

## CLASSIC REVISITED

### HOW RACISM PERSISTS IN ITS POWER

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THE FIRE NEXT TIME. By *James Baldwin*. New York: Dial Press. 1963 (Vintage International 1993 ed.). Pp. 110. \$13.95.

#### INTRODUCTION

In 2020, the murder of George Floyd at the hands of police officers in Minneapolis, Minnesota, and the ravaging of Black communities occasioned by the COVID-19 pandemic and an inequitable public health infrastructure put the violence of racism, in all of its forms, on full display. This racial violence is enabled by the central role that white supremacy has played throughout the history of the United States.<sup>1</sup> Our society has embedded racial inequality and white supremacy into our laws, policies, practices, environment, narratives, and cultural norms to form an infrastructure of racial inequality.

In 1857, in *Dred Scott v. Sandford*, the Supreme Court proclaimed that Black people possessed “no rights or privileges” beyond what white men might “choose to grant them.”<sup>2</sup> So much of American history can still be understood through this lens. American institutions, laws, and cultural norms have developed as tools to subjugate, control, regulate, and devalue Black people. Although formal slavery ended with the adoption of the Thirteenth Amendment in 1865, lynchings continued into the 1960s.<sup>3</sup> They have both been replaced

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1. See generally Derrick Bell, Essay, *The Racism Is Permanent Thesis: Courageous Revelations or Unconscious Denial of Racial Genocide*, 22 CAP. U. L. REV. 571 (1993).

2. *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393, 404–05 (1857) (enslaved party), *superseded by constitutional amendment*, U.S. CONST. amend. XIV.

3. See EQUAL JUST. INITIATIVE, LYNCHING IN AMERICA: CONFRONTING THE LEGACY OF RACIAL TERROR (3d ed. 2017), <https://lynchinginamerica.eji.org/report> [perma.cc/ML79-8Y75]. Many people would argue that lynchings did not end in the 1960s, because the murders of Black people by vigilantes or police officers constitute modern-day lynchings. See, e.g., David G. Embrick, *Two Nations, Revisited: The Lynching of Black and Brown Bodies, Police Brutality, and Racial Control in 'Post Racial' Amerikkka*, 41 CRITICAL SOCIO. 835 (2015); Sean Collins, *Ahmaud Arbery Was Lynched*, VOX (May 21, 2020, 10:30 AM), <https://www.vox.com/21263899/ahmaud-arbery-lynched-video-mcmichael-glynn-county-georgia> [perma.cc/QSH6-PS7R]. Indeed, the brutal physical abuse of Black people, often inflicted publicly, remains central to the maintenance of white supremacy and is on full display in incidents of racialized police violence.

with new tools—often authorized or enabled by the state—to continue enforcement of the racial order. Slavery gave way to convict leasing, Jim Crow, racial segregation, and the theft of Black land and property. Indeed, the infrastructure of racial inequality is working exactly as it was designed to work. In communities of color around the country, racism is all encompassing. For Black people in the United States, it is hard to escape racism’s brutal grasp.

As the United States has embarked on a so-called “racial reckoning,” Black people are breaking out of the boxes created to perpetuate systemic racial inequality and challenging the narratives used to justify their oppression. That progress has been met with efforts to protect the “assumptions, privileges, and benefits that accompany the status of being white” and make whiteness “a valuable asset.”<sup>4</sup> We saw this resistance during the January 6, 2021, Capitol insurrection, a blatant and violent attempt to disenfranchise Black voters and brand their participation in this democracy as illegitimate. The resistance to Black encroachment on the privileges of whiteness has also been rhetorical, as defenders of white supremacy have doubled down on narratives of Black criminality and inferiority, delegitimized counternarratives, and even banned efforts to understand and publicize the role of white supremacy in American history.<sup>5</sup> This resistance has also infiltrated our legal system by expanding exclusionary voting and housing laws, challenging affirmative action, and weaponizing the police to protect “white spaces” against people guilty of “Living While Black.”<sup>6</sup>

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4. Cheryl I. Harris, *Whiteness as Property*, 106 HARV. L. REV. 1707, 1713 (1993).

5. See e.g., Sarah Schwartz, *Lawmakers Push to Ban ‘1619 Project’ From Schools*, EDUC. WEEK (Feb. 3, 2021), <https://www.edweek.org/teaching-learning/lawmakers-push-to-ban-1619-project-from-schools/2021/02> [perma.cc/5VBH-KT68]; *Arkansas Governor OKs Limits on Agencies’ Race, Sex Training*, AP NEWS (May 3, 2021), <https://apnews.com/article/arkansas-business-government-and-politics-80456c4aa3bf6d6e937d3b011ddaed81> [perma.cc/4NNP-AD5X]; Rashawn Ray & Alexandra Gibbons, *Why Are States Banning Critical Race Theory?*, BROOKINGS INST., <https://www.brookings.edu/blog/fixgov/2021/07/02/why-are-states-banning-critical-race-theory> [perma.cc/SFV7-KSES] (last updated Nov. 21, 2021); Cassie Miller, *The Biggest Lie in the White Supremacist Propaganda Playbook: Unraveling the Truth About ‘Black-on-White Crime,’* S. POVERTY L. CTR. (June 14, 2018), <https://www.splcenter.org/20180614/biggest-lie-white-supremacist-propaganda-playbook-unraveling-truth-about-%E2%80%98black-on-white-crime> [perma.cc/F2LF-9MW4]; Juan Thompson, *Nothing Funny About a Leading Presidential Candidate Spreading Racist Propaganda on Crime*, INTERCEPT (Nov. 24, 2015, 10:32 AM), <https://theintercept.com/2015/11/24/nothing-funny-about-trump-spreading-racist-propaganda-on-crime> [perma.cc/R9WZ-MHU9].

