51, at 184.

90. *Id.*

91. *Id.* at 185. This does not, however, address sociological passing.

92. DAVID THEO GOLDBERG, *RACIST CULTURE: PHILOSOPHY AND THE POLITICS OF MEANING* 219 (1993).

contact of two or more societies with different cultures.”⁹³ According to Stonequist, in the latter situation, there is a more profound effect on the marginalized group that must do a greater share of adjusting.⁹⁴

While Park first posited the marginal man as a point of interest that could be studied in multi-cultural societies,⁹⁵ Stonequist presented the marginal man as a more isolated individual who is seen by whites as inferior.⁹⁶ This characterization of the marginal man in isolation continues to be employed in critical writing.⁹⁷

As subjects of exploration, constructive marginalization and status protest may benefit from adopting working concepts of collectivism⁹⁸ and racial and ethnic hybridity.⁹⁹ Paul Meredith argues that the hybrid

93. STONEQUIST, *supra* note 51, at 216.

94. *Id.*

95. Park, *supra* note 51, at xv.

96. STONEQUIST, *supra* note 51, at 148–49.

97. For example, Stephanie Richardson highlights Stonequist’s isolated marginal man in her discussion about the challenges facing biracial children. See Stephanie R. Richardson, Note, *Strict Scrutiny, Biracial Children, and Adoption*, 12 B.U. PUB. INT. L.J. 203, 206 (2002). A number of authors cite Stonequist simply to acknowledge the difficulty and duality of living as a minority in American society, much like the burdens of Du Bois’s double-consciousness. See, e.g., Kevin R. Johnson, “*Melting Pot*” or “*Ring of Fire*”? : *Assimilation and the Mexican-American Experience*, 85 CAL. L. REV. 1259, 1263 n.7 (1997). The term “marginal man” has also been used to refer to Asian-Americans, as they are positioned between white and black. See Keith Aoki, *Direct Democracy, Racial Group Agency, Local Government Law, and Residential Racial Segregation*, 33 CAL. W. L. REV. 92, 185 n.27 (1997); Janine Young Kim, *Are Asians Black?: The Asian-American Civil Rights Agenda and the Contemporary Significance of the Black/White Paradigm*, 108 YALE L.J. 2385, 2397 (1999). Overall, the marginal man is mentioned only briefly in most of these pieces in order to refer to some kind of dual identity. There is very little elaboration on the theory of the marginal man. Certainly, no one seems to be positing that those who inhabit the margin should embrace it as a possible remedy for the conflict associated with marginality and status protest. In the context of multi-racial individuals, some have challenged Stonequist’s model of the condemned individual with models of positive development for biracial people. See Patrick F. Linehan, *Thinking Outside the Box: The Multiracial Category and its Implications For Race Identity Development*, 44 HOW. L.J. 43, 71 (2000). These models suggest that multiracial individuals can develop in a healthy way despite the potential for internal conflict. These models might be adapted to suit the “cultural hybrid.”

98. Daphna Oyserman et al., *Cultural Accommodation: Hybridity and the Framing of Social Obligation*, 74 J. PERSONALITY & SOC. PSYCHOL. 1606, 1607 (1998).

99. May Joseph, *Introduction: New Hybrid Identities and Performance to PERFORMING HYBRIDITY 1*, 5 (May Joseph & Jennifer Natalya Fink eds., 1999) (“In the post–civil rights era, hybridity emerges as a democratic expression of multiple affiliations of cultural citizenship in the United States.”). While further development of this point is beyond the scope of this essay, future work could explore the potential to engage in status protest through these concepts.

According to the University of Canterbury’s GLOSSARY OF SOCIOLOGICAL TERMS,

identity, operating from a “third space,” is positioned as a “‘lubricant’ in the conjunction of cultures.”¹⁰⁰ Much post-colonial scholarship suggests that the hybrid individual lives the experience and possesses the knowledge of “transculturation” that enables one to “transverse both cultures and to translate, negotiate and mediate affinity and difference within a dynamic of exchange and inclusion.”¹⁰¹ The hybrid identity performs with a counter-hegemonic agency: “[a]t the point at which the coloniser presents a normalising, hegemonic practice, the hybrid strategy opens up a third space of/for rearticulation of negotiation and meaning.”¹⁰² By initiating “new signs of identity, and innovative sites of collaboration and contestation,”¹⁰³ third-space hybridity performance may open the door to a new day, moving us beyond the racial impasse to racial progress. At the very least, it may help us to better negotiate the challenges described in the next part of this essay.

