

# SOCIAL JUSTICE

16

**SOCIAL JUSTICE LEADERS RESPOND**  
**TO THE 2016 ELECTION**

FOREWORD BY  
REP. KEITH ELLISON

*SOCIAL JUSTICE*  
**SOS**  
**16** **SOCIAL JUSTICE  
LEADERS RESPOND  
TO THE 2016 ELECTION**



AFRICAN AMERICAN  
POLICY FORUM



Center for Intersectionality  
and Social Policy Studies



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# SOCIAL JUSTICE

THIS CONVERSATION ORIGINALLY TOOK PLACE IN NOVEMBER 2016,  
AS SOCIAL JUSTICE LEADERS ACROSS SILOS STRUGGLED TO MAKE  
SENSE OF A SURPRISING AND DISTRESSING ELECTION OUTCOME,  
AND TO CHART A WAY FORWARD. FEATURING A RANGE OF  
EXPERIENCED PRACTITIONERS DRAWING ON RELEVANT HISTORY,  
THE CONVERSATION ILLUMINATES IDEAS AND STRATEGIES THAT  
ARE NOW PROVING CENTRAL AND DEMONSTRATES THE KIND OF  
INTERSECTIONAL, CROSS-ISSUE THINKING THAT IS COMING TO  
DEFINE RESISTANCE TO THE TRUMP ADMINISTRATION.

# SOCIAL JUSTICE

# INTRODUCTION

by Kimberle Crenshaw

Co-Founder & Executive Director, the African American Policy Forum

Three days after the 2016 presidential election, the African American Policy Forum hosted an urgent conversation: Social Justice SOS: What Happened, What's Going to Happen, and What We Should Do. This document is derived from that conversation. The transcript has been lightly edited. Without understanding how this current administration came to power, we cannot be prepared to support the communities that will be targeted by its political agenda.

This text also seeks to provide answers about what we must be doing now as individuals and communities to protect those who are most vulnerable in the midst of the current political climate. I am sure I'm not alone in confessing that the trauma that many of us have been experiencing over the last 18 months, culminating with the election of Donald Trump, has been utterly debilitating. The White House is now occupied by someone who stoked the fears and anxieties of the entire Nation, promising to ban Muslims and to build a wall to keep out undocumented Mexican workers. Running with a Vice-Presidential nominee who has opposed marriage equality, our President has mocked people with disabilities, boasted about his own sexually assaultive behavior, stoked racist narratives about widespread injustice perpetrated by minorities against white Americans, and brought white nationalism to the Oval Office.

In the immediate aftermath of the election, an outbreak of disturbing events reinforced the sense that the forces unleashed during this campaign won't be dampened by mere electoral success. Across the country, we heard stories about individuals who have been assaulted. Ilhan Omar, a Somali refugee, was in a DC taxi when the driver spouted a number of racial slurs, called her "ISIS" and threatened to pull off her Hijab. A gay man was verbally attacked with homophobic slurs in a coffee shop by a man who said, "This is our America now!" while holding up a middle finger. Latino children have been harassed by schoolmates chanting, "Build the wall!" Some have been sent home to parents in utter distress after being told that they and their families will be sent away from their homes. As the former Senate Majority Leader Harry Reid said, "I've personally been on the ballot in Nevada for 26 elections, and I've never seen anything like the reaction to the election completed last Tuesday. The election of Donald Trump has emboldened the forces of hate and bigotry in America."

This fear is real. But beyond the palpable evidence of this sharp return to scapegoat politics is what may be a more debilitating emergence of what we might call normalization. Around the country, pundits and others have been urging us to deny the monstrous politics of hate that is reshaping the social landscape. Racism, xenophobia, patriarchy, homophobia, ableism—all explicitly on display throughout the campaign—have suddenly been normalized. We now live in a world in which fear and repression of the Other can be brazenly mobilized to achieve political power, yet those who have been

targeted by hate face censure for calling these politics out for what they are. Now hate has emerged as an effective intersectional weapon, while our resistance to it has been framed as parochial spasms of paranoia.

One thing we know without a doubt is that we need each other now like never before. We need to share our collective sense of how Trumpism happened—what were the conditions of possibility that paved the way for Trump’s ascension; what will happen now that Trumpism is fully enabled by the transfer of state power; and how we as progressives must move together if we are to draw the line to protect ourselves and our democracy. To do that, we brought together an extraordinary group of commentators immediately after the election who shared with us their wisdom, passion, and direction for a way forward.

We heard from Devon Carbado, Sumi Cho, Zillah Eisenstein, Heidi Hartmann, and Tim Wise, who each gave us a snapshot about how to think about what happened. Between so many competing explanations and rationalizations, what is it that we can say and how should it inform how to move to protect our communities?

We then segued into what is poised to happen concretely in terms of policy shifts and harmful consequences for our constituencies. From immigration to LGBTQ+ rights, to Indigenous communities standing firm in Standing Rock—Trumpism has promised to undermine struggles of people everywhere. Here, we joined together with Asli Bali, Mary Frances Berry, Dallas Goldtooth, Hiroshi Motomura, Dennis Parker and Ezra Young to talk about what the real threats are.

Finally, we called upon Robin Kelley, Cherrell Brown, Eve Ensler, Alicia Garza and Ian Haney-Lopez to lay out a broad vision for moving forward, lifting up the vital work that we must all do between and amongst us.

We hope you are informed by these interviews but most importantly, we hope that you are activated to get involved. Those of us who resist the politics of fear and repression must fight like never before.

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# FOREWORD

by Rep. Keith Ellison

U.S. Representative for Minnesota's 5th Congressional District



Donald Trump campaigned on a platform grounded in fear, exclusion, and sometimes violence. Now he is President. Millions of Americans fear for their safety and their place in America. Many of us are wondering what to do.

Let me be clear: our future will not be defined by division. We can, and must, continue to stand up for human solidarity.

We must not lose hope if we want to create a truly equitable society that values every life, no matter where you come from, no matter your race, where you live, your gender identity, or the religion you practice.

It may seem like all is lost, but the power lays within us, The People. It always has, and it always will. We must stay strong and united because the forces that want to defeat us will not stop.

If this election has shown us anything, it is that we must organize like never before.

We must organize because there are millions of men and women in our prisons. We must organize because millions of people still cannot afford their health care. Because black women and men are shot in the street by police. Because factories are closing, students graduate with crippling debt, women lack full access to abortion, and wages are too low for working families to get by. We must organize because there are communities across the country who blame each other for problems caused by corporate power, unregulated capitalism, and a history of economic and social exclusion.

We know the solution: a living wage, debt-free college, and respect for all, including people of color. It is protecting our planet and our health, and loving our neighbors. In order to make our dreams a reality, we must build a Movement that unites people across lines of identity, class, race and gender. Let's not withdraw into separate groups, let all of us stand for each of us. As Audre Lorde reminds us, there is no such thing as a single-issue struggle because we do not live single-issue lives.

Building this Movement will not be easy. But failing to act is not an option—our lives depend on it.

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# WHAT HAPPENED?



1

## TIM WISE

Antiracist activist, essayist and author of seven books on racism, inequality and white privilege

### HOW SHOULD WE UNDERSTAND THE ROLE OF WHITE RACIAL ANXIETY AND RESENTMENT IN THE ELECTION OF DONALD TRUMP?

#### Kimberle Crenshaw:

If we are to effectively push back against what's been unleashed by Trump in this election, we have to understand how he was able to prevail. There are so many competing explanations. So many rationalizations. We want to know what exactly happened, and how knowing what happened should inform our efforts moving forward. Tim, tell us how we should understand the role of white racial anxiety and resentment—specifically white nationalism and racism—in bringing Donald Trump to the White House.

#### Tim Wise:

There are some things we know, some things we don't. One thing, the point about how vital it is not to normalize Trumpism, is very true. Yet we also have to remember how incredibly normal this moment is if we look at American history. Carol Anderson's brilliant book, *White Rage*, looks at the ways in which every step forward for people of color in this country's history has been met by this kind of rage-filled backlash against that movement.

The end of enslavement and Reconstruction was met with Black codes, vagrancy laws, convict lease pro-

grams and Jim Crow; the Great Migration was met with riots and lynching; desegregation was met with white flight, white academies, and so on. Massive resistance has been the norm, all the way up to the election of President Obama and the browning of America, prompting Trumpism, birtherism, "take our country back," and "make America great again."

So in one sense, this is not all that new—it is just a more extreme iteration of a long-standing pastime.

We do need to parse and figure out how the white nationalism piece played out here. It's not always as obvious as it might seem. There's no question that if you think of Trumpism as a house, the foundation of this house was an incipient white nationalism. Not necessarily the David Duke variety or what they

now call the alt-right variety, but a clearly incipient white nationalism.

It started with birtherism for Donald Trump. It then moves on to the speech bashing Mexican migrants and then moves on to Muslims. Even the attacks on China for trade were very much a racialized narrative about the Other. That's the foundation of the house. It's not enough to have propelled him to the presi-

**"YOU CAN'T BUILD A HOUSE WITHOUT A FOUNDATION. WHICH IS TO SAY, YOU CAN'T UNDERSTAND TRUMPISM WITHOUT THAT APPEAL TO WHITE RACISM, ANXIETY AND RESENTMENT."**

dency—I think, if that was all he'd been able to do, he wouldn't have won.

You can't build a house without a foundation. Which is to say, you can't understand Trumpism without that appeal to white racism, anxiety, and resentment. In addition to that, of course, he adds on white Evangelicals, who often have a racist narrative, and a white nationalist frame as well. They're principally motivated by these hyper-patriarchal, Christian hegemonic concerns about abortion, like making sure Kim Davis can do her thing in Kentucky, overturning *Roe vs Wade*, et cetera. You add to that these so-called economic anxiety voters—and I want to be real precise when we think about them, because that's the narrative the mainstream media is trying to give us—because I think it's critical to remember a couple of things.

This can't just be about economic anxiety or the loss of jobs, because if that were the case, Black and brown folks would have flocked to Donald Trump. They're twice as likely to be unemployed, three times as likely to be poor. When we talk about white economic anxiety, even though I think it's a real thing, in the Rust Belt and elsewhere, it can't be divorced from the backdrop of white racial expectations and entitlement.

In other words, white folks, particularly white men, have been told all their lives, as long as you were strong and had a strong back and could lift stuff, you'll always have work. Black and brown folks always knew that wasn't true, but white men had the luxury of believing the narrative. Then when that narrative doesn't work anymore, because of globalization, because of the loss of manufacturing jobs, they, uniquely, are ill-prepared for it. Is it economic anxiety? Yes. But it is interconnected intimately with a white cultural, racial anxiety, and an expectation and entitlement mentality.

What we're really seeing, if you think about all those groups I mentioned—the Christian Right the Evangelicals, the hyper-patriarchal, we-want-an-alpha-male folks in the “man-o-sphere,” or the white nationalists who were big Trump supporters, every single one of them is essentially responding to what they perceive as a loss of hegemony. If you had hegemony, all of a sudden to not be the absolute norm anymore—if you've had 100 percent and now only have 90 or 80 or 70 percent—that feels like oppression.

The irony of this is that the systems of inequality, white supremacy, Christian hegemony, straight supremacy all set these groups up to expect a permanence of power and hegemony, and they are now backlashing,

or as Van Jones said, “whitelash”-ing, against that. We have to understand the intricacies of these things, the way that they intersect. I think if we do that, we can begin to fashion some strategies for response to what Carol Anderson, in her recent book, calls “white rage.”

### **Kimberle Crenshaw:**

Yes. Thank you, Tim. Thank you especially for the shout-out to Carol Anderson, whose work cannot be more highly recommended to anyone who wants to understand what's happening here. I also want to put a point on what you just said about the baseline expectations against which any diminishment is seen as an injury. Luke Harris calls this diminished overrepresentation. When you are expected to have 100 percent, 80 percent feels like a loss, and it's a loss that those who feel aggrieved by it can be mobilized to go to the mat to defend.

How do we understand race and calls in this moment through an intersectional lens?

### **Tim Wise:**

The thing about racism and the way it works within white communities currently is, it is linked to this economic expectationalism. Black and brown communities already know what the job market is like.

They've never had the expectation or the sense of entitlement that said, our kids are definitely going to be better off than we're going to be. Black and brown folks have never had that luxury. White America did. Even though it is totally true that the economic shock of a changing economy is part of what's going on, I think we can't disentangle that from the fact that white folks, and pretty much white folks alone, were encouraged to believe that that would never happen to us. That amplifies the sense of injury.

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# WHAT HAPPENED?