6. See P.R. Lockhart, *Living While Black and the Criminalization of Blackness*, VOX (Aug. 1, 2018, 8:00 AM), <https://www.vox.com/explainers/2018/8/1/17616528/racial-profiling-police-911-living-while-black> [perma.cc/GRK9-6LSR] (“These stories and others have been published so frequently that they’ve formed a new news genre: ‘Living While Black,’ a phrase that encompasses the myriad ways black people are viewed with suspicion, profiled, and threatened with responses from police for minor infractions, or less.”); Christina Caron, *5 Black Women Were Told to Golf Faster. Then the Club Called the Police.*, N.Y. TIMES (Apr. 25, 2018), <https://www.nytimes.com/2018/04/25/us/black-women-golfers-york.html> [perma.cc/7LTR-VSG5]; Bill Chappell, *College Apologizes After Native American Students’ Visit Is Sidelined by Police*, NPR (May 4, 2018, 2:43 PM), <https://www.npr.org/sections/thetwo-way/2018/05/04/608533284/college-apologizes-after-native-american-students-visit-is-sidelined-by-police> [perma.cc/HKG6-44U4] (telling the story of two Native American teenagers who, while on a college campus trip, were pulled aside

The current moment is not unprecedented. Every generation has experienced the rage, urgency, anger, and exhaustion that drive demands for change. Every generation has collectively and publicly grieved racialized brutality and the loss of Black lives. Every generation has been viscerally reminded of racism's grinding pain and the systems designed to contain, isolate, and crush Black people, physically and psychologically. Every generation is reminded that our systems are still founded on the white-supremacist belief that Black people have "no rights or privileges" beyond those that white people "choose to grant them."<sup>7</sup>

As this country is forced to confront, once again, the truth of who we are and how we got here, James Baldwin's searing examination of the architecture and consequences of racism, *The Fire Next Time*, offers a framework for understanding how racism persists in its power. In many ways, Baldwin's essays were prophetic, diagnosing the ways racism would continue to manifest, day after day, year after year, and generation after generation. It is a lens that connects the injustices of the past to those of today. *The Fire Next Time* can offer truth and comfort to those of us seeking to understand the cycles of resistance and retrenchment that allow racial inequality to not only persist but thrive.

#### I. CELEBRATING ONE HUNDRED YEARS OF FREEDOM ONE HUNDRED YEARS TOO SOON

Published during the civil rights movement, *The Fire Next Time* "provoked and challenged the dominant white American frame for understanding race relations."<sup>8</sup> The book consists of two powerful essays—"My Dungeon Shook: Letter to My Nephew on the One Hundredth Anniversary of the Emancipation" and "Down at the Cross: Letter from a Region in My Mind"—that speak to how racism constrains and burdens Black lives, ultimately destroying Baldwin's father, brother, and countless others. Together, the essays explore the intentional design of racial inequality, the devastation of exile and

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by campus police who had been called by a parent on the tour because of the boys' appearance); Marwa Eltagouri, *A Woman Called 911 About Burglars at Her Neighbor's House. They Were Black Airbnb Guests.*, WASH. POST (May 8, 2018), <https://www.washingtonpost.com/news/business/wp/2018/05/08/a-woman-called-911-about-burglars-at-her-neighbors-house-they-were-black-airbnb-guests/> [perma.cc/RG78-H4H6]; Nick Corasaniti, *Georgia G.O.P. Passes Major Law to Limit Voting Amid Nationwide Push*, N.Y. TIMES (Apr. 3, 2021), <https://www.nytimes.com/2021/03/25/us/politics/georgia-voting-law-republicans.html> [perma.cc/X7GC-MKUD]; Elizabeth Winkler, *'Snob Zoning' Is Racial Housing Segregation by Another Name*, WASH. POST (Sept. 25, 2017), <https://www.washingtonpost.com/news/wonk/wp/2017/09/25/snob-zoning-is-racial-housing-segregation-by-another-name/> [perma.cc/XG2Z-LTPJ]; Ian Millhiser, *The Supreme Court Case That Could End Affirmative Action, Explained*, VOX (Mar. 2, 2021, 8:00 AM), <https://www.vox.com/22301135/supreme-court-affirmative-action-harvard-college-race-students-for-fair-admission-ed-blum> [perma.cc/7RH2-J8NY].

7. *Dred Scott*, 60 U.S. at 404–05.

8. Kathy Roberts Forde, *The Fire Next Time in the Civil Sphere: Literary Journalism and Justice in America 1963*, 15 JOURNALISM 573, 575–76 (2014).

exclusion, and the racial narratives of blame, worth, and belonging that all help drive the true nature, power, and persistence of racism.