IV. DIASPORA IDENTITY AND BLACK PERFORMANCE—THE DIVERSITY WITHIN: THE BARACK OBAMA CHALLENGE

Performing black identity is increasingly complex when issues of immigration and race intersect.¹⁰⁴ The newly-elected senator from

[h]ybridity refers principally to the creation of dynamic mixed cultures. Sociologists and anthropologists, who use the expression “syncretism” to refer to such phenomena, have long observed the evolution of commingled cultures from two or more parent cultures. Using the literature and other cultural expressions of colonial peoples, [some scholars view] hybridity as a transgressive act challenging the colonizers’ authority, values and representations and thereby constituting an act of self-empowerment and defiance.

UNIVERSITY OF CANTERBURY, GLOSSARY OF SOCIOLOGICAL TERMS, *available at* <http://www.soci.canterbury.ac.nz/resources/glossary/hybridit.shtml> (last visited Oct. 8, 2005).

100. Paul Meredith, *Hybridity in the Third Space: Rethinking Bi-cultural Politics in Aotearoa/New Zealand*, 4 HE PUKENGA KORENO 12, 15 (1999) (citation omitted), *available at* <http://lianz.waikato.ac.nz/PAPERS/paul/hybridity.pdf>.

101. *Id.*

102. *Id.*

103. *Id.* (citation omitted).

104. See MARY C. WATERS, BLACK IDENTITIES: WEST INDIAN IMMIGRANT DREAMS AND AMERICAN REALITIES 185, 285 (1999) (arguing that black immigrants have succeeded without strict assimilatory behavior, constructing both whites and African-Americans as “other”); see also Kristin F. Butcher, *Black Immigrants in the United States*, 47 INDUS. & LAB. REL. REV.

Illinois, Barack Obama, is the new face of race. He has a black father from Kenya, a white mother from Kansas, and was raised by maternal grandparents in Hawaii.¹⁰⁵ He is viewed quite favorably in terms of the oppositional dualities enumerated above by Melanie Bush.¹⁰⁶ He is often described in the media as reflecting a viewpoint and image that whites associate with themselves but not with native-born African-Americans—he is viewed as “multicultural, realistic, relevant, open-minded, caring, educated, and honest.”¹⁰⁷ He performs his identity almost to perfection. Observing Obama’s campaign, William Finnegan wrote:

Obama’s ease in front of predominantly white crowds—or, for that matter, all-white crowds—is a source of wonderment in Illinois. I’ve seen it, and it looks so effortless that it doesn’t seem remarkable. The sight of big white corn farmers proudly wearing big blue ‘OBAMA’ buttons and lining up to shake his hand is, I must say, slightly more striking.¹⁰⁸

Simultaneously, Obama projects a dual image of an African-American and of something else that is black, but not African-American. The immigrant side of this dual identity projects a favorable image. As Noam Scheiber argues, “apart from charisma, what makes Obama such a strong candidate *outside the black community* is precisely his exotic (and unthreatening) background—everything that serves to differentiate him from what white voters might see as stereotypically African American.”¹⁰⁹ However, Obama identifies himself as African-American,¹¹⁰ expanding a putative solidarity between native and immigrant blacks. Establishing and maintaining solidarity is the challenge for the black diaspora in the United States. While some immigrant blacks emphasize their social

265, 268–75 (1994) (analyzing differences in labor market participation between native and immigrant blacks).

105. BARACK OBAMA, *DREAMS FROM MY FATHER: A STORY OF RACE AND INHERITANCE* 9–16 (paperback ed. 2004).

106. See BUSH, *supra* note 28, and accompanying text.

107. *Id.* at 226; see also *supra* note 30 and accompanying text.

108. William Finnegan, *The Candidate: How the Son of a Kenyan Economist Became an Illinois Everyman*, 80 *NEW YORKER* 32, 35 (May 31, 2004).

109. *Id.* at 36 (emphasis added).