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## SUMI CHO

Associate Dean for Non-JD Programs;  
Professor of Law at DePaul University

### WHAT DOES THIS ELECTION TELL US ABOUT THE STATE OF INTERSECTIONAL FEMINISM?

#### Kimberle Crenshaw:

A lot was made about this being the moment when a new coalition would come together. We heard a lot about the suburban women who were going to part company and vote differently. Yet, it appears, if we can believe the national exit polls—that 53% of white women voted for Donald Trump.

#### Sumi Cho:

Well, I think that troubling statistic tells us that it's a very sorry state of intersectional feminism that we're facing right now. While 53% of white women supporting Donald Trump—in light of his history, comments, and actions—is truly astounding and disturbing, I want to suggest that the racial divide between white women and women of color may actually be worse than it has been portrayed. Why? Because Latinas and Asian American women likely supported Clinton and voted against Trump in far higher numbers than has been reported by the exit polls conducted by the National Election Pool.

How did this happen? Well, exit poll surveys aren't designed to actually reach representative samples of groups like Asian Americans and Latinos. We end up having one major national exit poll conducted for the National Election Pool, which all the major media outlets use. The method that they use—it's conducted by

Edison Research, in particular— surveys Asian Americans and Latinos in a way that's statistically more likely to capture Republicans. How?

Well, mainstream pollsters too often use too small a sample to be reliable. They don't construct samples that reflect the diversity within those communities, and they don't conduct interviews in Asian languages or Spanish at the first contact, or ever. These practices taken together bias the sample, because they tend to miss those in the polls that are more likely to be Democrats—that is, people who are immigrants, native language dominant, lower socioeconomic status, younger voters. If you compare what has been said about the Latino vote, for example, by the National Election Pool, it said that they voted 29% for Trump—which is truly surprising, since Trump wants to build a wall to keep Latinos out—and 65% for Clinton. The National Election Pool reported similar ratios for Asian American voters as 65% Clinton vs. 27% Trump.

But if you look at the Latino Decisions polling, which was done by a number of coalitional groups that have expertise in reaching out to this community, it's more like 79% Clinton, 18% Trump. When you look at Latinas broken out, it's even higher, of course, with the gender gap: 86% Clinton, 12% Trump. According to Asian American Decisions, the Asian American and Pacific Is-

**“IT’S A VERY SORRY STATE OF INTERSECTIONAL FEMINISM THAT WE’RE FACING RIGHT NOW”**

## Presidential vote by religious affiliation and race

	2000		2004		2008		2012		2016		Dem change '12-'16
	Gore	Bush	Kerry	Bush	Obama	McCain	Obama	Romney	Clinton	Trump	
	%	%	%	%	%	%	%	%	%	%	
Protestant/other Christian	42	56	40	59	45	54	42	57	39	58	-3
Catholic	50	47	47	52	54	45	50	48	45	52	-5
White Catholic	45	52	43	56	47	52	40	59	37	60	-3
Hispanic Catholic	65	33	65	33	72	26	75	21	67	26	-8
Jewish	79	19	74	25	78	21	69	30	71	24	+2
Other faiths	62	28	74	23	73	22	74	23	62	29	-12
Religiously unaffiliated	61	30	67	31	75	23	70	26	68	26	-2
White, born-again/evangelical Christian	n/a	n/a	21	78	24	74	21	78	16	81	-5
Mormon	n/a	n/a	19	80	n/a	n/a	21	78	25	61	+4

Note: "Protestant" refers to people who described themselves as "Protestant," "Mormon" or "other Christian" in exit polls; this categorization most closely approximates the exit poll data reported immediately after the election by media sources. The "white, born-again/evangelical Christian" row includes both Protestants and non-Protestants (e.g., Catholics, Mormons, etc.) who self-identify as born-again or evangelical Christians.

Source: Pew Research Center analysis of exit poll data. 2004 Hispanic Catholic estimates come from aggregated state exit polls conducted by the National Election Pool. Other estimates come from Voter News Service/National Election Pool national exit polls. 2012 data come from reports at [NBCnews.com](http://NBCnews.com) and National Public Radio. 2016 data come from reports at [NBCnews.com](http://NBCnews.com) and [CNN.com](http://CNN.com).

(Source: PEW Research Center) (CNN Exit Poll last updated 11/23/16)

lander (AAPI) vote was really 75% Clinton, 19% Trump. When you look at AAPI women, it's 79% Clinton, 17% Trump. And, finally, if you break out Jewish women from the category of white women, Jews voted 71% to 24%, for Clinton over Trump, leaving white Protestant women voting 32% Clinton, 64% Trump.

And so when you go into the narratives captured by the New York Times trying to figure out what Democrats did wrong this election there is a lot missing. You hear these dominant narratives of, there's an "Ivanka voter," or there's this "good father, beautiful family" thesis. Or, "I want my daughter to be a successful businessman" type of thesis. Buried at the back of that same New York Times article on the women who helped Donald Trump to victory, it finally gets to the issue of race—if you're still reading.

It states that these white women supporters of Trump are troubled "by an America that seems to have embraced multiculturalism and political correctness without question," and "they said they didn't understand the Black Lives Matter movement." They "wondered why Democrats seemed so fixated on transgender access to bathrooms, and tended to be enraged at the way veterans are treated, and violence directed at the police." And that they were "concerned about immigration and the threat of terrorism." It helps explain why all of the sexist, misogynistic, xenophobic comments and actions never disqualified Trump from being eligible to be president for these voters, because

of their commitment to a very racialized patriarchy.

### Kimberle Crenshaw:

Building on your experience in writing about white women in the context of Affirmative Action, this is not a new argument, right?

### Sumi Cho:

No, it's not. We saw a lot of those same narratives in many of the Affirmative Action state ballot initiatives—that is, to outlaw Affirmative Action in particular states, including Washington, California, Michigan, et cetera. What that narrative revealed—because the Democrats then also had a similar strategy of pinning a lot of their strategic hopes on the backs of white women, and were bitterly disappointed when those efforts did not pay off—is that the assumption that white women would vote on the basis of their own individual economic interests really did not play out when you matched it up with the exit polling data.

Instead of actually voting on the basis of the interest of individual women—whether it be white women's or women of color's economic interest, since white women were the greatest beneficiaries of Affirmative Action, at least in the state of Washington—instead, you heard this narrative of, "But I'm concerned about what it will do to my son, my brother, my husband," et cetera. You have this concept of family that's highly racialized, that overwhelmed and supplanted the common rational voter approach to voting one's interests.

# WHAT HAPPENED?



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## ZILLAH EISENSTEIN

Distinguished Scholar in Residence at Ithaca College,  
political theorist and activist

### IS THERE ANYTHING NEW ABOUT HOW WHITE WOMEN VOTED IN THIS ELECTION?

#### Kimberle Crenshaw:

Zillah, I want to bring you in on this, since we are talking about the state of intersectional feminism. For the last several presidential election cycles white married women have gone with the Republican ticket. Those who have consistently counted embraced a gender justice agenda have largely been women of color. Is there anything new, frustrating, or disturbing about what we've just seen, particularly given the campaign that was run and a woman being on the top of this ticket?

#### Zillah Eisenstein:

What is new is, that there was a female candidate, Hillary Clinton, running for the first time for President. And she ran against an unabashedly vocal racist misogynist: Donald Trump. Both candidates were deeply unpopular and the public was continually reminded of this fact. This underlined further an election steeped in a sense of limited choices.

Women across racial lines were hesitant about Hillary's politics being too elitist. It felt somewhat unexpected that although women finally had a female candidate there was not more enthusiasm for her. Nevertheless, given the immensely misogynist and racist campaign of Trump, Black and Latina women voted overwhelming for Hillary, no matter their dis-

content with her. They did not need to be in total harmony with her in order to vote against racism and misogyny. White women on the other hand, across class lines, voted in greater numbers for Trump. Actually, 53 percent of white women voted for him. (Whites as a whole preferred Trump by 21 percentage points, 59 percent to 39 percent). Maybe some of the white women voted against Hillary because they absorbed lots of the misogynist rhetoric against her. They hated her, some because they did not trust her, others because they identified with the white, like them, man. The whiteness of Trump is key here.

The incredibly complex question for me is: what were these many white women thinking? What is the role of misogyny, racism, poverty, as well as class privilege, in this cross-class racist voting? And why did white women fail to do what Black and Latina women did: vote against the racist misogynist? There is nothing new about thinking that women do not/cannot vote as a bloc, that they lack a coherent shared agenda as women, per se. However, I thought that this election would prove this old belief wrong: that women, even white women would vote together, alongside each other, against (racist) misogyny.

When I refer to the white women's vote, I do not mean to ignore the differences and specifics of how racism manifests itself. Or the fact that almost half of the eli-

gible voters did not vote at all. Or that Hillary has now amassed 2 million more votes than Trump. But, rather than many of the women who voted were concerned with their class interest, issues of abortion and gay marriage, etc. These issues stand in for a direct confrontation with their own misogyny and racism, which lurks around and seeps into everything.

Sadly, especially for me—an anti-racist white feminist—white women betrayed this possibility of solidarity. Again, there is little new in the acknowledgment that (white) feminism has a racist history, that it is white-dominated and exclusionary. It was the incredible struggle by women of color such as Kim Crenshaw, Barbara Smith, and bell hooks, that confronted and changed—and I thought had changed—much of this centering of whiteness. This struggle is almost half a century old.

I really appreciate Sumi's discussion describing the complexity of the different voting patterns. I would just want to think really long and hard about what new coalitions can be built in this moment, and out of this moment. Women of color used/adopted cross-class strategies to mobilize an anti-Trump vote and I am ready to learn from this.

I don't want to give up the commitment to a multi-racial/multi class women's movement just because of the wreckage that both Trump and Clinton's campaigns have left us with. Clinton's neo-liberal feminist agenda was also insufficient and lacking for way too many women. And yet, women of color rallied in spite of this. The wreckage—distrust and elitism—is huge.

As a white anti-racist feminist, I remain committed to building trust between women of color and white women in the continued struggle against economic, racial, and gender inequality. I do not want to live in a world without this. But the struggle will demand huge commitment on the part of anti-racist white women to build cross-class alliances against racist misogyny especially with other white women. This election is on "us" and no one else, not even Hillary.

Right now is a time when we need to find and ask questions that we may not be able to answer. What are these newest questions I am thinking about? For starters: how could white women vote for a man who

hates women? Manhandles them? There have been responses that say (white) working class and poor women are used to Trump's vile language and groping. I guess I want to ask them myself. And, what about the "college educated" women who voted for him? One difficult part of the equation here is that polling and other election data does not ask probing questions related to gender or race or their "intersections" that can assist with these answers.

How could white women vote for a man who demonizes people of color, immigrants, Muslims, and is so ignorant of Black communities? How is this integral to seeing how misogyny was used to mobilize a vote that was deeply racist, and how is racism and Islamophobia used to mask misogyny? In other words, were white women willing to vote for the guy promising

to make "us" great again wishing that their white privilege would remain intact, even if it meant leaving patriarchal misogyny in place? I am wondering if the fact that whites will be a minority very soon in the US frightens white women in particular ways, and if so, why? And how can this fear be understood and challenged?

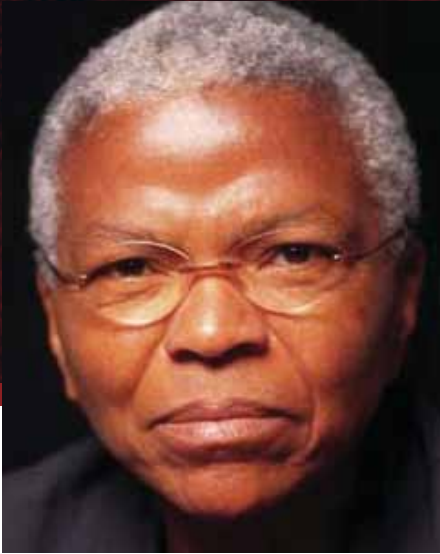
I am still trying to absorb the fact that Donald Trump has won and did so by capitalizing on white women's fear, rather than our willingness to embrace a challenge to both misogyny—by voting for Hillary, and anti-racist solidarity by voting against Trump.

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**"I DON'T WANT TO GIVE UP THE COMMITMENT TO A MULTI-RACIAL/MULTI CLASS WOMEN'S MOVEMENT JUST BECAUSE OF THE WRECKAGE THAT BOTH TRUMP AND CLINTON'S CAMPAIGNS HAVE LEFT US WITH."**

# WHAT HAPPENED?

4



## MARY FRANCES BERRY

The Geraldine R. Segal Professor of American Social Thought and Professor of History at the University of Pennsylvania and the former chairwoman of the United States Commission on Civil Rights

### WHAT'S THE STORY BEHIND THE ELECTORAL COLLEGE?

#### Kimberle Crenshaw:

One of the things that actually is somewhat puzzling, particularly when I talk to people from outside the country: They don't get this electoral college business. They also use it as a way of saying that there wasn't anything particularly amiss or racial about how we elect presidents. One question is, What do we need to understand, historically about the electoral college in relationship to white supremacy?