In the first essay (p. 3), *The Fire Next Time* explores how deeply engrained racial hierarchy is in American society and speaks to the physical, emotional, and psychological toll racism takes on both its victims and its perpetrators. In the wake of recent civil rights victories, Baldwin believed that despite the progress made by the civil rights movement, “the country [was] celebrating one hundred years of freedom one hundred years too soon,” when the country had not even begun to acknowledge the full scope of the problem or the harm (p. 10). He rejected the idea that the racial inequality that continued to exist all around him was natural or accidental. Instead, he warned James that “[t]he details and symbols of your life have been deliberately constructed to make you believe what white people say about you” (p. 8). Indeed, he believed that no element of Black people’s lives was left to chance; it was all a part of racism’s design:

You were born where you were born and faced the future that you faced because you were black and *for no other reason*. The limits of your ambition were, thus, expected to be set forever. You were born into a society which spelled out with brutal clarity, and in as many ways as possible, that you were a worthless human being. (p. 7)

The racially disproportionate impact of COVID-19 provides a powerful modern example of the impact of Black people being systematically restricted, excluded, and dehumanized. A complicated web of historic discrimination, current policies, and deeply entrenched inequalities helps us understand why admonitions to wear masks, wash your hands, socially distance, and get vaccinated have not been sufficient to protect Black people, who were disproportionately impacted on all levels.<sup>9</sup> COVID-19 ravaged Black communities and other communities of color because it was introduced into a society that is racially discriminatory in individual, institutional, and structural ways.<sup>10</sup> Black people are not innately more susceptible to COVID-19, but because of

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9. For example, in Atlanta, Georgia, 13 percent of white COVID-19 patients were hospitalized compared with 79 percent of Black patients with COVID-19. *Risk of Severe Illness or Death from COVID-19*, CDC, <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/racial-ethnic-disparities/disparities-illness.html> [perma.cc/GE4F-66CG] (last updated Dec. 10, 2020). A study of COVID-19 deaths by race showed that 34 percent of deaths were among Black people, although Black people are only 13 percent of the total U.S. population. Laurens Holmes Jr., et al., *Black–White Risk Differentials in COVID-19 (SARS-COV2) Transmission, Mortality and Case Fatality in the United States: Translational Epidemiologic Perspective and Challenges*, 17 INT’L J. ENV’T RSCH. & PUB. HEALTH art. 4322, at 5 (2020), <https://doi.org/10.3390/ijerph17124322>.

10. See *Risk of Severe Illness or Death from COVID-19*, *supra* note 9 (noting that racial disparities in social determinants of health, such as access to health care, economic stability, and housing, contributed to disparities in COVID-19 illnesses and deaths); *Disparities in Deaths from COVID-19*, CDC, <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/racial-ethnic-disparities/disparities-deaths.html> [perma.cc/9WVU-CZSQ] (last updated Dec. 10, 2020).

years of entrenched and compounded inequality, Black people were disproportionately likely to be exposed to the virus and at a greater risk of developing serious complications. They also experienced a disproportionate share of the social, emotional, and economic fallout from the virus and related restrictions and lockdowns.<sup>11</sup> Racial disparities in access to medical care, housing, infrastructure, education, and socioeconomic status all contributed.<sup>12</sup>

Many Black people were reluctant to trust what the government and medical officials said about COVID-19 or to seek medical treatment, and some declined to receive the COVID-19 vaccine due to longstanding distrust of healthcare professionals.<sup>13</sup> This reluctance is grounded in America's disturbing history of medical experimentation on Black people without their knowledge or consent.<sup>14</sup> James Marion Sims, considered the father of gynecology, conducted experiments on enslaved Black women without using any painkillers or anesthesia.<sup>15</sup> The Tuskegee Experiment, which lasted four decades, from 1932 to 1972, saw the Public Health Service infect Black soldiers with syphilis and then study the effects—all without informing these men or attempting to treat them.<sup>16</sup> This history, coupled with longstanding racial disparities in access to healthcare—including the closure and chronic underfunding of community hospitals—contributed to Black people being less likely to be tested for COVID-19 and being more severely impacted once they contracted the virus.<sup>17</sup>

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11. See ELISE GOULD & VALERIE WILSON, ECON. POL'Y INST., BLACK WORKERS FACE TWO OF THE MOST LETHAL PREEXISTING CONDITIONS FOR CORONAVIRUS—RACISM AND ECONOMIC INEQUALITY (2020), <https://files.epi.org/pdf/193246.pdf> [perma.cc/KU4H-FDLU].

12. *Id.*

13. Joseph Goldstein & Matthew Sedacca, *Why Only 28 Percent of Young Black New Yorkers Are Vaccinated*, N.Y. TIMES (Oct. 13, 2021), <https://www.nytimes.com/2021/08/12/nyregion/covid-vaccine-black-young-new-yorkers.html> [perma.cc/QFT4-ZBK3].

14. See, e.g., Hayley S. Thompson et al., *Factors Associated with Racial/Ethnic Group-Based Medical Mistrust and Perspectives on COVID-19 Vaccine Trial Participation and Vaccine Uptake in the US*, 4 JAMA NETWORK OPEN art. e2111629, at 6–7 (2021), <https://doi.org/10.1001/jamanetworkopen.2021.11629>; Rachel Schraer, *Covid: Black Leaders Fear Racist Past Feeds Mistrust in Vaccine*, BBC (May 6, 2021), <https://www.bbc.com/news/health-56813982> [perma.cc/2DRA-9TKB].

15. Brynn Holland, *The 'Father of Modern Gynecology' Performed Shocking Experiments on Enslaved Women*, HISTORY (Dec. 4, 2018), <https://www.history.com/news/the-father-of-modern-gynecology-performed-shocking-experiments-on-slaves> [perma.cc/8L2S-SLPJ].