110. OBAMA, *supra* note 105, at vii.

distance from native blacks, Obama is comfortable with being categorized as an African-American, explaining:

The reason that I've always been comfortable with that description is not a denial of my mother's side of the family. . . . Rather, it's just a belief that the term African-American is by definition a hybrid term. African-Americans are . . . mingled with African culture and Native American culture and European culture If I was arrested for armed robbery and my mug shot was on the television screen, people wouldn't be debating if I was African-American or not. I'd be a black man going to jail. Now if that's true when bad things are happening, there's no reason why I shouldn't be proud of being a black man when good things are happening, too.¹¹¹

Some have expressed concern, however, that black immigrants are displacing African-Americans, the descendents of American slavery, when it comes to accessing positions of power, position, and prestige. The potential is great for black immigrants from Africa and the Caribbean, particularly, to push against African-Americans at both the bottom and the top.

The issue of displacement was recently highlighted by an event at Harvard University. At a gathering of black alumni, professors Lani Guinier and Henry Louis Gates raised the issue in the context of black students attending Harvard.¹¹² They reported that “[w]hile about 8 percent, or about 530, of Harvard’s undergraduates are black . . . the majority of them—perhaps as many as two-thirds—are West Indian and African immigrants or their children, or to a lesser extent, children of biracial couples.”¹¹³

Placing the matter in a larger analytical framework, Mary Waters argued that the manner in which the nation incorporates a people into its social and cultural structure, along with their subsequent treatment, influences our understanding of conflict and cooperation

111. William Bunch, *Who the Heck is This Guy?*, PHILA. DAILY NEWS, July 27, 2004, at 3, 4.

112. Sara Rimer & Karen W. Arenson, *Top Colleges Take More Blacks, But Which Ones?*, N.Y. TIMES, June 24, 2004, at A1, A18.

113. *Id.* at A1.

among racial and ethnic groups.¹¹⁴ She cited the following aspects of that understanding, at both individual and group levels:

1. The meanings attached to racial and ethnic identities: are these oppositional identities, immigrant identities, or symbolic identities?
2. The relationship of the group and its component individuals to the state: do they trust the institutions of the state to be fair and honest? Do they see systematic oppression, and the power of the state exercised against them, or do they see the state as an instrument of power to be used by their own group or as a neutral arbiter among groups?
3. The meanings attached to incidents of hate crimes, violence, and intergroup encounters: are they perceived as temporary, accidental and individualized, or as permanent, systematic, and institutionalized?¹¹⁵

Among blacks, this presents a topic of vigorous debate and raises some larger issues about racial progress: how we name it, how we measure it, how we push for it. Immigrants of color—black, brown, and yellow—seem generally to emphasize an ethnic theory of progress, while African-Americans seem to emphasize a racial theory of progress. Race conscious collectivism is terribly threatened. I believe the potential for people of color to accommodate themselves uncritically to a bad system, institution, or culture is wedded to this ethnic identification. Even though immigrants from Asia, Central and Latin America, Africa, and the Caribbean are racialized, they may ultimately reinforce white ethnic theories of progress that have ill-served African-Americans in the past.

For example, these immigrants may reinforce white ethnic notions of making it in America. This packaged notion features a self-limiting account of the European history of assimilation, which emphasizes self-sacrifice by early generations on behalf of later ones,

114. Mary C. Waters, *Ethnic and Racial Groups in the USA: Conflict and Cooperation*, in *ETHNICITY AND POWER IN THE CONTEMPORARY WORLD* 236, 236 (Kumar Rupesinghe & Valery A. Tishkov eds., 1996).

115. *Id.* at 236–37.

individual mobility and opportunity, and perhaps informal ethnic cooperation among members of the group.¹¹⁶ However, there is no salient racial identity, group consciousness, or collective orientation. Will racialized ethnic groups of color yield to the incessant tide of assimilation? Will these identities fit well with American individualism, which emphasizes individual inclinations and tastes rather than social or racial attachments?

In studying black immigration in New York City, Waters concluded that Caribbean immigrants have a complex relationship with their new American identities:

Most of them try to distance themselves from American blacks. They emphasize their own cultural and ethnic identity which distinguishes them from American blacks. They declare that Jamaicans and American blacks are different groups with different values, customs, traditional foods, dialects, and so on. They also point to the different reactions and relations with whites foreign-born blacks and American blacks have.¹¹⁷

Moreover, along with identity differences, immigrant perceptions and reactions to racism may differ from those of native American blacks:

West Indians generally do not expect racism and racist reactions from whites to the same extent as American blacks. West Indians tend to be more open to whites and more oblivious to racial slights. They have grown up in societies where the majority of people are blacks: as a result they have had less personal experience with racism of the kind that American blacks have encountered all their lives. Thus they expect less racism and interpret most interactions with whites as owing to their own individual characteristics rather than to their racial characteristics. They describe the American blacks as hypersensitive to issues of race, while the American blacks

116. The Jewish historical experience illustrates this notion; Jews progressed from outsider ethnics to probationary whites to accepted Caucasians. JACOBSON, *supra* note 41, at 171–99.