Is it just a neutral mechanism? It might be thought about differently, but is it the case that it's just an exaggeration to try to tell a history about the electoral college that links it to white supremacy? If not, then what is truly the story behind the electoral college? What's its relevance today?

#### Mary Frances Berry

It was created in a response to the the desires of the Southern states. They wanted the Three-Fifths Compromise—we all know about making Black folks three-fifths of a person. And they who also wanted their states protected from the potential political power of the larger populations in the North and so on. It was a mechanism put in place to even out the impact that those population differences otherwise would have

had.. When slavery was abolished, the college was already in place, and it hasn't been taken out. It benefits certain states as we can see from the election, and it has done this four times in American history.

One was the Hayes-Tilden election in [18]76. After that, Cleveland and Harrison [1888], and then everybody should remember Bush v. Gore. Now, this time.

It benefits all those states that we see on the map below that don't have large populations.

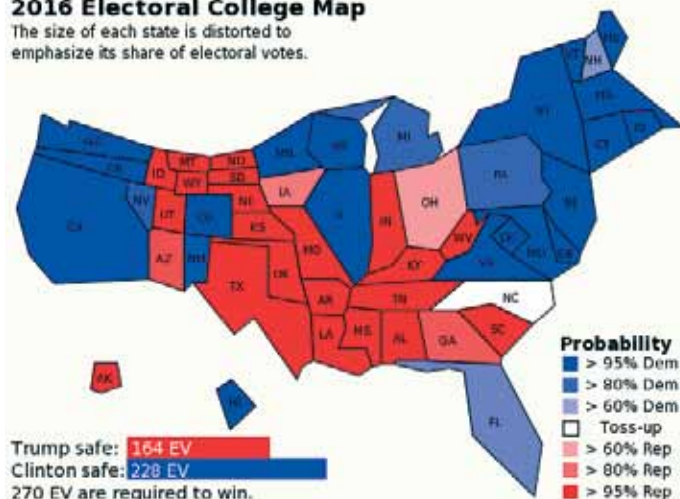
### “PROTEST IS AN ESSENTIAL INGREDIENT OF POLITICS.”

The problem is, you say, “Well why don't we get rid of it?” Just like my friends who say, “Why don't we get rid of states' rights? What is this about the Tenth Amendment? The states ought not have the right to do anything. Let the federal government do it.” You'd need a constitutional amendment, and to get a constitutional amendment, you need three-fourths of the states to ratify it. Of course, the ones that benefit from it aren't going to ratify it.

The arguments about why what happened happened which I listened to is, it wasn't all racism. Race is connected to economics, we know that. But it wasn't all racism. Take the white women. Some of them, they didn't just have false consciousness, may not have been racist, but they looked at their sons

## 2016 Electoral College Map

The size of each state is distorted to emphasize its share of electoral votes.



(Source: Princeton Election Consortium)

and daughters who are grown, sleeping in the basement because they don't have a job, and thought about all those college monies they paid. They were fooled about all this talk about how things were going to be great economically, and were hoping that these grown kids of theirs would have a better life. They were misled.

So, the message is mixed. The other thing is, when you say it's all about racism and sexism—and a lot of it was about racism and sexism, and we have to mobilize against that—you leave out the fact that lots of Latinos voted for this guy, more than voted for Romney. The ones who did, when they were asked, some of them, in the exit polls, said it was about economics. So it is about racism, we have to fight the racism; but if you don't understand why something happened—and none of us understand, clearly, in particulars, why it happened—you can't work against it, if you're not really clear about what's going on.

### Kimberle Crenshaw:

Talk to us about voter suppression.

### Mary Frances Berry:

The reason why people didn't pay much attention to the voter suppression and all those people who didn't get to vote, which we call the "no count"—I did hearings on it; they were broadcast internationally—is because we got a law passed, which didn't do much good. It is because Albert Gore Jr. refused to fight it when it cost him the Presidency, and simply did what somebody else here called normalizing the situation by just giving in. The only other thing I wanted to say while I'm on is that, we should not normalize and we need a two-pronged strategy. Pro-

## USA ELECTORAL VOTES

- by state -



(Source: WorldAtlas.com)

test is an essential ingredient of politics. We need to continue protesting all the bad things that we hate that Trump is talking about doing. Bigotry, police violence, and I'm so happy Alicia is on here, and the other issues. We need to do that, and do it across racial lines, and do it with that 47% of white women who didn't vote for Trump. Do it with the Muslim community, the Latinos, and everybody else.

We also need to just continue to protest relentlessly, when Trump promotes harmful policies or speaks hatefully and against the people he's nominating to hold these jobs in Washington. Which, if you're not inside politics and you don't understand, policy is made when these people get control of these agencies. We need to figure out the things that Trump said he was going to do that we want done. Like jobs—not that he's going to do it—but anything he said, childcare, whatever, and demand that he do it. Then if or when he doesn't do it, then protest that.

You need to do both things. It's not either-or. It's both-and. That's all I have to say.

# WHAT HAPPENED?



5

## HEIDI HARTMANN

Founder and President of the  
Institute for Women's Policy Research

### IS THERE ANYTHING NEW ABOUT HOW WHITE WOMEN VOTED IN THIS ELECTION?

#### Kimberle Crenshaw:

There seems to be very little interest in examining race attitudes, or racial disparities more broadly amongst women. Do you think that this is an example of seeing race primarily as a conflict between men and not as a conflict or disparity between women?

#### Heidi Hartmann:

I think that could be it. Sisterhood is a powerful idea, but obviously we're not acting as though we are all in this together. I think people like me, who have studied these economic differences are well aware of this, but I would agree the racial differences among women are understudied. The election results appear to be a plea for more racial superiority for whites who perceive themselves as being left behind and left out. It's very disappointing to have the Democratic Party response focus on the white male working class. That's not going to get us anywhere. Certainly, it won't help win elections.

#### Kimberle Crenshaw:

In this election cycle, we saw a collective shoulder shrug not just about racism and xenophobia, but also about some of the bread and butter issues of the women's movement—sexual violence, abuse, harassment in the workplace—they didn't move the needle much. Does that make you think they weren't prop-

erly framed? Or, is it even more bleak than that—yes, it was properly framed, and many people, including the majority of white women who voted for him just don't care?

#### Heidi Hartmann:

I don't think that's true. I came from that working class and I think sexual assault and harassment are upsetting to most women. But in the class I grew up in women could generally not consider leaving even abusive husbands and most did not. When I was young, I was the only child I knew of a divorced mother (and I will add my father had not been physically abusive, but he did gamble away the money my mother worked very hard to earn).

I think white women see that the future for their children is working in a multicultural world. For example, I read an interview-based story that said, "These women are very concerned about making sure their children go to college." The[se] women understand which way the economy is going, and that's the name of the game: you got to get educated, you got to be technically sophisticated, and honestly you have to be culturally tolerant as well. I think we have a potential opening.

Thinking about the letter that Elizabeth Warren publicized, that she wrote Trump: It really is setting out



two fronts. On the economic front, we're willing to work with you, but not if you hurt LGBTQ communities or communities of color on the other front. We're going to protect them, but we're willing to work with you to get the economic issue taken care of. I think that's a feature of the way they're approaching it now, as you said. We're separating the two issues, and we're going to work on the issues that are good for the white working class, but we're not going to let you do it at the expense of people of color and the disabled. That's not a sufficient response, because it's not getting at the point that Trump is using racism to divide our base.

I also think that sexism was also used to spike that white male vote. There's nothing better than making fun of both women and Blacks, if you want to get the white working-class man on your side. I think that was part of Trump's appeal as well: He was willing to abuse women and, lucky him, he got away with it. I'm sure that is putting white women in that class in a very difficult spot, but many of them certainly voted with their husbands, with their class.

It's not all Trump, or only Trump that appealed to them; others making the same appeals might also have succeeded with them. I agree that, in the long run white racism will not work for this group of people who are being left behind.

### **Kimberle Crenshaw:**

What are you doing at the Institute for Women's Policy Research [IWPR] that you think the public should know about? What are you doing differently since the election, what's your focus now?

### **Heidi Hartmann:**

IWPR has a long history of working on policy changes that help all women but tend to mean the most to women with lower incomes and fewer advantages: policies like paid family leave and paid sick days. We did a lot of work on the overtime issue, which is likely to disappear now. Single mothers of color benefit the most from overtime because they work the most hours for the least pay. Social Security is a program that is

helpful to all women, but women of color depend on it most. All of these policies are helpful to all women, but at IWPR we tend to focus on the ones that address the issues of lowest-income people most. And in much of our research we look explicitly at racial and ethnic differences among women to identify the policies that will be most helpful to each group.

**“SISTERHOOD IS A POWERFUL  
IDEA, BUT OBVIOUSLY WE’RE  
NOT ACTING AS THOUGH WE  
ALL IN THIS TOGETHER.”**

# WHAT'S GOING TO HAPPEN?



6

## DEVON CARBADO

Associate Vice Chancellor of BruinX for Equity, Diversity and Inclusion and The Honorable Harry Pregerson Professor of Law at UCLA School of Law

### HOW DO WE THINK ABOUT THIS MOMENT OF NEUTRALIZING WHAT GOT US HERE, AND NORMALIZING IT AS WE MOVE FORWARD?

#### Kimberle Crenshaw:

We've been talking about how the election is a culmination of a lot of dynamics that we've seen in recent history, going all the way back to the founding of the Republic. There is now a response that seeks to normalize this election. These kinds of conversations are precisely the things that we have to worry about as we move to a more peaceful transition of power. What is your response to this? What should be our response to this? How do we think about this moment of neutralizing what got us here, and normalizing it as we move forward?

#### Devon Carbado:

It is surprising to me the extent to which there was this quick move to normalization. And it's surprising not just because it happened, but from the quarters from which it is happening. Which is to say, it's happening even in a liberal context. It's certainly happening all over the media. I might understand why President Obama would extend an olive branch to Donald Trump, in the context of a peaceful transition of power. What I don't understand is why the peaceful transition of power requires the normalization of the moment.

Presumably, we can have the peaceful transition of power and political contestation of the constellation

of power that we are likely to see across the three branches of government under a Trump presidency. Why can't we talk about that?

It might be particularly important to protest in this kind of moment, precisely because of the way racial change has typically occurred in the United States. It's not as though racial change occurs in moments of harmony.

Racial change occurs when there's disruption, when there are people willing to draw lines. It's not as though America says to African Americans, "Tell us what you want. We will give it to you. Why didn't you tell us this earlier?" That's not how it happens. This moment of closing ranks, this normalizing moment belies the ways in which racial change has historically occurred. Part of the pernicious way in which this has happened—which again, to me, it's quite surprising—is the race-neutral, color-blind explanations that are being proffered for this particular electoral result.

I spent far too much time yesterday, as many of you presumably were, watching television in a state of grief and mourning. In that context, I was trying to take note of what people were offering up to account for this particular result, to hear some of what

people were saying. It's about the "year of the outsider." Which is to say, it's not about race. It's about the fact that Trump had a positive message, not about race. It's about the difficulties of successfully winning a third term. It's about popularism, it's about anti-establishment politics. It's about Republicans finally coming home. It's about people not making Trump's negatives a deal breaker.

Now, we can pause and ask ourselves whether these are truly race-neutral explanations, but let's accept them as race-neutral explanations, and try and understand why there was this investment in eliding race, against a backdrop of a very racialized campaign. That, I completely do not understand. Or perhaps, I do. Some of you are familiar with the Shaggy song "It Wasn't Me." If racism could narrate its own song in this moment, it would say something like, "So you caught me red-handed. It wasn't me. So you saw me at the Trump rally. It wasn't me. So you heard me in the streets," and you say, "It wasn't me." There's a kind of disavowal that's happening in this moment that I find quite shocking.

It's a disavowal, it seems to me, that's consistent with the way in which we continue to sweep race under the rug. This choice is not new. Think about the context in which Obama won.

Immediately after he won, what did we do? We ushered in the moment of post-racialism. Something quite similar is going on here. It's a different kind of disavowal, to be sure, but it's a disavowal nonetheless. I want to say one thing to take us back to the idea of intersectionality before shutting up, as I just said.

What's striking to me about the conversation about white women is that we have to keep in mind that the white women vote occurs against three important backdrops. A: you have a man on record of not just saying sexist things, but doing misogynistic things. B: you have a woman who's on record of saying pro-feminist things and doing pro-feminist things. C: she's not anybody's radical. It's not as though you have a real radical in Hillary Clinton. It's against those three backdrops, in a way, that trying to understand white women's votes becomes crucial. My own

thinking is that we have not sufficiently interrogated white women's relationship to whiteness. I think that needs to be more squarely on our political agenda.