16. Elizabeth Nix, *Tuskegee Experiment: The Infamous Syphilis Study*, HISTORY (Dec. 15, 2020), <https://www.history.com/news/the-infamous-40-year-tuskegee-study> [perma.cc/9WJQ-MBG9].

17. See Gabrielle Coppola, David Welch & Nic Querolo, *Virus Erupts in U.S. Cities Where the Poor Have Few Defenses*, BLOOMBERG (Mar. 28, 2020, 11:30 AM), <https://www.bloomberg.com/news/articles/2020-03-28/virus-erupts-in-poor-u-s-cities-whose-people-have-few-defenses> [perma.cc/C89S-84RL]; Katelyn Newman, *Chronic Underfunding Crippled America's COVID-19 Response*, U.S. NEWS & WORLD REP. (Apr. 16, 2020), <https://www.usnews.com/news/healthiest-communities/articles/2020-04-16/crippled-coronavirus-response-tied-to-chronic-underfunding-report-says> [perma.cc/9ALH-JW7D].

Further, a dizzying array of housing-related policies and restrictions have corralled Black people into highly dense, racially and economically segregated housing in underresourced communities that predictably contributed to the racial disparities of the COVID-19 pandemic.<sup>18</sup> This was compounded by other factors known to put racial minorities at increased risk of contracting COVID-19,<sup>19</sup> including the increased likelihood of Black people living in a community plagued by environmental stressors such as mold and lead paint.<sup>20</sup> In addition, low-income Black communities disproportionately face lack of access to reliable transportation, as well as exposure to pollution from roads and highways running through their communities.<sup>21</sup>

Economic inequalities further constrain Black people's ability to protect themselves physically and economically from COVID-19. During the pandemic, Black people were more likely to work in low-wage jobs, be let go from those jobs, and be compelled by economic necessity to work in jobs where they lack the option of working remotely.<sup>22</sup> Like most contemporary inequities, this is rooted in a history of discriminatory housing, banking, and employment practices that have left people of color less wealthy than white people

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18. See Gregorio A. Millett et al., *White Counties Stand Apart: The Primacy of Residential Segregation in COVID-19 and HIV Diagnoses*, 34 AIDS PATIENT CARE & STDS 417, 418 (2020) (“[E]pidemiological analyses point to specific factors that exacerbate COVID-19 diagnoses in black and Latino communities, including poverty and living in densely occupied households, living in localities with greater air pollution, lack of health insurance, and being employed in jobs that increase exposure to SARS-COV-2.” (footnotes omitted)).

19. Yelena Rozenfeld et al., *A Model of Disparities: Risk Factors Associated with COVID-19 Infection*, 19 INT'L J. FOR EQUITY HEALTH art. 126, at 6 (2020), <https://doi.org/10.1186/s12939-020-01242-z> (finding racial minorities living in low-air-quality neighborhoods and those experiencing transportation insecurity were disproportionately likely to contract COVID-19); Coppola et al., *supra* note 17 (attributing the disproportionate impact of the virus in Detroit to a lack of transportation to access health care and hospitals); Holmes et al., *supra* note 9, at 11 (linking disproportionate deaths of Black people from COVID-19 “to decreased effort by the US public health system, local and county health departments and the healthcare institutions to provide the assistance needed such as transportation for Blacks/AA to access the screening centers and sites”); see also Emiko Atherton, *Complete Streets, COVID-19, and Creating Resilient Communities*, ITE J., July 2020, at 20, 22, [https://www.nxtbook.com/ygsreprints/ITE/ITE\\_July2020/index.php](https://www.nxtbook.com/ygsreprints/ITE/ITE_July2020/index.php) [perma.cc/6XJ5-LD5U] (discussing how the pandemic's disproportionate impact on racial and ethnic minority communities highlighted the need to provide “safe, reliable, and affordable access to jobs, healthcare, the grocery store, places of worship, and schools”).

20. David E. Jacobs, *Environmental Health Disparities in Housing*, 101 AM. J. PUB. HEALTH S115, S115–16 (2011) (finding that in 2010, 2.6 million non-Hispanic Black people (7.5 percent of the population) versus 5.9 million white people (2.8 percent) lived in substandard housing having an identifiable impact on health outcomes).

21. See generally REGAN F. PATTERSON, CONG. BLACK CAUCUS FOUND., *NEW ROUTES TO EQUITY: THE FUTURE OF TRANSPORTATION IN THE BLACK COMMUNITY* (2020), <https://www.cbfcinc.org/wp-content/uploads/2020/10/NewRoutesToEquity-Final5.pdf> [perma.cc/GWL7-T3WT].

