

VOLUME XX, NUMBER 2, SPRING 2020

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REVIEW OF BOOKS

*A Journal of Political Thought and Statesmanship*

William  
Voegeli:  
**Tyranny of  
the Minorities**

Angelo M.  
Codevilla:  
**The Original  
Fascist**

Steven F.  
Hayward:  
**Reagan in the  
Age of Trump**

Paul W.  
Ludwig:  
**Delba Winthrop's  
Aristotle**

Christopher  
Flannery:  
**American  
Indians**

David  
Azerrad:  
**Racism &  
Anti-Racism**

Joseph M.  
Bessette:  
**Why Trump Is  
Not a Demagogue**

Allen C.  
Guelzo:  
**Progressives  
Unmasked**

Algis  
Valiunas:  
**Samuel  
Johnson**

Christopher  
Caldwell:  
**Against Dual  
Citizenship**



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## REPUBLICS, EXTENDED AND MULTICULTURAL



AT THE HEIGHT OF THE 1992 LOS ANGELES riots, in which he had played a crucial but involuntary role, Rodney King asked, “[C]an we all get along?”

Taken at face value, King’s question is about society: can it—can we—evinced the respect and cohesion that preclude police brutality, looting, and street violence? But it’s also a political question, particularly urgent for republics, where governments derive their just powers from the consent of the governed. Although self-government can flourish among a populace showing the restraint King pleaded for, it has little chance to succeed in its absence. If politics is the systematic organization of hatreds, as Henry Adams said, then the democratic politics of a society suffused by such hatreds will descend into tribal conflict and warfare.

James Madison was deeply concerned about democracy’s historical record of extinguishing itself quickly and ignominiously. He argued in *The Federalist* that the Constitution written in 1787 had favorably altered the calculus. Its architectural features—federalism,

the separation of powers, checks and balances—improved the odds of hitting the elusive but crucial sweet spot: a government strong enough to control the governed but also constrained, externally and internally, in ways that oblige it to control itself.

But an architect can do only so much to mitigate the vices and follies of those who will build and maintain the structures he designs. Majority rule follows closely from equality, the fundamental democratic principle. But Madison held that if we want the United States to avoid the fate of previous democracies that had torn themselves apart, we must recognize that not all majorities are created equal. Some invigorate self-government, others debilitate it.

For a republic’s survival and success, the right social structure matters even more than the right political structure. Government is most likely to control both the governed and itself, in other words, when society is disposed to control *itself*. Madison contended that, historically, the biggest reason democratic governance had proven untenable was “majority

faction.” Any faction of any size prefers its own interests to “the rights of other citizens, or to the permanent and aggregate interests of the community.” When such a faction constitutes a durable majority, however, winning vote after vote on issue after issue, its members eventually realize that they can use democracy’s mechanisms to ignore or impair the interests, liberties, and rights of citizens outside this majority faction. When that happens, even the best constitutional architecture can accomplish nothing more than to delay an assertive majority that wants to make democratic government an instrument of its will.

Few such majorities will be so principled that they refrain indefinitely from abusing the power democracy offers them. And when those under the tyranny of the majority come to view democracy as more threatening than protective, they turn against it, resorting to emigration, secession, or resistance. In Iraq, for example, the Shia majority (somewhat more than 60% of the population) is roughly twice as large as the Sunni minority. Given the centuries of enmity



between Islam's two branches, introducing democracy—or, at any rate, elections—into Iraq after 2003 intensified rather than moderated the country's religious antagonisms.

What can be done to counteract majority faction's danger to democracy? Madison thought that the most important republican remedy for this republican disease was what has come to be called the extended republic. Though a faction, per se, is inimical to good government, if factions are sufficiently small and numerous they can be rendered, in the aggregate, benign or even beneficial. The geographic range and socioeconomic diversity of the United States, he posited, increased rather than reduced the likelihood that self-government would survive in the new country. The key to that structural remedy, he wrote in *The Federalist*, is that "society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority."

The key word is the plural "combinations." Democratic majorities in a large, varied republic will be transient coalitions rather than permanent monoliths. The members of a majority *faction*, bound together by a powerful force like the Iraqi Shiites' religious convictions, have little incentive to respect the minority because they have little reason to anticipate that they'll ever be *in* the minority.