117. Waters, *supra* note 114, at 240 (citations omitted).

describe the foreign-born blacks as naïve in their acceptance of whites.¹¹⁸

I realize that these observations invite debate. Some claim that I inappropriately endorse an oppression sweepstakes, or a race to the bottom; that I should emphasize shared values and interests that support coalition building; that I fail to take into account nuances, such as generational factors, occupational and professional factors, and income factors; and that I fail to unlink racialized immigrants from European immigrants, understating the salience of racism in the lived experiences of the former.

I know, however, that white society tends to lump together all members of the African diaspora as outsiders to America. We respond on our best days in ways that promote a common racial identity, uniting us on the bases of skin color, historical African roots, and shared aspects of our histories as objects (victims) of racism linked to European colonialism, the trans-Atlantic slave trade, and slavery. Identity performance, however, may differ among members of different diaspora groups. Solidarity cannot be taken for granted. According to Richard Alba:

The thrust of European-American identity is to defend the individualistic view of the American system, because it portrays the system as open to those who are willing to work hard and pull themselves over barriers of poverty and discrimination. Recent attitudinal research suggests that it is precisely this individualism that prevents many whites from sympathizing with the need for African Americans to receive

118. *Id.* Over time, however, the divergence between black immigrants and African-Americans lessened. In her later study of West Indian immigrants, Waters pointed out that they came to the United States expecting structural racism (i.e., “blocked mobility for blacks in the society and a hierarchy in which whites have political and economic power”), but not interpersonal racism. WATERS, *supra* note 104, at 153. Over time, the experience of both kinds of racism leads the immigrants to resemble African-Americans and their approach to race relations also changes. *Id.* According to Waters, “[t]he immigrants’ experiences with racial incidents undermine and change their initial confidence that they will not become ‘racial’ in the United States [T]he longer they are here, the more they learn to see race operating in interactions where they would not have suspected it when they first arrived.” *Id.* at 189.

affirmative action in order to overcome institutional barriers to their advancement.¹¹⁹

Will black immigrants adopt a similar thrust to their identity?

To counter this thrust, African-Americans should consciously adopt features of the diaspora identity. I began to do this in September of 2001, when I attended the World Conference Against Racism in Durban, South Africa.¹²⁰ Each morning there was a Diaspora Caucus, and for the first time I began to emphasize shared history, values, and orientations with blacks from around the world. I began to think of myself in terms of diaspora hybridity. Building on the work of Stuart Hall and Paul Gilroy, Matthews examined the diasporic hybridity of Asian and Eurasian females and declared that “it is important to think not only of ‘rooted’ diasporic histories, but processes by which these have been ‘routed’ in distinct and intersecting ways.”¹²¹ The rooting and routing features she described are seldom joined in the identity performance of native-born American blacks. Yet the potential to adopt this identity is the Barack Obama challenge. As Hall said, “[t]he diaspora experience . . . is defined, not by essence or purity, but by the recognition of a necessary heterogeneity and diversity; by a conception of ‘identity’ which lives with and through, not despite, difference; by *hybridity*.”¹²² While assuming an identity, whatever the features, does not thereby establish links and solidarities, we blacks must certainly pay more attention to the possibilities and contestations that confront us, as black and African-American are not necessarily synonymous and may not mean the same throughout the country. The diaspora identity, on the other hand, creates room on the increasingly crowded stage of black racial performance. In Hall’s view, “[d]iaspora identities are those which are constantly producing and reproducing themselves anew, through transformation and difference.”¹²³

119. RICHARD D. ALBA, *ETHNIC IDENTITY: THE TRANSFORMATION OF WHITE AMERICA* 317 (1990).

120. United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. For more information on this conference, see <http://www.un.org/WCAR>.