22. GOULD & WILSON, *supra* note 11, at 5–6.

and therefore more likely to lack the safety net one needs to withstand these economic shocks.<sup>23</sup>

Black children have also felt a disproportionate impact. Low-income Black students are more likely to suffer in the long term from school closings, lose access to school feeding programs, and lack access to computers, broadband internet, and physical spaces necessary for effective remote learning.<sup>24</sup>

This is the violence of systemic racism. Racism is everywhere and in everything. Racism destroys hope, limits possibilities, and impedes the ability of every person to live a choice-filled life. In writing to his nephew about how racism destroyed the hope and possibility in his brother's life, Baldwin wrote that "[o]ther people cannot see what I see whenever I look into your father's face, for behind your father's face as it is today are all those other faces which were his" (pp. 4–5). *The Fire Next Time* speaks to who people are—their dreams and their potential—before the grip of racism takes hold. It speaks to the power and potential in Black children before they are shuffled through racially segregated and underresourced schools, and the hopes and aspirations of so many Black people before those hopes are broken under the weight of mass incarceration and mass criminalization. As Baldwin said, Black people are “not expected to aspire to excellence: [they are] expected to make peace with mediocrity” (p. 7). More than fifty years after *The Fire Next Time*'s publication, the United States is still celebrating freedom too soon.

## II. CHALLENGING THE NARRATIVES OF WHITE SUPREMACY

James Baldwin asserted that there are many layers to the narratives of white supremacy that help both Black and white people believe in the inevitability of a racial hierarchy. These include the stories white people tell themselves about the nature of racism, holding on to notions of white superiority and innocence. Those narratives work alongside stories of Black inferiority and culpability. Together, they strengthen the hold that racism has on American society.

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23. See generally BRADLEY L. HARDY & TREVON D. LOGAN, THE HAMILTON PROJECT, RACIAL ECONOMIC INEQUALITY AMID THE COVID-19 CRISIS (2020), [https://www.brookings.edu/wp-content/uploads/2020/08/EA\\_HardyLogan\\_LO\\_8.12.pdf](https://www.brookings.edu/wp-content/uploads/2020/08/EA_HardyLogan_LO_8.12.pdf) [perma.cc/X33N-BPQH]; Jean Folger, *The History of Lending Discrimination*, INVESTOPEDIA (Nov. 12, 2020), <https://www.investopedia.com/the-history-of-lending-discrimination-5076948> [perma.cc/WA3X-ZB26].

24. See PAUL M. ONG, UCLA CTR. FOR NEIGHBORHOOD KNOWLEDGE, COVID-19 AND THE DIGITAL DIVIDE IN VIRTUAL LEARNING 13–15 (2020), [https://knowledge.luskin.ucla.edu/wp-content/uploads/2020/12/Digital-Divide-Phase2\\_brief\\_release\\_v01.pdf](https://knowledge.luskin.ucla.edu/wp-content/uploads/2020/12/Digital-Divide-Phase2_brief_release_v01.pdf) [perma.cc/7XXB-ZEQP]; POONAM GUPTA, DULCE GONZALEZ & ELAINE WAXMAN, URB. INST., FORTY PERCENT OF BLACK AND HISPANIC PARENTS OF SCHOOL-AGE CHILDREN ARE FOOD INSECURE (2020), [https://www.urban.org/sites/default/files/publication/103335/forty\\_percent\\_of\\_black\\_and\\_hispanic\\_parents\\_of\\_school\\_age\\_children\\_are\\_food\\_insecure.pdf](https://www.urban.org/sites/default/files/publication/103335/forty_percent_of_black_and_hispanic_parents_of_school_age_children_are_food_insecure.pdf) [perma.cc/5NKG-UMYS].

### A. *The Stories White People Tell Themselves*

First, white people tell themselves enduring myths about the reality of racism and their role in creating and perpetuating racial inequality. In *The Fire Next Time*, Baldwin posits that Black people's true freedom is bound to the freedom of white people but that progress has been halted because white people "are, in effect, still trapped in a history which they do not understand; and until they understand it, they cannot be released from it" (p. 8). In embracing the belief that truth must come before reconciliation, Baldwin reveals a fundamental truth about racism: it must be seen and known to be challenged. The power of racism rests, in part, on ignorance. As Baldwin wrote, "they have destroyed and are destroying hundreds of thousands of lives and do not know it and do not want to know it" (p. 5). The destruction is possible because of the ignorance.<sup>25</sup>

Baldwin believed that a fundamental challenge in getting American society to understand the full truth of anti-Black oppression was that some white people's identity depended on that ignorance. "They have had to believe for many years, and for innumerable reasons, that black men are inferior to white men," he wrote (pp. 8–9). "Many of them, indeed, know better, but, as you will discover, people find it very difficult to act on what they know. . . . In this case, the danger, in the minds of most white Americans, is the loss of their identity" (p. 9). Baldwin also speaks to his belief that systemic racial inequality continues to find power in white people's understanding of their value relative to the value of Black people:

White Americans find it as difficult as white people elsewhere do to divest themselves of the notion that they are in possession of some intrinsic value that black people need, or want. And this assumption—which, for example, makes the solution to the Negro problem depend on the speed with which Negroes accept and adopt white standards—is revealed in all kinds of striking ways, from Bobby Kennedy's assurance that a Negro can become President in forty years to the unfortunate tone of warm congratulation with which so many liberals address their Negro equals. It is the Negro, of course, who is presumed to have become equal—an achievement that not only proves the comforting fact that perseverance has no color but also overwhelmingly corroborates the white man's sense of his own value. (pp. 94–95)

Ultimately, Baldwin believed that white people's need for ignorance and innocence to deflect responsibility for their role—either active or passive—in racial inequality both protects their own sense of self and is foundational to protecting the narrative of white superiority. People in the United States far too often speak of racism in terms of a few bad apples: individuals whose racist feelings, ideas, and actions are aberrant and contrary to American ideals.<sup>26</sup> But

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25. Baldwin believed that "it is not permissible that the authors of devastation should also be innocent. It is the innocence which constitutes the crime." Pp. 5–6.