The factions composing an ad hoc majority *coalition*, however, can easily imagine being left out of some future majority coalition addressing a different public question. Knowing this, the prudent course will be to respect those who happen to be outside any particular majority, rather than indulge the sort of winner-take-all governance that could, soon and easily, be turned against you. In this way, politics in a varied, extended republic is self-moderating. The fluidity of majority coalitions supplies the defect of better motives, providing a humble but compelling reason not to abuse democratically secured power. As a result, the extended republic's political life has a distinctive tone: transactional and incremental, emphasizing common denominators rather than lofty aspirations. It traffics in differences that can be split rather than imperatives that must not be compromised.

### Beyond Faction

ONE MIGHT SUPPOSE THAT THERE IS a fundamental consistency between Madison's extended republic and the diversity extolled endlessly by modern multiculturalism. Madison's plurality of economic interests, sectional attachments, and religious denominations resembles the current preoc-

cupation with demographic variety. And, in both cases, a description begets a prescription: a fact resulting mostly from happenstance becomes the basis for a theory about necessary and optimal sociopolitical arrangements.

In reality, the differences between the extended republic and multiculturalism are more important than their similarities. Ultimately, Madison's concern was with sustaining a government accountable to the governed, who expected it to secure their safety and happiness in a manner consistent with their natural rights. Multiculturalism, however, points to supplanting liberal democracy with a new, more radical order. The functioning of this new regime is nebulous and, partly as a result, ominous. In particular, there are good reasons to fear that the multicultural republic, as presently envisioned, will assert and exercise powers derived not from the consent of the governed but from the Mandate of Heaven, or of History. Doing so will necessitate violating individuals' rights for the sake of its chiliastic mission.

## The claims put forward by identity groups go beyond those made by an interest group or voluntary association.

According to University of California, Berkeley, political theorist Sarah Song, multiculturalism seeks not only to rectify "economic and political disadvantages that people suffer as a result of their marginalized group identities," but to revalue "disrespected identities" and change "dominant patterns of representation and communication that marginalize certain groups." Ultimately, it points to "an ideal in which members of minority groups can maintain their distinctive collective identities and practices." All individuals are to be free and equal, and all groups, especially those previously marginalized and disrespected, will be empowered to define their identities and their terms of affiliation with the larger polity. Multiculturalism, says Song, shares the premises and goals of "the politics of difference" or "identity politics." (The latter is sometimes called "identitarianism.")

It's important to note that Madison's heterogeneous extended republic presupposes a more fundamental homogeneity, of the sort hailed by his *Federalist* co-author John Jay. Jay described the new American nation as "one united people—a people descended from the

same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs." Taken together, Madison and Jay are contending that a nation of interests has favorable prospects but a nation of nations does not, as the violent dissolution of Yugoslavia in the 1990s demonstrated.

In the extended republic, a National Association of Oven Mitt Wholesalers is benign not just because it is small and there are many groups like it, but because the maximum extent of its agenda is unlikely to do serious harm, even if it somehow becomes large and powerful. Similarly, the various religious denominations are unthreatening not only because they are too numerous for any one to constitute a majority, but because they have embraced a common moral teaching: religious fervor may be shared with co-worshippers, but never imposed on those of different persuasions. In the public arena, we agree to disagree about matters of faith. As long as your creed honors the common rights and duties of citizenship, neither picking my pocket nor breaking my leg, we may all aspire to live and let live.

The claims put forward under multiculturalism by disadvantaged, marginalized identity groups go beyond those made by an interest group or voluntary association. Whether they are less or more sweeping than those put forward by a group asserting nationhood is, however, unclear. Identity politics has normalized accusations of group disloyalty that resemble those made by nations against treasonable behavior, or by zealous religions against heresy. Last year, Congresswoman Ayanna Pressley, a Massachusetts Democrat, told a Netroots Nation convention:

We don't need any more brown faces that don't want to be a brown voice. We don't need black faces that don't want to be a black voice. We don't need Muslims that don't want to be a Muslim voice. We don't need queers that don't want to be a queer voice.

