

It's Critical Race Theory That Is Un-American, Not Laws Banning It



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Without breaking a sweat, the New York Times has [gone from](#) insisting critical race theory [doesn't exist](#) to arguing state legislatures must let public schools inflict it on kids. Kmele Foster, David French, Jason Stanley, and Thomas Chatterton Williams [claim in the Times](#) that “Anti-Critical Race Theory Laws Are Un-American.”

This is exactly backwards. It's teaching critical race theory that is un-American. The reframed Marxist ideology aims to destroy core American cultural and legal norms, including those these authors claim as the basis of their support for forcing taxpayers to subsidize its racism.

Just to name a few, critical theorists oppose free speech, the consent of the governed, freedom of association, and equal justice under the law. This is *not* about banning them from speaking, but in using representative government to deny them the privilege of taxpayer sinecures to help them foment America's subversion and collapse.

CRT teaches not only that people are defined by their skin color but also that paler skin is inherently evil. So this theory is used to justify the insistence that the United States is inherently evil, which is also patently anti-American.

The concepts of “systemic racism,” “white privilege,” “anti-racism,” and “equity [as opposed to equality]” [all stem](#) from critical theory. Since this ideology is obviously false and toxic, state legislatures have moved to protect children from being taught it as gospel in the public education systems they directly oversee.

Racists Can Still Speak Freely, Just Not on My Dime

Despite the obvious anti-American racial toxicity of this worldview, here's the core of the four men's NYT argument against banning its promulgation in public schools:

They are speech codes. They seek to change public education by banning the expression of ideas. Even if this censorship is legal in the narrow context of public primary and secondary education, it is antithetical to educating students in the culture of American free expression.

This is plain dissembling. Prohibiting government employees from [pushing racism on naive children](#) while on the public clock is not a “speech code,” just like banning Drag Queen Story

Hour is not “illiberal.” It is an exercise of priorities: deciding that limited taxpayer resources will not fund antisocial filth. This doesn’t ban antisocial filth; it just requires antisocial filth to build its own infrastructure rather than parasiting everyone else’s.

Government has a right and duty to decide what government schools will teach and what it will force taxpayers to subsidize. State legislatures are merely telling public employees what their bosses — the people of their states — have and have not consented to their funds and institutions accomplishing. Anyone who doesn’t like it can go find a street corner and free speech her heart out.

(You will notice that French, at least, takes [this exact tack](#) on social media leftism, but curiously reverses his “principled approach” for publicly sponsored racism. In so doing, he enables [what Bolsheviks do](#): use the freedoms of a society until they gain enough power to end them.)

Identity Politics a Feature of ‘Civil Rights,’ Not a Bug

Here is what these authors propose in lieu of state legislatures ensuring good instruction in public schools:

A wiser response to problematic elements of what is being labeled critical race theory would be twofold: propose better curriculums and enforce existing civil rights laws. Title VI and Title VII of the Civil Rights Act both prohibit discrimination on the basis of race, and they are rooted in a considerable body of case law that provides administrators with far more concrete guidance on how to proceed.

This would seem eminently reasonable if the year were 1965, instead of 2021. That’s not to proclaim the tired leftist trope of History being on one’s side, or the current year somehow justifying some fresh outbreak of vice. It’s to say that this argument is entirely detached from what public schooling and the identity preferences regime have become over the last 60 years.

We do not live in the era in which it seemed to make sense to address racial discrimination with creating protected identity classes. We live in an era in which protected-class designations [have been turned into a “new constitution”](#) of identity politics that is clearly at war with the original. Decades of federal force pushing identity-conscious behavior into formerly private life has created an anti-American culture and a managerial class dedicated to maintaining and expanding it for power.

Stanley Kurtz [notes](#) that lawsuits provide only spotty relief even were existing civil rights laws enforced against CRT. But the bigger problem is that U.S. civil rights law is part of the problem. Its enforcement has created the protected classes that the left's new racism is now weaponizing through CRT.

What courts have done to U.S. civil rights law is epitomized in Supreme Court Justice Neil Gorsuch's opinion in *Bostock v. Clayton County* [ridiculously arguing](#) that the Civil Rights Act of 1964 meant to create legal preferences for men who dress up as women. As Richard Hanania [argued recently](#), the regime this law immediately spawned has performed a similar hijacking on behalf of racially conscious policies.

Almost immediately after the law was enacted, the Supreme Court, Equal Employment Opportunity Commission, and government entities ran amok, using it as a license to push "disparate impact" and other "separate but equal" theories on private businesses, clubs, universities, and so forth. Therefore, Hanania argues, "Taking apart disparate impact and repealing affirmative action executive orders should be litmus tests for Republican presidential candidates in the same way taxes and abortion are." Add to that the abolishment of all taxpayer-provided aid and comfort to critical race theory.

Almost No Americans Get a 'Liberal Education'

The four authors open their article asking: "What is the purpose of a liberal education? This is the question at the heart of a bitter debate that has been roiling the nation for months." Later, they repeat this theme, saying "we are united in one overarching concern: the danger posed by these laws to liberal education."

I don't know what planet these people have been living on for the last half-century, but it's not ours. Most American children have not gotten "a liberal education" for at least that long. This has been well-documented by almost every observer of the matter in the past half-century, from the mercurial Allan Bloom to the more natively hopeful E.D. Hirsch.

Before President Obama dialed back national U.S. history tests, American children performed horribly on them every time. Most native-born Americans cannot pass the citizenship test. Polls constantly affirm every subsequent generation declining in support for Americans' constitutionally secured natural rights, including liberalism's bellwether, free speech.

What long ago replaced the educated-for-citizenship birthright of American children is politically leftist indoctrination. There are many reasons for this that will not fit into an article, but perhaps the chief one is the left's long-pursued monopoly over U.S. education.

It has gotten so bad that the nation's largest teachers union sees the grassroots opposition to teaching critical race theory and responds by [openly declaring](#) plans to use their millions of dollars obtained from public coffers to assassinate the character of citizens who don't like CRT. The illiberal left thinks public schools belong wholly to them, and they aren't wrong. As two-time former U.S. Attorney General Bill Barr [noted recently](#) in a discussion that included note of how CRT has swept public schooling, "If the state-operated schools are now waging war on the nation's moral, historical, philosophical, and religious foundations, then they would seem to have forfeited their legitimacy as the proper vehicle to carry out the mission with which the American People have charged them."

It is impossible to expect "liberal education" from institutions controlled by a class of malignant mental-midget bureaucrats who require laws to restrain them from openly allowing anti-American racism to fester in American taxpayer-funded institutions. The men who wrote this New York Times essay appear to be content to publicly express their desire for the trappings of classical liberalism while assisting its implacable foes in destroying liberalism's foundations. Enacting their prescriptions is the equivalent of opening the gates of the city wide to an incoming horde of barbarians.

You can bet those barbarians will not offer the same courtesies these men claim to care about while they help Marxists set fire to the cultural consensus, equality under the law, and respect for the consent of the governed that makes liberal attitudes possible.

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