26. For example, the narrative that racial violence and disparities are caused by a "bad apple" rather than systemic racism is ubiquitous in discussions of racialized police violence. *See*,

for most Black people, racism is not Bull Connor hurling racial slurs and siccing his dogs on Black children seeking to integrate public schools. For most Black people, racism is sending your children to an underresourced, heavily segregated public school that poorly prepares its students for college and life. It is living an hour and a half away from decent jobs because your community is ill served by public transportation. It is lacking access to supermarkets providing affordable and healthy food while your children are sick because they are exposed to environmental stressors. Under Baldwin's theory, our refusal or reluctance to call these inequalities "racism" helps to preserve both the purported innocence and ignorance that feed racism.

It will be difficult to find a single actor responsible for these harms, and even less likely that there would be explicit evidence that the actor was motivated by racial animus.<sup>27</sup> Because these experiences of racism do not fit the bad-apple theory, America often denies that these inequalities are driven by racism at all. This overly narrow understanding of racism and denial deepen the impact of the discrimination. Therefore, challenging this ignorance and these false narratives is necessary to achieve racial equality. Once this country accepts the full scope of racism and ceases to traffic in narratives of Black inferiority,

[w]hite people in this country will have quite enough to do in learning how to accept and love themselves and each other, and when they have achieved this—which will not be tomorrow and may very well be never—the Negro problem will no longer exist, for it will no longer be needed. (p. 22)

This, in part, may help explain the growing resistance to antiracism education and historical accounts that speak to the reality of racism and Black people's central role in this nation's development.<sup>28</sup>

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e.g., Michael Siegel, *Racial Disparities in Fatal Police Shootings: An Empirical Analysis Informed by Critical Race Theory*, 100 B.U. L. REV. 1069 (2020) (arguing that racialized police violence is largely attributable to structural racism and racial segregation, not a few "bad apples"); Rashawn Ray, *Bad Apples Come from Rotten Trees in Policing*, BROOKINGS INST. (May 30, 2020), <https://www.brookings.edu/blog/how-we-rise/2020/05/30/bad-apples-come-from-rotten-trees-in-policing> [perma.cc/7MBG-GDND] (attributing racialized police violence to structural racism rather than individual "bad" police officers).

27. See Deborah N. Archer, "White Men's Roads Through Black Men's Homes": *Advancing Racial Equity Through Highway Reconstruction*, 73 VAND. L. REV. 1259, 1305–10 (2020) (arguing that predominant legal frameworks focus on intent and ignore structural and systemic concerns); Sarah Schindler, *Architectural Exclusion: Discrimination and Segregation Through Physical Design of the Built Environment*, 124 YALE L.J. 1934, 2000–18 (2015) (discussing the discriminatory effect of neighborhood design and construction and the failure of judicial proceedings to prevent or remedy such effects); John A. Powell, *Structural Racism: Building upon the Insights of John Calmore*, 86 N.C. L. REV. 791, 794 (2008) (noting that an "individual framing" of racism "does not account for the ways in which policies produce foreseeable, even if unintended, racial harms").

28. See, e.g., Cathryn Stout, *Teaching Prohibited Concepts on Race in Tennessee Could Bring Million-Dollar Fines and Suspended Licenses*, CHALKBEAT TENN. (Aug. 2, 2021, 4:14 PM), <https://tn.chalkbeat.org/2021/8/2/22606494/tennessee-rules-teaching-banned-race-concepts-proposed> [perma.cc/F54J-C354] (discussing penalties for teaching about "white privilege, male

### B. *The Stories White People Tell Black People*

The second type of racial narrative Baldwin addresses in *The Fire Next Time* is the stories told to convince Black people that racial inequality is natural and good. The nation gaslights Black people by denying that racism exists and blaming Black people for their own oppression. Racial narratives and stereotypes inflict trauma on Black people, and that trauma infiltrates every aspect of mind, body, and spirit. As a result, a mix of anger and shame, born of the constant struggle to protect their bodies and minds, has been a constant presence in the lives of Black people. That anger is fed by the shame and frustration of an ethos that blames Black people for being so effectively oppressed. Unrelenting oppression can lead Black people to internalize and accept the narratives of Black inferiority that are used to justify white supremacy. This internalization eats away at individuals, families, and communities. Baldwin describes the impact of these stories on his own father: “[H]e was defeated long before he died because, at the bottom of his heart, he really believed what white people said about him” (p. 4).

For centuries, Black people have been blamed for society’s deficiencies and told that they are the cause of their own oppression. This began during slavery, when a common narrative painted Black people as savage brutes, prone to violence and criminality unless domesticated and made docile.<sup>29</sup> Slavery was, it was said, to Black people’s civilizing benefit.<sup>30</sup> This narrative of Black brutality has evolved into today’s narrative of excessive Black criminality, and it remains a central thread in the conversation about racism in the United States.<sup>31</sup> For example, as the videos of police shootings and beatings of unarmed Black people are played across every screen, the narrative of excessive Black criminality is used to justify the brutality: “If only he had followed directions . . .”; “What was she doing before the recording started?” The over-policing of Black communities is justified by stereotypes of excessive crime in those communities. Critiques of police brutality are dismissed as irrelevant in the face of “Black on Black” crime. The school-to-prison pipeline and the excessive punishment of Black children is justified by the belief that Black children

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privilege, and the flaws of meritocracy, and topics that suggest the ‘United States is fundamentally or irredeemably racist or sexist’); Ray & Gibbons, *supra* note 5.