Similarly, former South Bend mayor Pete Buttigieg, the first openly gay presidential candidate in U.S. history, faced accusations that he was not gay enough. The *New Yorker's* Masha Gessen, in particular, dismissed the Democrat as a "straight politician in a gay man's body." His failure, she explained, was embracing a politics of sexual identity that "aims to erase difference," aspiring to nothing more profound and threatening than "a society in all respects indistinguishable from the one in which we live now, except queer people have successfully and permanently blended in." Unlike Buttigieg, "an easy and reassuring choice for...older, white,



straight people,” a gay politician worthy of the designation would stand for “a society that is radically changed by many kinds of people fighting many kinds of injustice, a society in which economic, social, political, and sexual relationships have been transformed.”

### Intersectional Crash

**T**HOUGH THE NEW ORDER CREATED BY the transformation Gessen demands is, well, radically vague, criticisms like hers and Pressley’s signal clearly the importance of authenticity in identity politics. Gessen’s opposition to blending in, and to reassuring Americans who are old, white, and straight, reflects multiculturalism’s animus against assimilation. In *Why I’m No Longer Talking to White People About Race* (2017), British author Reni Eddo-Lodge charges:

My blackness has been politicised against my will, because racism has given it meaning. This is a situation I didn’t choose, but I don’t want it wilfully ignored in an effort to instil some sort of precarious, false harmony.

Making victimhood central to the identity of a marginalized group, however, complicates the work of rectifying disadvantages suffered by that group. Those who become ex-

victims will no longer possess a firm identity. In the consummation of identity politics, the grievances that previously defined an identity will all have been addressed. Demographic attributes once defining will become incidental, like being left-handed or having a name with an even number of letters. Identity politics becomes self-extinguishing.

Its logic and rhetoric, however, demands that it be self-perpetuating: an identitarian life well lived requires going deeper and deeper inside the experience of being black, female, gay, disabled, etc. The social scientist Liah Greenfeld argues that a necessary component of nationalism is “dignity capital,” wherein individuals derive pride and meaning from the civilizational achievements of their national community. Identity politics offers those who feel themselves marginalized from such national communities an alternative: *indignity capital*. People take pride and meaning from belonging to a demographic group that has been disdained and abused. The dignity derives less from what the group you identify with has achieved than from what it has endured, which validates both the group’s resilience and its innocence in the face of its oppressors.

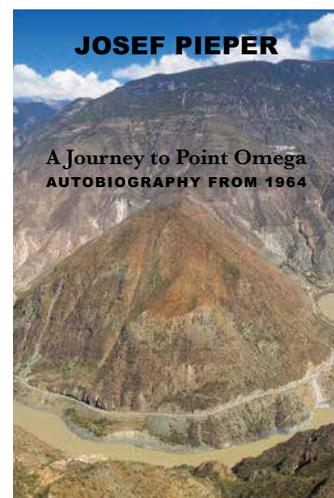
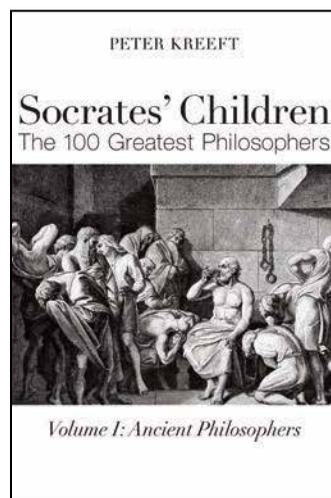
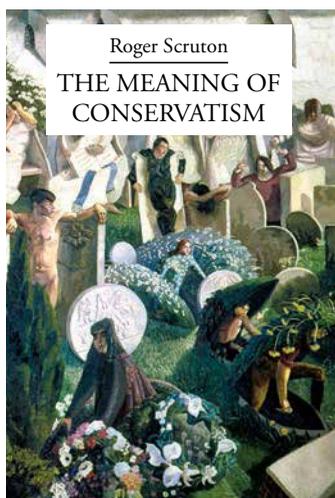
Ultimately, such authenticity begets essentialism: people are never different or more than their group identity, which is a function of demography and victimhood. (“Identity” derives from the Latin word for sameness.)