It's not to say that that is the explanation at its core for where white women are in this particular electoral cycle. There are other things going on, and the other speakers have named that. I do think we need to not hesitate, not be shy about, and instead speak truth to power, to the way in which whiteness historically has constituted white women's identity, and the extent to which that continues to play itself out in the context of contemporary politics.

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**"MY OWN THINKING IS THAT WE HAVE  
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# WHAT'S GOING TO HAPPEN?



7

**HIROSHI MOTOMURA**

Susan Westerberg Prager Professor of Law at UCLA

## WHAT SHOULD CONCERN US MOST ABOUT A TRUMP PRESIDENCY AND A REPUBLICAN CONGRESS?

### **Kimberle Crenshaw:**

Donald Trump made a lot of outrageous campaign statements. I want to know what you are most concerned about, particularly because now he has the power of executive action, and he has a Congress that is prepared to move, legislatively in his direction as well. What do we have to be concerned about now?

### **Hiroshi Motomura:**

As you said, he made a lot of outrageous campaign statements. There's the wall, the discrimination against many sorts of Muslim immigrants, deporting eleven million undocumented people. But as I think you're suggesting, there are a lot more specific proposals that are at least as troubling, because frankly, they're more doable and practical than the other proposals he put forward. What comes most immediately to mind?

I think about this in terms of: What can he do? What power does the president have? What can he do unilaterally, and what can he do only if he gets someone else to go along? I could talk about who those other people might be, as to certain proposals. But I want to start with what I think concerns a lot of people, about eight hundred thousand people right now, people who have Deferred Action for Childhood Ar-

rivals (DACA), and the work permits that came along with those. Trump pledged to end DACA, and this is something he has the power to do. Exactly how that's going to happen is not clear to me. The worst case is immediate revocation and pulling back all the employment authorization documents.

I have to say that the best case is that he lets it lapse, which would mean that people would have those work permits and be able to continue to work in that status. That leads to all kinds of things for several years. There's a big issue over the use of the confidential information that was provided in DACA applications. That, I'm sure, will be litigated. But he can do this, because it was President Obama who did this as an executive action.

This has led to a lot of concerns, as you might imagine, in communities and families based on their situations. There's a large need for information. I'm involved with several nonprofits that are trying to get this information out to communities. I think it's also an important context for the reassurance of building a community.

There are other things that the president can do, and they involve deportation policy and how that's executed. I'm including raids, which I'm afraid may become a lot more common, at least as much as they

were during the George W. Bush administration. There's also a lot of proposals for things in Congress. He's pledged to cut off funding for sanctuary cities. There's, of course, the border wall—although, there is a border wall already.

Then, there's also a lot more damage that could be done in the legislative landscape. Who's let in? What are the rules of deportation?

We should remember that, under the Bill Clinton administration, Congress passed and Bill Clinton signed into law a very draconian set of rules which, in many, many ways, made it easier to deport people and made it harder to get in, and things of that nature. Those are all things that could happen.

### Kimberle Crenshaw

It looks grim, and it is. But, of course, it's not hopeless, as long as we have some sense of what is possible for us to do collectively. Help us start this process of thinking about what can happen next by giving us a sense of what opposition to the administration's immigration policy could look like.

### Hiroshi Motomura:

Well, I can start to answer the question by thinking about what has been done in the way of opposition in other situations. The most recent ones that I've been involved in have to do with what happened after the Bill Clinton period in the mid-1990s, the 1996 legislation I mentioned earlier. Also, the post-9/11 period and immigrants' rights. What have we learned from that? What has happened? What mistakes were made? What succeeded? There are many different pieces of this puzzle, and I'm sure I'll leave something out. Let me just mention some of the most important ones.

Obviously, working closely with communities. Right now, we have this tremendous need for information for individuals and families who may have undocumented family members. They may have people who are undocumented and who fear deportation. There's so much that can be done; that's a sign both of reassurance and community building. Clearly, mobilizing the grassroots here, building coalitions, including coalitions that may be not the ones that we're used to or most comfortable with. Including, for example, looking back to the fact that, to a significant extent, before the year 2000, before the year 2004, immi-

gration and immigrants' rights was much more of a bipartisan issue. I think there are people in the Republican Party who are very concerned about what Trump may do.

Then, of course, one of the things we learned in the mid-2000s especially is the effectiveness of public forms of resistance, and demonstrations and civil disobedience that ultimately led, in many ways, to DACA. One thing to bear in mind is the importance of state and local communities, and in particular state and local governments. I would include here universities, in that this is ultimately where resistance is formed, not just on the ground and in the streets, and also the starting of the building of public opinion and outrage.

One of the reasons I made the comment about exactly what is Trump going to follow through on with respect to his pledge to revoke DACA is because we do have eight hundred thousand people out there. What's going to happen if his efforts against them becomes very public? I think that litigation has been key. It was key in Proposition 187's case, in 1994. It's been key and ongoing ever since the '96 act, and it

certainly did a lot of good on SB 1070. I think it's important that it be grounded in community concerns. I think one of things that DACA reflects is that there's a point at which litigation and professional lobbying only goes so far. But litigation is really important.

I also think that it's important—this is more of a personal note—but I think each of us needs to think about doing well what we know we can do well. We need to get better, each of us individually, at things we don't know how to do as well as too though. I think we need to take care of ourselves and trust and work with others.

### Kimberle Crenshaw:

You put your finger on doing what we do well, better, and knowing what we don't do well and learning. There is a part of this that is about building cross-issue literacy: learning how these issues impact constituencies that we might not perceive as immediately our own. What we need is to think intersectionally across all these issue areas.

# WHAT'S GOING TO HAPPEN?



8

## ASLI BALI

Professor of Law at the UCLA School of Law and  
Director of the UCLA Center for Near Eastern Studies.

### WHAT IS THE LIKELY IMPACT OF THIS ELECTION ON MUSLIM AND MUSLIM AMERICAN COMMUNITIES?

#### Kimberle Crenshaw:

Asli, right alongside his denigration of Mexican Americans, and Mexican immigrants, is his denigration of Muslim and Muslim American communities. What is the likely impact of this election on Muslim and Muslim American communities?

#### Asli Bali:

I think that in the first term, what we will see is what we've already begun to see. You described it at the very beginning, the kind of harassment of people who are identifiably Muslim. This especially impacts women, women who wear headscarves, muhajiba women. Students of mine have already begun to describe the uptick as a consequence of the election campaign, and it's gotten much worse since election day itself. Clearly there's also, and related to the comments Hiroshi was making, another set of immigration proposals that were part of Trump's campaign, including the banning of travel by Muslims. Also, the registering of Muslims, by religion, who are already present in the United States.

All of these are of very deep concern. I think for the Muslim community, right now, this moment feels worse than the post-9/11 aftermath, and there are a

**"I THINK FOR THE MUSLIM COMMUNITY,  
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couple of reasons for that. The first of these is that there were more checks in place in the immediate aftermath of 9/11, on the Bush administration. The Bush administration systematically eliminated some of those and produced a narrative that already unfortunately normalized the ideas that Donald Trump now taps into. It's a sequencing problem, whereby Trump now comes in after we've had a relentless fifteen years, eight years of which were marked by significant executive actions that constructed a "war on terror," much of which remains in place today despite the two terms of the Obama administration and is available to be built upon.

It's worse in that sense. It's also worse in the sense that, immediately after 9/11, in 2001, there were also international checks that are no longer in place, both as a result of the way that the international order has been reconfigured by the "war on terror," and because allies themselves are undergoing very similar domestic processes themselves. This fits into a broad international script, and it's an international script of a global authoritarian arc, where we're seeing this sort of nativist politics succeed and pay dividends over and over again, and countries falling like dominoes. With the fall of the United States as the

largest domino in the international system that trend is going to radically accelerate. You saw far-right nativist groups all across Europe celebrating Donald Trump's presidential election, and viewing it as a harbinger of what they will be able to accomplish in their own home countries.

This is affecting Muslims directly as Muslim Americans. It's affecting Muslims who might wish to emigrate, obviously, to the United States, or just connect with their families who live in the United States. It's affecting Muslims who are going to witness a doubling down on a "war on terror" paradigm that has made them insecure in their own homes abroad. And it's going to affect Muslim communities in the West more broadly, because it's connecting to a kind of nativist politics that we've seen growing, as a trend, amongst US-aligned countries and beyond.

When you see Putin and the Russian Duma, when you see the Hungarian authoritarian, electoral president and so on, celebrating this, when you see Marine Le Pen in France saying that this portends her own victory in the French presidential election, all of this makes up a broader international narrative. That international narrative also points us in the direction of how we might expect a Trump presidency to develop in the near term. We can expect a politics of governing by identifying internal enemies and governing through invoking external threats to maintain and consolidate the constituency that he has mobilized in this election.

All of that represents a kind of threat that I think we need to understand, in local, national, regional, and international terms for Muslims, and for all of us.

### **Kimberle Crenshaw:**

Asli, you laid out a sobering picture of how this is in concert with what is happening globally. One of the mantras of our movement is "Think globally, act locally." What do we do with that now? In this moment? How should we be thinking and moving, given the picture that you described for us?

### **Asli Bali:**

I think there are some things that we can learn from

that picture. There is a playbook that's emerged, pretty much globally, and Donald Trump seems to have drawn on it heavily, perhaps unwittingly. You see a common pattern. You see, for example, contempt for an independent judiciary and we saw that in spades during this campaign, calling into question federal judges on the basis of their ethnicity. You see contempt for independent media and the suggestion that media needs to be shut down or filtered in some way. Again, that was evident in spades here.

You see an identification of internal enemies as incubators of threat and instability. That's completely consistent with the accounts we've heard across the board on this call, in so many ways that you really can't count all the different communities that have been named and reviled in this campaign. And we've seen in the election results: the presence of a significant urban-rural divide in this country, which again, is something that has been deployed effectively as a mobilization strategy to bring out voters employing tactics that we've seen across all of the countries that I'm thinking of—the Russias and Hungaries, the Philippines and Turkey, the Indias and Israels. These are countries that are electoral democracies, but they're function-

ing at the moment using a kind of bare majoritarian politics, in which, if you can get 50.0001% of those who choose to come out to the polls to vote in your favor, you can use that "mandate" to repress the remainder while producing a political climate that will transform your bare majority into a durable electoral advantage to lockout the political opposition and fashion a form of electoral authoritarianism.

That's what I think we face. That possibility. Now, let's recall that only 50% of the eligible electorate chose to vote. Of them, only half or less than half voted for Donald Trump. First, we need to ask ourselves, "How do we effectively mobilize the other 75%?" Then we have to ask, "What's the strategy that's being used to demobilize that group and to ensure that the 25% that will come out for Trump will continue to come out, in two years and four years and six years and eight years?" I think the answer to that is politics of polarization.

The truth is, everything that hurt us about this

## Presidential vote by religious affiliation

	2000		2004		2008		2012		2016		Dem change '12-'16
	Gore	Bush	Kerry	Bush	Obama	McCain	Obama	Romney	Clinton	Trump	
	%	%	%	%	%	%	%	%	%	%	
Protestant/other Christian	42	56	40	59	45	54	42	57	39	58	-3
Catholic	50	47	47	52	54	45	50	48	45	52	-5
White Catholic	45	52	43	56	47	52	40	59	37	60	-3
Hispanic Catholic	65	33	65	33	72	26	75	21	67	26	-8
Jewish	79	19	74	25	78	21	69	30	71	24	+2
Other faiths	62	28	74	23	73	22	74	23	62	29	-12
Religiously unaffiliated	61	30	67	31	75	23	70	26	68	26	-2

Note: "Protestant" refers to people who described themselves as "Protestant," "Mormon" or "other Christian" in exit polls; this categorization most closely approximates the exit poll data reported immediately after the election by media sources. The "white, born-again/evangelical Christian" row includes both Protestants and non-Protestants (e.g., Catholics, Mormons, etc.) who self-identify as born-again or evangelical Christians.

Source: Pew Research Center analysis of exit poll data. 2004 Hispanic Catholic estimates come from aggregated state exit polls conducted by the National Election Pool. Other estimates come from Voter News Service/National Election Pool national exit polls. 2012 data come from reports at NBCNews.com and National Public Radio. 2016 data come from reports at NBCNews.com and CNN.com.

(Source: PEW Research Center)

campaign helped Trump. The same strategies that targeted our communities with divisive and racialized messages delivered electoral dividends by mobilizing and consolidating a constituency around his campaign. That's exactly what we have seen worldwide. That's what's caused people like Marine Le Pen to celebrate. She believes the same strategy is going to now help her in France.