29. Brief for the Nat’l Black L. Students Ass’n as *Amicus Curiae* in Support of Petitioner at 7, *Buck v. Davis*, 137 S. Ct. 759 (2017) (No. 15-8049), 2016 WL 4073688 [hereinafter NBLSA Amicus Brief]. See generally KHALIL GIBRAN MUHAMMAD, *THE CONDEMNATION OF BLACKNESS* (2010) (chronicling the history of the myth of Black criminality in the United States).

30. See NBLSA Amicus Brief, *supra* note 29.

31. See *id.* at 17–27.

are hardened and require less nurturing, protection, and support.<sup>32</sup> Sometimes society does not even see Black children as children.<sup>33</sup>

Black criminality is not the only false story this nation repeatedly tells. Black people are regularly exposed to commentary from academics, political leaders, and their fellow Americans that defends segregation in the nation's colleges and universities by alleging the intellectual inferiority and poor work ethic of Black people.<sup>34</sup> Sexual violence against Black women is often dismissed because Black women are stereotyped as promiscuous.<sup>35</sup> And in 2020, when data showed that Black people were disproportionately likely to contract and die from COVID-19, many did not blame systemic racism, instead accusing Black people of not being disciplined or sensible enough to protect themselves.<sup>36</sup>

### III. THE VIOLENCE OF RACIAL SEGREGATION AND INTEGRATION

Another prominent theme in *The Fire Next Time* is Baldwin's belief in the violence of racial segregation and the challenges of integration. In explaining the violence of segregation, Baldwin believed that "[t]his innocent country set [Black people] down in a ghetto in which, in fact, it intended that [they] should perish" (p. 7). Baldwin explores the way the United States has worked to segregate Black people into their own communities and then ensure that

32. See, e.g., MONIQUE W. MORRIS, *PUSHOUT: THE CRIMINALIZATION OF BLACK GIRLS IN SCHOOLS 20–22* (2016) (discussing disproportionate criminalization of Black girls); CARA MCCLELLAN & MEGAN GALL, NAACP LEGAL DEF. & EDUC. FUND, *OUR GIRLS, OUR FUTURE: INVESTING IN OPPORTUNITY AND REDUCING RELIANCE ON THE CRIMINAL JUSTICE SYSTEM IN BALTIMORE 1, 6* (2018), [https://www.naacpldf.org/wp-content/uploads/Baltimore\\_Girls\\_Report\\_FINAL\\_6\\_26\\_18.pdf](https://www.naacpldf.org/wp-content/uploads/Baltimore_Girls_Report_FINAL_6_26_18.pdf) [perma.cc/4S7W-WE44] (“National data on school-based arrests and referrals to law enforcement reveals that Black and Latinx students are disproportionately targeted for harsh punishment. Moreover, national data shows that Black girls are the fastest growing demographic affected by school discipline, arrests, and referrals to the juvenile justice system.”).

33. See REBECCA EPSTEIN, JAMILIA J. BLAKE & THALIA GONZÁLEZ, *GEO. L. CTR. ON POVERTY & INEQUALITY, GIRLHOOD INTERRUPTED: THE ERASURE OF BLACK GIRLS' CHILDHOOD 8* (2017), <https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/06/girlhood-interrupted.pdf> [perma.cc/UVB6-4ZSW] (finding that participants in a study “viewed Black girls collectively as more adult than white girls” and suggesting that this “adultification” may lead to harsher treatment of Black girls); Gene Demby, *When Boys Can't Be Boys*, NPR (Nov. 2, 2018, 10:42 AM), <https://www.npr.org/sections/codeswitch/2018/11/02/417513631/when-boys-cant-be-boys> [perma.cc/4P7J-MH6B]; see also Kim Taylor-Thompson, *Minority Rule: Redefining the Age of Criminality*, 38 N.Y.U. REV. L. & SOC. CHANGE 143, 163–64 (2014) (arguing that youth of color are disproportionately criminalized by the “blurred” distinction between adolescents and adults because “[t]he acts of children of color, for some, seem more . . . threatening”).

34. See Daniel Solórzano, Miguel Ceja & Tara Yosso, *Critical Race Theory, Racial Micro-aggressions, and Campus Racial Climate: The Experiences of African American College Students*, 69 J. NEGRO EDUC. 60, 66–67 (2000).

35. See MORRIS, *supra* note 32, at 17, 34; NBSA Amicus Brief, *supra* note 29, at 3.

36. Rhea Boyd, Opinion, *Black People Need Better Vaccine Access, Not Better Vaccine Attitudes*, N.Y. TIMES (Mar. 5, 2021), <https://www.nytimes.com/2021/03/05/opinion/us-covid-black-people.html> [perma.cc/47LM-3NNX]; Ibram X. Kendi, *Stop Blaming Black People for Dying of the Coronavirus*, ATLANTIC (Apr. 14, 2020), <https://www.theatlantic.com/ideas/archive/2020/04/race-and-blame/609946> [perma.cc/J7XC-FWNG].

those communities were inhospitable to success and happiness. Today, America remains profoundly segregated along racial lines, with white communities having greater access to wealth and opportunity.<sup>37</sup> Rigid racial segregation feeds social, economic, and resource inequality, with many white communities flush with opportunity on the one hand, and many Black communities without access to quality schools, jobs, or transportation on the other.<sup>38</sup> Our homes and communities have a tremendous impact on our lives because there is nothing that place does not touch—our access to education and jobs, our physical safety and our health, our access to healthy food, our social networks, the number and nature of our interactions with the police, and the quality of the air we breathe are all deeply impacted by where we live. From slavery to Jim Crow, from violence to legal limitations on how and where Black people live, the history of Black people in America is a history of exclusion. Indeed, racial hierarchy rests on continued division, separation, and isolation, keeping Black people in “their place” physically, socially, and economically.