121. Matthews, *supra* note 17, ¶ 18.

122. *Id.*

123. *Id.*

CONCLUSION

In January of 2005, there was an unusual exhibit at the International Center of Photography, entitled “White: Whiteness and Race in Contemporary Art.”¹²⁴ This exhibit was unusual because references to race are usually not centered on whiteness; in contemporary art, one expects the subject of race to center on non-whites. According to Maurice Berger’s introduction to the show, “[i]n mainstream American society and culture, whiteness remains an ever-present state of mind and body, a powerful norm so pervasive that it is rarely acknowledged or even named.”¹²⁵ This awareness directs whiteness studies that reflect, in part, the emphasis of the exhibit, which focused on contemporary artists deliberately examining racial myths and constructs.¹²⁶

If I were white, I would welcome this exhibit. I would want to engage in the critical study of whiteness and its racial identity formation, white privilege, and the need to examine what this means in relation to others, both white and non-white. This undertaking would attempt to unmask white privilege and reveal what is hidden within a white social psychology that discounts the racialized realities of being white. Even within a world of normative color-blindness, race matters too much and not enough; never just right.

As with the photography exhibit, in this essay I have tried to examine whiteness beyond myth. More particularly, I have looked at whiteness as a relational concept that directs the identity performance of non-whites. How does identity performance play out for people of color like me, who are sufficiently free from the most severe racial constraints? For us, race issues prescribe our interaction with and relation to whites in non-traditional settings and circumstances that are white dominant, but not exclusively so. As putative peers, what does “their whiteness” mean for “my blackness”? As putative peers, must we be racially similar for me to meet their comfort levels and expectations of suitability or merit? And if I do not approximate

124. Margo Jefferson, *Playing on Black and White: Racial Messages Through a Camera Lens*, N.Y. TIMES, Jan. 10, 2005, at B1.

125. *Id.*

126. *Id.*

racial similarity to whites, what risks of marginalization will I encounter? Must I wear a mask that resembles me in order to pretend to be me?

Performing racialized identity is tricky and messy. For blacks it should not mean that the *quid pro quo* for dignity, respect, acceptance, and enabled opportunity is assimilatory behavior. Until we are able to strike a better bargain, the social contract will remain an unconscionable one. While whites focus on dismantling white privilege, people of color must not reinforce white privilege through our attachment to it.

All of us—native born and immigrant—must re-negotiate the script, direction, and production of the American drama. For this to occur, a truly open society and multiracial democracy must incorporate people of color, rather than assimilate them. Incorporation requires dominant white society, as the host society, to accommodate people of color in new ways. According to David Theo Goldberg, the principle of incorporation “involves the dual transformations that take place in the dominant values and those of the insurgent group as the latter insists on more complete incorporations into the body politic and the former gives way.”¹²⁷

Those of us who press for incorporation should not accept the mere extension of dominant values and protections that may accrue to us as individualized, integrated tokens. We must not reify bad relations that allow us to enter the doors of opportunity while shutting out most of our own social groups. As conceived here, incorporation is an attempt to establish an open society. The body politic, the cultural habits, the societal organization, and the institutional arrangements would become means for transformation and domains for strategic contestation. From within pockets of relative privilege, performing our non-white identity must seek incorporation in a manner that undermines and alters what is, in Goldberg’s view, “the dominant, controlling, confining, and periphrastic values of the culturally dominant.”¹²⁸ As Goldberg has explained, “incorporative

127. Calmore, *supra* note 45, at 1472 n.138 (quoting David Theo Goldberg, *Introduction: Multicultural Conditions* to *MULTICULTURALISM: A CRITICAL READER* 1, 9 (David Theo Goldberg ed., 1994)).

128. *Id.* at 1478 n.142.

undertakings are transgressive, engaged by definition in infringing and exceeding the norms of the monocultural status quo and transforming the values and representations that have held racist culture together.”¹²⁹

The call of the day is for insurgent incorporators. Performing one’s racialized identity should begin here. Where it goes from there is not simply anyone’s guess, it is where we take it. Whites, too, must be subject to audition, an audition of humanity that connects us all. I end, then, with the insight of Patricia Williams:

With regard to all these configurations, let me just say that I am certain that the solution to racism lies in our ability to see its ubiquity but not to concede its inevitability. It lies in the collective and institutional power to make change, at least as much with the individual will to change. It also lies in the absolute moral imperative to break the childish, deadly circularity of centuries of blindness to the shimmering brilliance of our common, ordinary humanity.¹³⁰

129. *Id.* at 1478 n.143. Goldberg sees this as a consequence in which hybridity establishes multicultural conditions that promote new domains of knowledge and new representative subjects. *Id.*

130. WILLIAMS, *supra* note 2, at 68.