How can we address that strategy? Well, we need to look at where it is working, and that urban-rural divide is a starting point for us to think about how to undercut what we've just seen. Trump has proven that you don't even need a ground operation if you

can tap into people's fear, identify an internal enemy that they view as threatening and then build a coalition against that threat. Our job is to figure out how to disable this politics of polarization and deny Trump and his ilk the electoral dividends they seek from weaponizing fear. That is a very tall order, but it begins with a strategy of counter-mobilization.



# WHAT'S GOING TO HAPPEN?



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## EZRA YOUNG

Impact Litigation Staff Attorney at the Transgender Legal Defense and Education Fund

### WHAT CAN WE EXPECT FROM THIS AD MINISTRATION IN REGARD TO LGBTQ+ RIGHTS?

#### Kimberle Crenshaw:

Ezra, what can you tell us about the Trump-Pence track record on LGBTQ+ rights and what we can expect from this administration?

#### Ezra Young:

Honestly, the biggest problem right now is there's a great degree of uncertainty. Mike Pence has a very strong and lengthy record of being abhorrently anti-LGBT. Famously, as the governor of Indiana, he pushed for a religious freedom audit, which would essentially embolden private businesses to openly discriminate against LGBT people, though that was fought and battled back down by immense pressure from the federal government, as well as the community and corporate allies. The greatest fear is that now, with this shift in power, we will no longer have the kinds of strong coalitions that we needed in the past to push back on those policies.

Over the last year there has been a strong push throughout the country to limit the rights of transgender people—likely, as backlash to marriage equality. Targeting the most vulnerable members of the LGBT community for exclusion from schools, from the workplace, from federal government, from state buildings—if you're in North Carolina—or in other places. We're likely to see more emboldened efforts

to continue to attack transgender people and other folks.

We're also likely to see a vacuum in power and progress in the LGBT community. For the last eight years, we have had the benefit of having the Obama administration have our back in the courts, in Congress, to the extent that they could, and through robust executive power. One of the biggest things that Mike Pence and Donald Trump have been on the record saying that they will do within their first hundred days is to roll back a series of executive orders. Though those orders cover a range of subjects, the vast majority of them were executive orders that allowed federal workers, federal contractors—those cover a great deal of workers in the United States—as well as others, to live openly in the workplace, to have redress within the federal grievance system if they experience discrimination. Likely, that is all to go away.

We are also likely to see a repeal, or at least significant modification, of the Affordable Care Act, a key mechanism through which many poor people in the LGBT community were able to access health insurance for the first time, and the vast majority of transgender Americans were able to use as a tool to fight back against discrimination when their private as well as public health insurers denied access to life-saving transition healthcare.

We're also afraid there will be a degree of court packing. Obviously, all constituent communities will be affected by that, but more so than other communities, LGBT Americans are at the mercy of the federal courts. Many state courts are hostile towards us and to our rights. For the last eight years, we have proceeded, and I have proceeded as a litigator for many of my clients, through the federal litigation, federal courts, knowing that we were safe in those spaces. That is no longer an assumption that we can operate under.

We are going to have to change our litigation strategies, we are going to have to change the ways we fight back against this politics of hate that will now be emboldened by the power of the federal government. Lastly, we're deeply, deeply afraid of the extent to which Trump's politics of hatred has seemingly grabbed up every vulnerable minority group in the United States. He has hit across so many lines of deeply entrenched hatred towards vulnerable groups that it is hard, at times, to track who exactly he hates on any given day.

To the extent that he is inconsistent in his hatred, and inconsistent in his politics, people seem not to see the grander project at play: that it is not just an assault on women, it is not just an assault on Blacks, it is not just an assault on gays and transgender people, immigrants, or Muslims. It is an assault, constantly, on all of us.

### **Kimberle Crenshaw:**

What are the possible pushbacks that we can imagine in order to defend against the anti-LGBTQ+ administration?

### **Ezra Young:**

I think we'll very much need a two-prong approach. We'll most definitely need to take meaningful steps to protect the gains we were able to make under the Obama administration. For all intents and purposes, marriage equality is likely very safe. It was, for a long time, the defining goal in our movement. We need to move beyond that now. We need to look at who is most vulnerable in our communities. It's LGBT workers across the country, especially in red states without state-level and local protections. Making sure that there's not any discrimination in the workplace, and meaningful redress.

It's LGBT people, throughout the country—especially in states that would formally fall under [Section 5] preclearance, under the Voter Rights Act—who are unable to exercise their ability at the polls, to push back against Trumpism, if we do not fill that gap. We also need to think thoughtfully and meaningfully about building stronger coalitions across movements, as we are all, as we can all see from the pictures, from what we've seen so far, under attack now.

For a long time the LGBT community under the Obama administration was operating under the assumption that, when we went to court and when we went to Congress, we would have support from the government. We are no longer going to have that support. We need to make sure that when impact cases are filed, we have immigrants' rights advocates,

prison abolitionist advocates, people all throughout the progressive communities supporting each other in our litigation.

We also need to make sure that we do not forget the moment that we are living in now. I know, right now, we're talking a lot about how we get ourselves to the next election cycle, but I think we have all learned a very,

very hard lesson that this isn't about just trying to fight the current evil, the current zeitgeist. This is about trying to anticipate it ahead of time and make sure that we do not allow this to happen again.

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# WHAT'S GOING TO HAPPEN?



10

**DENNIS PARKER**

Director, ACLU Racial Justice Program

## WHAT IS THE IMPACT OF THIS ELECTION ON THE FUTURE OF THE SUPREME COURT, THE COURTS, AND CIVIL RIGHTS MORE GENERALLY?

### **Kimberle Crenshaw:**

Prior to the election, progressives were really excited about the composition of the Supreme Court potentially going one way. Now we're quickly on the other side going in a different direction. Was it your sense that there was too little made of how important this election might be for the future of the Supreme Court, the courts, our civil rights more generally?

### **Dennis Parker:**

I don't think it got the emphasis that it should have. It's not only the loss of what we might have achieved with a fairer Supreme Court, with a more progressive Supreme Court. It's also the prospect of losing a lot of the progress that was being made in the last couple of years. At the beginning of the conversation you referred to Rodney King and how there was this hope at least, which wasn't realized, but there was this hope that seeing things might change the discussion. The last two years, even before the election have been horrible. We've been subjected to a continual series of watching videos of Black people being shot in the streets, unarmed Black people. It was a debilitating time period, because there didn't seem to be sufficient accountability.

At least one bright prospect was that there were indications that the Justice Department was beginning

to do something, to take steps that might deal with that effectively. You had the Ferguson Report that made very clear connections between the criminal justice system in Ferguson, the way that it was being financed on the back of people of color, and the effect that it had on community and police relationships—basically the way that Black people were viewed as criminal and as potential sources of income for the city. You had the Justice Department that was beginning to do investigations in Chicago and some other cities and we were beginning to recognize that there had to be some method of exercising some kind of check on what was going on with police in the street.

Then you look at now, both Trump and the comments that he has made—where he depicts police as basically being the most discriminated-against group in the country—and the people with whom he has surrounded himself, what they've done in the past, the way that they view both what is proper police action and what is the proper connection between the federal government, state, and local governments. That prospect is a really frightening one, so you wonder whether or not some of the initiatives of the Obama administration are going to be rolled back. Again, it's not only how do we extend the protections, it's how do we maintain at some level what we've achieved so far?

### Kimberle Crenshaw:

On that note, one of the big losses that set the stage for this election was the effective loss of the Voting Rights Act. From what you've seen, or been lead to believe, Dennis, do you see how that lack of protection might have influenced the voting strength of people of color? Was voting suppression in your view a potential problem that actually was borne out?

### Dennis Parker:

Yes. All of the indications that I've seen from this field are that it was borne out and that it did have an impact on the ability of people of color to vote, but also other groups. The restrictions that were placed that made it harder for students to vote, for example—these were efforts that turned out to be successful, to suppress the vote of people who were more likely to support Hillary Clinton. I think the most discouraging thing is that—you had Trump saying, “You need to go to these neighborhoods and look at what's happening,” in a way that everyone feared would inhibit the vote in those areas. Now the person who is going to be enforcing the Voting Rights Act is the person who himself was trying to suppress votes.

All of these things—the prospect of having to go to the Justice Department, or to expect support from the Justice Department on a whole range of issues—has become really bleak. What role is the Department of Education going to play, what role will OCR [Office of Civil Rights] play, the Environmental Protection Agency? Not that they've necessarily been the best in the past. These are agencies that have some power that private litigants don't have because they can take advantage of the disparate impact standard which the private sector litigants can't access. But how are you going to rely on that? Not to mention one of the huge impacts of the last ten years has been the economic impact of activities that were caused by the large financial institutions. We know that, at least from what Trump has said so far, is that he is not enthusiastic about government oversight of those institutions. Basically, the police are being called off in those areas where they need to be and I fear will be increasingly called into the areas that we worry about in terms of interactions with our communities of color and what goes on in the street.

### Kimberle Crenshaw:

Dennis, what's happening on the left that makes it virtually impossible for them to recognize that the Republicans are engaging in identity politics among white people?

### Dennis Parker:

What has struck me is the extent to which even among progressive people, that there is almost...like they are apologists for what went on. The number of times that I have spoken to progressive people and had them say, “Well, these are my family members. I know them, they are good people, but...”

I always wonder, well what's your definition of good?

Maybe we need to recalibrate that, because you would never hear someone say, “He's a good person, but he likes to molest five year old boys.” Somehow we're comfortable with saying, “He's a good person, but he thinks that it's not a problem that unarmed Black people are dying at the hands of police.” There's this idea that racism is only sort of the explicit, classic, disparate treatment. Not the idea that it's being basically fine with the fact that this man ran on a platform that was so incredibly demeaning on both race and ethnicity—that whatever your interests are, and as vague as they are—they're not more important than the fact that he has come down in that way.

**“THE FACT THAT IT WAS A CLOSE CONTEST, SHOWS THAT THE PROBLEM IS NOT JUST AMONG ONE SMALL GROUP, BUT A REALLY MUCH BROADER PROBLEM.”**

The other thing for me that I just wanted to say before is that I'm always a little bit put off by the discussions where we compare what happened with the Obama

election and what happened now. As if they were equivalent, as if the fact that there was someone who was spouting the things that Trump was, can be considered in the same way. I am not a huge Romney supporter, but I think that it's a whole different league. To talk about whether, if we had some more millennial votes, or things like that, then we might have gotten 2 or 3% percent more. We shouldn't have had to have those votes, it shouldn't have been a close contest. The fact that it was a close contest, shows that the problem is not just among one small group, but a really much broader problem.

Again, that's part of my reluctance to focus too much on class. Also, part of what we have to deal with is there was support from very high income white people, people who maybe when they took the polls weren't willing to admit that they were supporting it. I hear it in my fancy health club all the time, that people who have not lost anything financially were solidly behind Trump.

### Kimberle Crenshaw

Dennis, do you also see a deepening crisis, specifically in the legal landscape, and if so where and what the

potential might be? How do you see this in the context of the critical issues we're likely going to have to grapple with?

**Dennis Parker:**

I think that it's going to be a time of just extreme vigilance and organization. You had asked before about what time period this most resembles. I think in a lot of ways it resembles what we saw in the late nineteenth century, at the time of the civil rights cases. It's sort of a retrenchment. Certainly some of the arguments that you heard in the nineteenth century, about not wanting Black people in particular to be the special beneficiaries of government action, things that we hear from Bannon and other folks who deny the existence of any sort of structural racism.

**Kimberle Crenshaw:**

What would you like to share about [either] the long term consequences of this project of creating color blindness as the point of departure for all things having to do with race and what that portends for us?

**Dennis Parker:**

I agree with what has been said about the overwhelming need not to permit normalization and also with the need for progressive whites to be the voices that speak to the people who supported Trump. There's a part of me, maybe it's a naive part of me that has a sense that the divisive strategy, given changes in demographics—perhaps given how severe things may get—is not a viable long-term strategy. Maybe I'm putting too much faith into my fellow countrypeople. I am hopeful that, as the demographics change, I'm hopeful that there is enough decency that people will say, "This has gone too far." I think that we need to keep the baseline clear, so that we're in a position to say that this has gone too far.