A related part of Baldwin’s concerns around integration is the nature of acceptance that some people believe must accompany it—both white people’s acceptance of Black people and Black people’s striving for that acceptance. Baldwin advises his nephew that “[t]here is no reason for you to try to become like white people and there is no basis whatever for their impertinent assumption that *they* must accept *you*” (p. 8). Baldwin asserted that the acceptance of Black people by white people was neither necessary for freedom and liberation nor desired by Black people. He wrote that he did “not know many Negroes who are eager to be ‘accepted’ by white people, still less to be loved by them” (p. 21). The fundamental goal is not to be embraced by the white community, it is to be free of violence and oppression by the white community. “[B]lacks[] simply don’t wish to be beaten over the head by the whites every instant of our brief passage on this planet” (pp. 21–22).

Relatedly, Baldwin rejects the notion that white people alone should be allowed to set the parameters of integration (pp. 8–9). Indeed, allowing white communities to accept integration on their own terms is a model that reaches back at least to the “with all deliberate speed” decision in *Brown v. Board of Education*<sup>39</sup> and continues today with the many ways in which white communities must be legally bribed, enticed, and coaxed into accepting Black people into their communities and schools.<sup>40</sup> Integration and other racial justice initiatives are too frequently designed to make white people comfortable and

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37. Deborah N. Archer, *The New Housing Segregation: The Jim Crow Effects of Crime-Free Housing Ordinances*, 118 MICH. L. REV. 173, 176–77 (2019).

38. *Id.* at 173.

39. 349 U.S. 294, 301 (1955).

40. For example, in the context of public education, racially segregated school districts regularly resort to magnet schools or other specialized programs to encourage white parents to enroll their children in predominantly Black and Latinx schools. *See, e.g.*, Jacqueline Rabe Thomas, *Do Magnet Schools Need White Children to Be Great?*, CONN. MIRROR (Oct. 15, 2018), <https://ctmirror.org/2018/10/15/magnet-schools-need-white-students-great> [perma.cc/Q9DX-3GMX] (discussing how magnet schools in Hartford, Connecticut, “were designed to lure white,

maintain their racial privilege. Instead, in *The Fire Next Time*, Baldwin adopts an alternative framework of integration. He believes that “if the word *integration* means anything, this is what it means: that we, with love, shall force our brothers to see themselves as they are, to cease fleeing from reality and begin to change it” (pp. 9–10).

Baldwin also asks a critically important question: “Do [Black people] really *want* to be integrated into a burning house?” (p. 94). Given the many forms of violence that Black people experience navigating traditionally white spaces, more focus must be placed on building Black communities and other communities of color. This would require remaking the “ghettos” Baldwin wrote about by developing those communities for the benefit of their residents and shaping how we integrate Black communities and schools in a manner that supports the communities’ long-term residents rather than displacing or further marginalizing them. The problem is not only the way that we approach integration but that integration is too often seen as the only path toward progress, to the exclusion of other forms of transformational change that shift power, invest in Black communities, and meaningfully distribute resources and opportunity. In *The Fire Next Time*, Baldwin made clear his belief that “there is simply no possibility of a real change in the Negro’s situation without the most radical and far-reaching changes in the American political and social structure” (p. 85).

#### CONCLUSION

In 106 beautiful pages, James Baldwin walks us through the joy and pain of being Black in America. He explores the crushing brutality of racism and the toll it takes on its victims’ bodies, hearts, and minds, and he explores the social and personal implications of life in a country steeped in Black subjugation. Yet *The Fire Next Time* ends hopefully, prophesying that “we can make America what America must become” (p. 10). That Baldwin can maintain such hope and optimism in the face of long-standing systemic oppression and the brutal resistance to change in itself reveals so much about being Black in America: never losing hope despite the heartbreak; being able to celebrate how far we have come without losing sight of just how far we have to go. Progress is always met with retrenchment, and an advance is always met by resistance. Reconstruction led to Jim Crow. The civil rights era led to the Reagan Era. The election of Barack Obama led to the election of Donald Trump. Record political participation by Black voters led to systemic disenfranchisement. Yet despite that resistance, the progress is real. Our challenge is to make it last. We must continue to fight on, to find hope in the struggle.

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middle-class children to voluntarily enroll in schools with city youth”); Stephanie Wang, *At Some Indianapolis Magnet Schools, Racial Divides Are by Design*, CHALKBEAT IND. (July 5, 2016), <https://in.chalkbeat.org/2016/7/5/21107253/at-some-indianapolis-magnet-schools-racial-divides-are-by-design> [perma.cc/KG43-VX2Y] (characterizing magnet schools in predominantly minority neighborhoods as “a rare haven of excellence carved out primarily to attract the children of white, wealthy families”).