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"I'M HOPEFUL THAT THERE IS ENOUGH DECENCY THAT PEOPLE WILL SAY, "THIS HAS GONE TOO FAR." I THINK THAT WE NEED TO KEEP THE BASELINE CLEAR, SO THAT WE'RE IN A POSITION TO SAY THAT THIS HAS GONE TOO FAR. "

# TWEETS

**Mimi Wallace** @mimiwalla Nov 11

@AAPolicyForum. Create sanctuary spaces for those who are vulnerable. Schools, classrooms as sanctuaries. #SocialJusticeSOS

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**UrbanRambl** @Urban\_Rambl Nov 11

Kimberle Crenshaw is an inspiration. Intersectionality and critical race theory changed my life and the way I see the world @AAPolicyForum

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**Zee\_like\_zorro** @Zjlord Nov 11

“There is not better time, than now, to work intersectional politics, into practice”.  
- @aliciagarza #socialjusticesos (TY @AAPolicyForum)

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**K I A R A** @kiaraAUDREY Nov 11

Very grateful for #SocialJusticeSOS and @AAPolicyForum at this moment.

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**Micheal Baran** @Mike30Trill Nov 11

@AAPolicyForum @dallasgoldtooth Yes, we can't keep taking up natures habitat. We share the planet with nature. Time to act like it.

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**Carmen Shorter** @CarmenShorterDC Nov 11

“Please stay safe, and please stay strong.”  
Powerful closing words fr. @sandylocks for an amazing convo w/@AAPolicyForum.  
#SocialJusticeSOS

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**Liam Dempsey** @liamdempsey Nov 11

I'm taking a step to reduce my own ignorance. The @AAPolicyForum webinar is my small, first step. <http://bit.ly/2ePOcik> #SocialJusticeSOS

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**Renee LeeHim** @rleehim Nov 11

So true Devon Carbado! Shaggy's “It wasn't me”= post-election theme song!!  
#SocialJusticeSOS @AAPolicyForum

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**Majeeda Khan** @ProfMajeedaKhan Nov 11

The role of race absolutely cannot be divorced from the economic explanations of Trump's victory @AAPolicyForum #SocialJusticeSOS

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**Andrea Delgado** @Andrea\_Delgado7 Nov 11

“The social justice aspirations of hundreds rest on our collective capacity to reflect, recommit & resist.” #SocialJusticeSOS @AAPolicyForum

# WHAT'S GOING TO HAPPEN?



## 11

### ROBIN KELLEY

Professor and Gary B. Nash  
Endowed Chair in U.S. History at UCLA

#### WHAT DOES OUR HISTORY TELL US ABOUT THIS MOMENT?

##### Kimberle Crenshaw:

What is it that we have missed? What do we need to understand where we are historically? Have we been in a place like this before? Are there elements of this that feel like the end of the first Reconstruction? Are there lessons that you think that we need to pull forward in thinking through what now?

##### Robin Kelley:

Yeah. Here's the short version of a very long answer. That is, we could begin amply with the electoral college. There's been a lot of talk about the electoral college as a relic of the founders' elitism.

We also have to remember that it's primarily a relic of slavery. That the politics of slavery produced that institution. That the Three-Fifths clause was applied to the electoral college and that, in fact, even in the election of 1800, really centered around slave states having more power than non-slave states.

The myth, and the one that we're still carrying now, which is why this system is so arcane, is that states with smaller populations somehow need to be at the table in an equitable way with those with large populations. In fact, it wasn't about populations, it was about slaves. It was about those states that have

slaves, that they count three out of five for Congressional representation. That's why the South dominated the presidency for so long. At the end of slavery, of course, you get Reconstruction.

One of the most famous cases of electoral college deciding or not really deciding an election was the famous Hayes-Tilden Compromise, from the 1876 election. Without going into that story, it's very simple.

You have a case of, once again, suppressed Black votes, which were not counted. Rather than try to count them, the Republicans and the Democrats came to an agreement, where the Republican got the presidency in exchange for withdrawing troops from the South.

That reminds us that the problems of the electoral college, the problems of the electoral system, go hand in hand with voter suppression. As we think about this past election, we do have to pay attention to the way that the gutting of the Voting Rights Act played a role. One last thing, finally: People talk about this as a story of disaffected voters. Of angry white men who supposedly were suffering economically and feel forgotten, and that Trump's populist message represented the nation's distrust of Washington or the insider, inside-the-Beltway Washington.

**"THE PROBLEM IS THAT RACE AND CLASS  
ARE TREATED SEPARATELY, RATHER THAN  
INTERSECTIONALLY."**

The problem is that race and class are treated separately, rather than intersectionally. The way in which this white middle and working class sees their disaffection is in racial terms. Which is why, in the polls, they'll say, "Look, immigration and terrorism are more important than jobs." Both those categories, immigration and terrorism, are racial categories in some ways. It comes down to who's the enemy because no one is talking about eliminating the Klan or eliminating the "alt-right" or eliminating the rise of white terrorism. This is a real issue in our country, as if that's not really the terrorism we're talking about.

In fact, if anything, we choose the legitimacy of white terrorism and white racism on a very high scale. Given that history, and given the fact that, in every single instance of biracial or multiracial coalition building in our history, it's usually been led by people of color, led by Black people, with white people following.

Some of those who have led those movements, like populist movements and Reconstruction, have actually wanted to change the country, change the culture. Do something much more visionary than, say, solve an immediate problem. In other words, it's not utilitarian. One of the things we have to think about as we move into the future is that, if we're going to build multiracial coalitions, that we don't need to reach out to disaffected white men in order to sell them on how this benefits them.

People have to be willing to envision a different future, a different country. Take a much more radical step, because otherwise, we're going to be back in the same place over and over again.

### **Kimberle Crenshaw:**

Thank you, Robin. I take that as a push for, not a move to purple, but a move to true blue, right?

### **Robin Kelley:**

Or a red, but the other red.

### **Kimberle Crenshaw:**

The other, true red. One of the points that you made, and I was hoping we would hear from the amazing Barbara Arnwine on the vote suppression issue. There's so much that happened, and so little coverage on it, even leading up to the election. What's your sense of what was behind the media's refusal to take seriously the impact of voter suppression? We can go all the way back to the Gore election. There was much more of a focus on the hanging chad tan

on the hundreds of thousands of votes that would have made the difference that were suppressed from a direct, targeted campaign.

### **Robin Kelley:**

One of the things, this may not be a direct answer, but an indirect answer, is that we do have some lessons we can learn from the recent election—not just the 2000 election, which is the one we already referred to. Even if we think about the election of Ronald Reagan, and what that election meant, because in some ways, it's very similar, he was a candidate that no one thought, no one really took that seriously. People were shocked by his election in some respects. He very much mobilized around a white, anti-tax, anti-immigrant, anti-Black movement.

**"PEOPLE HAVE TO BE WILLING TO ENVISION A DIFFERENT FUTURE, A DIFFERENT COUNTRY. TAKE A MUCH MORE RADICAL STEP, BECAUSE OTHERWISE, WE'RE GOING TO BE BACK IN THE SAME PLACE OVER AND OVER AGAIN."**

It also coincides with the period in the 1980s where there are all these investigations—and I know Mary Frances Berry was there, looking at them as well—into not just vote suppression, but violent suppression of Black political constituencies in the South. There's a long, consistent history of this, and we need to pay to pay attention to it, and not just the ability to get people mobilized to vote, but the recognition that, at least among those who are most suppressed, we have the highest percentage of participation in voting. So something like waiting in line for eight or ten hours, or six hours or three hours is a form of vote suppression.

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# WHAT SHOULD WE DO?



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## ALICIA GARZA

Director of Special Projects at the National Domestic Workers Alliance. Co-Founder of Black Lives Matter Movement

### WHAT TYPES OF MOVEMENTS DO WE NEED TO BUILD?

#### Kimberle Crenshaw:

What is our primary task at this moment, given this terrain. What is it that you want for our movement?

#### Alicia Garza:

The first thing that I think should be clear to all of us is that our primary task, as people who are not only disaffected by the recent shift in the political terrain, but also still have a clear vision for what kind of world we want to live in, then the primary task is for us to build a broad-based movement against fascism that is multi-class, multi-gender, multi-racial, and multi-national. I'm going to break that down a little bit.

I think that one of the things that is scaring me in this moment is that I'm starting to see the Left as a broad swath move back into some pretty dangerous tendencies. One dangerous tendency is to assume that because we are terrified, anxious, fearful, and scared, quite frankly, of what the potential of this kind of, not just administration, but political terrain means for our communities right now, in the intermediate term and in the long term...there's a tendency that we then have to go back into our silos.

**"THERE IS NO BETTER TIME THAN NOW FOR US TO REALLY FIGURE OUT HOW TO WORK INTERSECTIONAL POLITICS IN PRACTICE."**

So, we are under attack, my particular group is under attack, I don't have time to think about what your group is dealing with, I just need to fight like hell to save my own people. And that is the worst possible thing that we could be doing right now. There is no better time than now for us to really figure out how to work intersectional politics in practice. With that, we also need to make sure that we are not just talking to people who already agree with us, but that we are reaching out to folks who, quite frankly disagree with us like the comments earlier about people saying, "I'm confused about what is the Black Lives Matter movement?" "I'm upset about why people care about why trans people should be able to use bathrooms."

We need to do a better job of reaching out to those folks and making sure that our vision also is a vision for them. That is different from capitulating to the worst tendency of this moment. Under no circumstance should we normalize, capitulate, negotiate with, compromise with any vision that removes humanity from anybody. We need to be really careful about that because I do think that there's a failed strategy, that people call "playing for the center." What they actually mean is, camouflaging them-

selves as part of the Right, and they're very different things.

The other thing that I think we can't underestimate when you look at those maps, it is very clear what we need to be doing. To me, I think one thing we've got to be really, really clear and strong on is that there is nothing at all that replaces grassroots organizing. Absolutely nothing at all. I think it's important for us to continue to think about, how do we use technology-based tools to reach more people? But it is not a substitute for having real conversations with folks in real plain language, that really puts out not only what's at stake, which we're really good at; we are really good at sounding the alarm and being like, "We're about to run over a cliff."

But what we're not that great yet at doing, and we need to get much better about is being able to talk about what's on the other side, and really paint that picture in a way that people can taste, touch, feel, and smell. Another thing that I think is really important here is to do both: absolutely 100% active opposition to all of the reactionary policies and practices that are moving in real time right now. That deep organizing piece. But, I think we also need to make sure that we are supporting those efforts appropriately in the Midwest and in the South as well. We don't want people who are in those sections of the country overshadowed by the visions and the strategies that are coming from people on the coasts.

We all have something to contribute, but I think if we're going to get real about what strategies will work to change what that map looks like, we absolutely need to be led by folks who have been treading water in this landscape for a long time before the rest of us started to really feel it, touch it, taste it, et cetera. Then there's just a concrete thing that I think is really important that I'll close with, is that this is a time for us to protect and provide for each other.

There's something to be said that is very real about Trump's one-hundred-day agenda, which includes repealing and rolling back the Affordable Care Act. He says, for every new federal regulation, we have to get rid of two other ones. These are things that will impact people's lives right now, and we need to be able to have a way to take care of folks. How do we get people medicine who do not have access to it? There are already loads of people who don't

get to access the Affordable Care Act or get to access Medicaid because their Republican governors wouldn't accept federal money to expand that program so that more people could access it.

It's very, very real that with the Republican control of the House, the Senate, and the presidency, as well as the ability to appoint federal judges and Supreme Court judges, there will be a move to limit people's access to basic needs, not just at the federal level, but at the state and local level. We've got to get real sharp about figuring out how it is that we provide for our folks, and how we defend each other against attacks—the things that we're reading about, that we're hearing about. Stories of people being punched in the face who are wearing hijabs. Stories of people being told you're going to get deported soon because we won is a real thing.

**"UNDER NO CIRCUMSTANCE SHOULD WE NORMALIZE, CAPITULATE, NEGOTIATE WITH, COMPROMISE WITH ANY VISION THAT REMOVES HUMANITY FROM ANYBODY."**

I'm not clear that we're sure about what it means to actually physically protect people who are in danger. That's a piece of what we can do and think about right now that needs to be put into place. One suggestion that I would have, just in closing, is that we talk to people who have been defending folks for a long time. The folks that come to mind are folks who have been protecting people's rights to access healthcare

services. Those folks know exactly what it means to go up against racist vigilantes. They know exactly what it means to protect people, with the least amount of loss of life.

Those are some strategies that we could be employing right now to make sure that our communities are safe and are inspired to join the fight. That they're not so paralyzed by fear, or quite frankly, so decimated by not having access to the things that they need, that they're not able to be a part of this movement. I'll close that there.

# WHAT SHOULD WE DO?



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## CHERRELL BROWN

Community Engagement Director at the African American Policy Forum, community organizer and educator

### WHAT ARE SOME OF THE STRATEGIC POINTS OF DISRUPTION, PARTICULARLY FOR MILLENNIAL ACTIVISTS?

#### Kimberle Crenshaw:

What are some of the strategic points of disruption in this moment, particularly for millennial activists? What are the implications of this moment, this Trump presidency, for how we do that, where we do that? What capacity do we need to do that?

#### Cherrell Brown:

I first want to say that, earlier on in the conversation [discussion], we talked a lot about white women and their overwhelming support of Trump. I think one of the things that I haven't heard offered yet is that white women voted for him for the same reasons why so many decided to reelect Bush for his second term after 9/11- because of fear.

It is a fear against the unknown, against looters and rioters, against BLM protesters. It's in support of, of course, Blue Lives Matter. A large part of what we have to do now is doing this visioning work. Imagining a world where safety is something else, outside of militarized police, and borders erected out of xenophobia, and tough, brass-knuckled leaders. I think it's important to name that, because we now have

this white nationalist demagogue in office for the next four years someone who has both a majority in the House and the Senate. The last time this happened, we were in a recession. Then before that, a depression.

There lies I think a meaningful point of intervention for activists and the millennials, especially those who haven't yet fully been activated, but understand that they can no longer opt out. We have a number of im-

portant local races coming up. In 2018, there are, I think 435 seats in the House, I think 33 seats in the Senate, and about 38 governorships. In 2008, after Obama won his first election, we saw the GOP pour every ounce of energy and resources into these local elections—resulting in this sort of “red-washing” that happened in 2010.

**“BLACK WOMEN RIGHT NOW AREN'T ONLY THE SOUL AND THE FUTURE OF THE DEMOCRATIC PARTY, BUT THEY'RE REALLY WHAT'S GOING TO SAVE THIS COUNTRY FROM ITSELF.”**

Also, I think it's important to acknowledge that we can't talk about voter apathy without talking about the prison industrial complex system, and how our carceral state disenfranchises folks from participating. I think we have to really interrogate the idea around that we can just talk about electoral organizing, and getting us to vote, without talking about the system in place that disenfranchise entire popula-

tions from participating fully in the electoral process.

It's also important to name that—with the divide of white women between Trump and Hillary—that Black women right now aren't only the soul and the future of the Democratic Party, but they're really what's going to save this country from itself. I think it's important to remember that, and to invest into Black women and Black leadership.

Now, to the international piece, there's been really a lot of comparisons between Trump's election and the sort of ethnic nationalism that allowed Brexit to happen.

I think it's important to remember that these global events don't happen in a vacuum. Trump won harping on the same white nationalist ideals that made it safe for Brexit to happen. We have to think through now how do we build a multi-racial, multi-class alliance across national borders? I think a part of that is getting really uncomfortable with ourselves, and really naming the ways in which we ourselves are implicit in white supremacy. Being really rigorous in our critiques around not only race, but also imperialism and classism and capitalism. I think that's the only way that we get free.

I do want to end this on a happy note though. I think that the reason why this is happening is because we are winning. White supremacy has its way of reorganizing itself historically, every couple of years. What we're seeing now is a mobilization, a response to the movement for Black lives, and the great work that we're already doing. How we respond now is our next job.

I think it's important to organize. We hear this word "organizing" being used a lot by elected officials and politicians. Not to create this hierarchy, but I think organizing demands a certain level of skill that we have

to be really intentional about. It's about that door-knocking and those knee-to-knee conversations. I'm from North Carolina, where the KKK are rallying right now over this victory of Trump. I think it's important that we not only look at the South and the Midwest when it comes to election time. We think about swing states, but it's important to invest resources in areas that aren't usually sexy to fund. Outside of New York or California or DC.

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"I THINK THAT THE REASON WHY THIS IS  
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MOVEMENT FOR BLACK LIVES, AND THE GREAT WORK  
THAT WE'RE ALREADY DOING. HOW WE RESPOND NOW  
IS OUR NEXT JOB."

# WHAT SHOULD WE DO?



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## DALLAS GOLDTOOTH

Organizer for the Indigenous Environmental Network

### HOW DO WE THINK ABOUT THE NEED TO MOBILIZE FROM THE GROUND UP, AS IS CURRENTLY HAPPENING IN STANDING ROCK?

#### Kimberle Crenshaw:

What can you share from what's happening now, particularly in Standing Rock? How do we think about the need to mobilize from the ground up? Take us through your vision of where we go from here.

#### Dallas Goldtooth:

I think that understanding deep organizing and supporting the grassroots level and supporting the grassroots voices—not only uplifting what they're fighting against, but also uplifting what they're fighting for—I think that that's a critical dialogue that is always necessary in order for us to move ahead.

Right now, what we're facing in North Dakota and the fight against the Dakota Access Pipeline is just a mere continuation of five hundred years of colonialism and white supremacy. That's just point blank. The visuals that we are facing off against, this overtly militarized law enforcement who are dictating who has access to what on traditionally Native land is no different than what our ancestors faced off with over 150 years ago. It's just painful to see that in the modern context.

With the recent election stuff... we are disappointed, yes, but surprised not in the least. I think that, as indigenous communities, we have a special relationship within the context of this hegemonic system, this

colonial system. We're not just ethnic minorities, but political entities unto ourselves, as tribal nations. For us, it's a critical moment for us to exert our inherent sovereignty and our ability to self-determine the future of our communities. Also to connect that with other struggles from other communities that are basically in

the same boat of self-determining for themselves, what happens to their water, their land, their bodies, their homes, their food, and really building it from that support base.

A lot of relatives, whether they're in the middle of Detroit, or in Oakland, or out in the deserts of New Mexico and Arizona really look to the leadership of the indigenous land-based struggle as a solid

foundation for moving ahead. No matter what we have to rethink our relationship, not only to each other, but at the very core of it, rethink our relationship to the land itself, and to Mother Earth. As long as we keep to this conversation about how we are trying to heal the relationship between our communities or our relationship to our oppressor without having a conversation about how we're healing our relationship to the land itself, to the water, then we're ultimately going to fail.

I think that it's all a critical part of the holistic approach to bringing healing to each and every one of us.

# WHAT SHOULD WE DO?



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EVE ENSLER

Tony award winning playwright, performer and activist;  
Founder of V-Day and One Billion Rising

IT'S CRITICAL WE LINK OUR MOVEMENTS TO GLOBAL MOVEMENTS.  
WE ARE NOT IN THIS ALONE.

## WHAT DOES THIS TIME REQUIRE OF US?

### Kimberle Crenshaw:

What does this time require us to set our intentions to do?

### Eve Ensler:

I think, first of all, we have to have a lot more webinars and calls and teachings like this on the grassroots level. I think dialogue right now is critical: education, analysis, forums. Really confronting the truth of where we are, and listening to a cross section of ideas, and people on the ground who will input into a vision of where we're going.

I think we need to build multiracial visions. I think this is a moment to strive for a much bigger, more radical vision, and really look at neoliberal capitalism in general as a system that we want to deconstruct. Saying, "Okay, here we are. What is the world we want to build, and what does that world look like?" I think we have to really have each others' backs. We know that Trumpism has also got this enemies list, and we have to be tight in our support of each other.

I think in some ways, we have to work on two fronts, resisting and protesting right now, and protecting with actions and strategies those who are under immediate threat. The Standing Rock Sioux, immigrants, Muslims, Mexicans, women, LGBTQ folks, African Americans. Communities of privilege have to reach out and really be protective of communities that don't have their same protections. I think we have to really look at climate change. It is the most looming threat on the planet right now. Every scientist is telling us that we have five years to change our extraction policies, and we have to push forward on that. We cannot let that linger behind. It has to be up front in what we're doing.

I think there must be a two-prong approach. Resisting and protesting right now, and then having a longer view, where we begin to weave a broader and deeper intersectional, progressive, anti-neoliberal capitalist, anti-racist and misogynist, pro-people, immigrant, and refugee movement. Fear gets us to lock down and cut out into our own silos and fight for our own terrain. This is the moment for the exact opposite of that.

That's why it requires deep thinking, analysis, and time, so that we intersect our movements, and fight for each other and with each other. I think that is one of the most critical things we can think about. I also want to say that it's critical we link our movements to global movements. We are not in this alone. As someone earlier in the call talked about, the authoritarian xenophobic regimes that are rising in India, in France, in Russia, and in Congo, and Hungary and Croatia, Brexit—we have to see that we are part of a global anti-neoliberal capitalist, anti-racist, anti-xenophobic movement across the planet.

The GABRIELA movement put out a statement on November 9th saying that they are looking at a worsening time of escalating imperialism, and they're terrified. Capitalism and war and famine are escalating. I'm getting calls from my sisters across the planet, urging us to join arms in struggle with people across the planet. I think, really, one of the last things I want to say is, we have to build coalitions that go beyond a two-party system, and really promote and create a vision and idea of what we want. Then, begin to create the mechanisms and the levers and the strategies to bring that about.

# WHAT SHOULD WE DO?



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**IAN HANEY-LÓPEZ**

The John H. Boalt Professor of Law at the University of California, Berkeley

## WHAT IS THE GENERAL TREND OF THE POSTMORTEM?

### **Kimberle Crenshaw:**

Ian, you've written about dog whistle politics. You have written about political mobilization and some of the ideological projects that have traveled under Trump-like campaigns. What's your sense about how this has all come together?

### **Ian Haney-López:**

I'm going to answer a slightly different question. More important right now than how this happened is where we find ourselves. What is the general trend of the postmortem? Around what narrative are people consolidating? I think that the basic choice is between a narrative that says, "Democrats need to refocus on issues of class and not be distracted by special interests," or, alternately, a narrative that says, "When Americans are divided against each other by racial as well as other cultural appeals, voters tend to hand over power to plutocrats." The second focuses on race and class, but the former focuses on class only. It's a tunnel-vision analysis.

This is racial essentialism. It treats class as a raceless set of concerns when in fact it's a way of expressing sympathy for the economic concerns of the white working class. We are told to find common cause based solely upon our shared class concerns, but warned not to address the negative aspects of

whiteness as they actually played out.

This approach is ultimately self-defeating. Self-defeating because it's not responsive to the interests of Trump voters. They do not see the world primarily through the lens of dollars and cents. They see the world through the lens of identity and status, including the sense that the American Dream is for them alone, and that others are lazy or line-cutters. And it's also self-defeating because it alienates the insurgent forces within the Democratic Party, people of color and people oriented toward a racially egalitarian future.

### **Kimberle Crenshaw:**

As you're naming it, Ian, what are some of the articulations, and by whom? For example, I was just talking to someone earlier today who said that they were concerned that even Elizabeth Warren and Bernie Sanders were consolidating a message that made it difficult to actually acknowledge what you just said. That these are not simply class issues, even among those who voted for Trump, but there's much more going on in terms of loss of status, loss of identity—as Luke [Charles Harris] calls it, "diminished overrepresentation" issues—really motivating more of this than that framework would allow. So would you include Warren and Sanders in that, or are there others that you are thinking about who represent this con-

solidation around the class issue as they define it?

### **Ian Haney-López:**

The greatest risk is that Warren and Sanders will embrace this reductive analysis. To me this story goes under the heading, “It’s the economy, stupid.” It’s an analysis that says, “Hey, surging wealth inequality is what unifies all of us. Don’t distract us, divide us, or weaken us from focusing on the economy.” It’s really remarkable because it pretends that the analysis is blindingly obvious. But in fact Clinton carried voters earning less than \$50,000 a year. Among the roughly half of all voters who said the most important issue facing the country was the economy, 10 percent more voted for Clinton. When you look at the gender divide in the white working class, white men were much more likely to vote Trump—though white women are much more economically vulnerable.

The idea that it’s entirely obvious that it’s economics? On the contrary, you have to repeatedly avert your gaze and hide in denial from troubling contrary evidence. And that’s before confronting the overwhelming evidence for a different story: racial resentment.

### **Kimberle Crenshaw:**

Why is it so absolutely essential that we start having these conversations? What’s going to happen in this administration if we don’t?

### **Ian Haney-López**

Economically, we’re going to see the government increasingly passing into the hands of the very wealthy, the billionaires, the corporations. We’re going to see regulations written by and for the supposedly regulated, spanning environmental, marketplace, and financial regulation. We’re also going to see levels of corruption and forms of corruption that are truly astounding, not just by the Trump family, which is small potatoes, but to the tune of billions of dollars in any infrastructure spending, or in the revamping of federal spending on schools.

In addition, and posing the greater danger to the country, focus on what’s going to happen to race relations. We’re a country that’s now 62 percent white. This is not a country that’s 88 or 90 percent white the way it was in the 1960s. In this context, we cannot afford to leave white racial anxiety unaddressed. We know that as white people confront becoming a

numerical minority, they become more racially anxious and more politically conservative. This dynamic is likely to accelerate—we seem caught in a downhill slide, hurtling from coded racial appeals to explicit white nationalism. The great danger from the Right is a reenergized belief in white victimization, white aggrievement, and white resurgence.

Meanwhile, much of the Left has opted not to respond to the power of racial fear, and so, also refuses to proactively lay the groundwork for a multiracial democracy. So many of our opposition leaders refuse to talk to whites about race, about how the elite are swindling them, promising them protection from Mexicans and Muslims while stealing them blind, about how the only way forward is through a broad multiracial coalition.

And at the same time, by stressing class alone, this faction of the Left has nothing to say to people of color about our greatest concerns. They cannot and will not say to us, “We’re committed to fighting this resurgence of racism.” I think there is a profound risk of a deepening racial crisis in the country, and much of the Left is doing little to halt the slide. Instead, too many are hiding their heads in the sand, pretending that if we don’t talk about race, it’s not really out there wrecking our society.

### **Kimberle Crenshaw:**

What is it that you recommend social justice-loving people be doing now? There is the question of what we do about normalization. One of the ways that people are making a comparison that’s problematic is: we don’t want to be the party of the obstructionists, like the Tea Party was, so yes, we have to move through normalization. That’s the only way, I guess, that we can prove that we are true Democrats, in the sense that this party is one and we have to give them our total cooperation.

That’s one argument that’s being made about how we handle this critical moment. The other is: do we want to actually try to go to the red spaces and make them purple, or is there enough for us to actually go navy blue—basically, motivate and accelerate the process of our constituencies being far more active, far more engaged? Make this a two-year run and it’s over, as far as this administration is concerned. I’ve kind of unfairly made them polarities, but I’m interested in what you have to say about it?

“NORMALIZATION IS  
DISASTROUS.”

## Ian Haney-López

Normalization is disastrous. Barack Obama pursued a form of normalization right after he was first elected in 2008, pretending that the Republicans would be open to compromise. They're not open to compromise; they're deeply committed to the interests of the billionaire donor class that they answer to. At the very best case, were Trump to turn out to be a Romney, we would see a politics that handed over power and wealth to the very rich, including for things like privatizing social security. That's the very best case. But we should be so lucky. Because, in fact, we're likely to see something far more dangerous: a combination of handing the country over to the very rich plus the rise of white nationalism.

Given this reality, the Democratic Party does a lot of damage to itself when it tries to normalize Trump, because then it seems to betray its core values. The party must articulate those values if it's to mobilize people over the next two years.

This links to the question of purple vs. deep blue. I would say deep blue through purple. By that I mean that only by articulating a set of values that speak to the concerns of middle America, that honestly address the racial concerns of whites in the working class, can we really mobilize a broad, powerful base. I definitely don't mean more pandering to white fear. I mean challenging white fear by showing how it's been weaponized by the Right.

It's only through a narrative that says, "We are all in this together, all of us of every color," that we can really create a bridge between the passions that animate the Bernie movement, Black Lives Matter, Occupy, and the Immigrants' Rights Movement. That's the sort of broad social mobilization we're going to need to overcome gerrymandering and voter-rights suppression in the midterms.

## Kimberle Crenshaw

Ian, do you have a sense of possibility about how to have these conversations with our white neighbors, with our white potential allies in the red zone? People are saying, "But, is it even possible?" What's your sense about what is the transformational potential of those conversations?

## Ian Haney-López

The focus right now has to be instead on having these conversations with white progressives. We can't go and talk to the Trump supporters until the analysis is shared, absorbed, and assimilated by our own folks. Why is it so hard for white folks on the left to see the power of race? It's because so many of them misunderstand racism as just bigotry. They can't accept that their family members might be bigots, that bigotry might define half the voting public, that we're a country now ruled by bigots. Rather than accept that they jettison the whole idea that race might have any role. But of course racism takes many more forms than bigotry. The fight right now, the opening right now, is to convince progressives that racism is a complex social phenomenon, that it takes many forms, and that right before our very eyes race is restructuring our politics and restructuring our economy.

## Kimberle Crenshaw:

What should people do now?

## Ian Haney-López

Shift from a model of, "It's the economy, stupid," to a model of "It's divide and conquer politics."

If we don't do that, we're doomed. We won't be able to speak to whites and we won't be able to speak authentically to people of color either.

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# AFTERWORD

## WE KNOW THIS PLACE

By George Lipsitz

Chairman of the Board, the African American Policy Forum



Much of the world was shocked by the cruel and callous abandonment of suffering people in New Orleans in the aftermath of Hurricane Katrina in 2005. But Lower Ninth Ward resident and spoken word artist Sunni Patterson was not surprised. “We Know This Place,” she declared in a brilliant poem, signaling knowledge of “this place” as the physical site of New Orleans, a place then filled with what she describes as “bloat-ed cadavers in a city gone savage,” but also as the place in history where the calculated cruelties of racism, sexism and the criminalization of poverty now became evident for all to see. “And we know this place,” Patterson’s poem declares, “it’s ever changing but always the same: Money and power

and greed the game. They suck and devour the souls of the slain. What a feast for the beast at their table of shame.” Politicians, pundits, preachers, professors and much of the public were not prepared to be in a place where they were compelled to see and to comprehend the brutality, corruption and neglect exposed by the Katrina crisis, but people in the Ninth Ward and in neighborhoods like it all around the world already knew that place.

Nearly a decade later in Ferguson, it was the killing of Michael Brown, the determined refusal by legally constituted authorities to hold his killer accountable, and the revelation that arresting and fining its poor Black residents was a major source of revenue for the municipality that came as a shock to most outside observers. But Michael’s mother was not surprised. On the evening when the County Prosecutor announced that his careful manipulation of the Grand Jury succeeded in making sure that the officer would not be held accountable for shooting and killing an unarmed teenager, Leslie McSpadden told a crowd of protestors, “They still don’t care. They’re never gonna care. I’ve lived here my whole life.” McSpadden knew that the same forces that killed her son, that left his uncovered body in the street for four hours and kept the family from coming to it, that relegated him to a school district that had never been fully accredited in his lifetime, that constantly stopped, frisked, arrested, charged and fined Black youths as a way of relieving the tax burden on white homeowners and businesses, would not let the officer who killed an unarmed Black teenager be cross-examined under oath or made to confront the evidence against him. She knew that place.

Donald Trump’s victory in the presidential election was not widely expected. It represents a triumph of hate and fear, and it portends unspeakable hardship for the people who are the most vulnerable. It means that every facet of our lives will be harsher and

uglier, and it will unleash the most violent and vile forces to wreak havoc at home and around the world. But while the Trump presidency was unexpected, Trumpism is no surprise. We know this place. For the past two decades, the African American Policy Forum and our allies have been fighting against what Kimberle Crenshaw et al. call “the Age of Repudiation” constituted by a coordinated rejection of school desegregation, fair hiring, fair housing and affirmative action. Trumpism should come as no surprise in a nation where the Supreme Court demolished successful and voluntary school desegregation programs in the 2007 *Parents Involved* Case, that squashed efforts to desegregate police and fire departments in the 2009 *Ricci* case, that engineered mass suppression of minority voters through the 2013 *Shelby v. Holder* case. Along with Leslie McSpadden and Sunni Patterson and millions of other eyewitnesses to raced and gendered oppression, we at the AAPF have witnessed both political parties promote mass incarceration, shred the social safety net, and respond to unemployment and wage stagnation with sermons that blame and shame women for being poor while denying them the resources they need to earn wages and support their families. We knew all along that the normalization of raced and gendered subordination would not be confined to the Lower Ninth Ward or Southeast Ferguson, that the time would come when it would find us all. That time has come today.

We confronted dire and daunting challenges the day before the presidential election. They would not have gone away if the election turned out differently. Now we face new and even more dangerous forces. The environment, the economy, and the educational system are all in crisis. The people in power cannot fix what they’ve broken, so they seek to make us fixated on furious denunciations of difference. The more they fail, the more desperate and reckless they will become. Yet we know this place. Every time aggrieved and insurgent people make gains, they provoke a counter-revolution fueled by resentment and seeking revenge. The new democratic institutions and practices emerging from movements for racial, gender, class, sexual and reproductive justice threaten the owners and rulers of this society. In times of crisis, they always turn to racism and sexism to pit aggrieved groups against each other and to make racial and patriarchal power seem natural, necessary and inevitable. They do this not because they are so strong, but because their failed policies and fraudulent justifications of them leave them so weak and vulnerable to insurgency. They see a foreboding future in the emergence of Black Lives Matter, Say Her Name, the Standing Rock Sioux Tribe’s movement to reject the Dakota Access Pipeline and the proliferation of activism for immigrant rights, reproductive and LGBTQ justice. Their turn to a petty, petulant and puerile leader comes from something less than confidence. As Aime Cesaire argued decades ago, “A civilization that proves incapable of solving the problems it causes is a decadent civilization. A civilization that chooses to close its eyes to its most crucial problems is a stricken civilization. A civilization that uses its principles for trickery and deceit is a dying civilization.”

At this moment in history so fraught with frustration and fear, our most cherished values are more imperiled and yet more imperative than before. In the midst of crises, antagonisms and attacks, people who feel powerless sometimes turn on their nearby allies and friends because they can’t get at their distant enemies. For that reason, It is a matter of the utmost importance under these circumstances that we turn our faces to a wider world, to look for people who are looking for us, to stand for and with all those people in the U.S. and around the world who will be refusing the unlivable destinies de-

signed for them by those in power. Organized social movements building a mass base of resistance will propel to the forefront new politics and new polities, new leaders and new concepts of leadership.

We know this place. It is the place where James Russell Lowell stood in the 1840s when slave owners controlled every branch of the federal government. He responded with a poem “The Present Crisis” that described a world in which there was “truth forever on the scaffold” and “wrong forever on the throne.” Yet Lowell insisted that the scaffold swayed the future and surrender was not an option. We stand where Martin Luther King stood when mired in grief about the Vietnam War and confronted with rejection and abandonment by longtime allies, he declared that although we might wish it otherwise, we have no choice but to return to the long and bitter but beautiful struggle for a new and better world. Perhaps most important, the toxic blend of racism, sexism, nativism and nationalism at the core of Trumpism compels us to recognize the importance of intersectionality as an analytic tool and a weapon in the struggle. Our problems are connected and so are their solutions.

### **As Sunni Patterson reminds us in the piece she calls “A We Poem,”**

What’s the difference between two sisters in New Orleans  
shot point-blank in the head,  
and two women bound in their car in Baghdad?  
Or government-sanctioned killings in Kenya,  
and a sister held hostage in a house in Virginia?  
Or poverty in Haiti, poverty in Jamaica,  
rape in Rwanda or rape in Somalia?  
A sweatshop in China or one in Guatemala?  
Or small pox and blankets, syphilis and Tuskegee,  
Formaldehyde and FEMA, ethnic cleansing and Katrina?  
I recall within a speech Dr. King made us aware,  
He said injustice anywhere is injustice everywhere.

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<sup>1</sup> Sunni Patterson, “We Know This Place,” in Clyde Woods, ed., *In the Wake of Hurricane Katrina: New Paradigms and Social Visions* (Baltimore: Johns Hopkins University Press, 2010), 293-294. See also Clyde Woods, “Introduction: Katrina’s World: Blues, Bourbon, and the Return to the Source,” in Clyde Woods, ed., *In the Wake of Hurricane Katrina: New Paradigms and Social Visions* (Baltimore: Johns Hopkins University Press, 2010), 1-27

<sup>2</sup> Joan McCarter, “The day after injustice done, Ferguson smolders,” *Huffington Post*, November 25, 2014. <http://www.dailykos.com/story/2014/11/25/1347363/-The-day-after-injustice-done-Ferguson-nbsp-smolders> Accessed January 4, 2016. See also, Walter Johnson, “What Do We Mean When We Say ‘Structural Racism’? A Walk Down West Florissant Avenue, Ferguson, Missouri,” *Kalfou* v3 Issue 1 (Spring) 2016, 36-62. Jodi Rios, “Flesh in the Street,” *Kalfou* v3 Issue 1 (Spring) 2016, 63-78

<sup>3</sup> Kimberle Crenshaw, Neil Gotanda, Gary Peller and Kendall Thomas, “Introduction,” in Kimberle Crenshaw, Neil Gotanda, Gary Peller and Kendall Thomas, eds., *Critical Race Theory: The Key Writings That Formed the Movement* (New York: The New Press, 1995), xxxi

<sup>4</sup> Carol Anderson, *White Rage: The Unspoken Truth of Our Racial Divide* (New York and London: Bloomsbury) 2016. Aime Cesaire, *Discourse on Colonialism* (New York: Monthly Review Press), 2000.

<sup>5</sup> Aime Cesaire, *Discourse on Colonialism* (New York: Monthly Review Press), 2000, 31