Demands to uphold a party line and group self-image substitute a spurious authenticity for the real thing, each individual’s quest to interpret and express an inner and outer life not quite like one that any other person has known. Accidents of history and demography inform that quest, but do not define it. Multiculturalism celebrates its constituents’ identities but denigrates their selves.

Purity tests like Gessen’s, simultaneously amorphous and demanding, render quotidian politics impossible. Deals can never be struck when concessions mean not just relinquishing something a constituency wants, but complicity in denigrating who they are. Whenever a figure from a marginalized group reassures old, white, straight people, its arbiters and guardians of authenticity will call for confronting and discomfiting the non-marginalized instead.

If multiculturalism renders building coalitions with the non-marginalized suspect at best and intolerable at worst, then the only legitimate coalitions are those confined to marginalized groups. This requirement makes solidarity the counterpart of authenticity. Gessen favorably cites an open letter addressed to the former South Bend mayor by the group #QueersAgainstPete. “As LGBTQ2IA people,” it states, “our lives are layered and must have an intersectional framework in our analysis, organizing, and movement building.” (If you are somehow unaware, LGBTQ2IA stands for

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Lesbian, Gay, Bisexual, Transgender, Queer, Two-Spirit, Intersex, and Asexual.) It goes on to declare that “LGBTQ2IA justice” encompasses: “Education justice,” “Racial and economic justice,” “Decarceration” [that is, ending “mass incarceration”], “Immigrant and refugee justice,” “Health justice,” and “Housing justice.” Finally, “Demanding corporate accountability and for wealthy people to pay an equitable share of taxes is LGBTQ2IA justice.”

The open letter’s terminology reflects the importance within multiculturalism of “intersectionality,” a concept first advanced by legal scholar Kimberlé Crenshaw in a 1989 law journal article, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.” Instead of a “single-axis framework” that treats “race and gender as mutually exclusive categories,” Crenshaw calls for full awareness of “multidimensionality.” Such an approach will make clear that the discrimination experienced by a black woman is *sui generis*, neither the sum of, nor the same as, that experienced by a black man and/or a white woman.

Intersectional analysis quickly became influential within academia, and was extended in other directions. In 2018 political scientist Anne Sisson Runyan explained that the concept had led to an analytical reckoning with how individuals’ multiple identities—race, gender, class, sexual preference, etc.—interact to confer privileges or disadvantages in various times and contexts. In keeping with Karl Marx’s dictum that we must not merely interpret the world but change it, intersectionality became an organizing as well as an interpretive tool. Sisson Runyan writes that “intersectional thinking has...opened the way to more inclusive and coalitional social movements,” ones that “see struggles against racism, classism, neocolonialism, xenophobic nationalism, heterosexism, transphobia, ableism, ageism, Islamophobia, and ecological destruction as indivisible.”

In recent years, intersectionality has moved beyond the campus to prominence in the larger national discourse. The 2017 Women’s March, for example, argued that because of women’s “intersecting identities” they were “impacted by a multitude of social justice and human rights issues.” During the 2018 Academy Awards, actress Ashley Judd hailed the “limitless possibilities of equality, diversity, inclusion, [and] intersectionality” created by the MeToo movement.

“All for one and one for all” is a stirring ideal, but Alexandre Dumas told the story of just three musketeers. Intersectionality raises but does not solve the problems of forming and sustaining a grand coalition of a much larger

number of aggrieved, marginalized groups. Indeed, what often occurs in intersections are collisions, usually because people have conflicting, self-serving ideas about right-of-way, about who goes first.

Thus, the seemingly formidable Women’s March busted up over the question of whether Jews in America are oppressors or victims and, if victims, where their grievances rank in the comprehensive Oppression Olympics. Three years after it galvanized some of the largest protests in American history, it is unclear “what, if anything, the Women’s March organization has directly achieved,” the *Atlantic* noted sadly. Last year, some anonymous provocateurs at Western Connecticut State University posted flyers around campus, one of which read, “Islam is right about women.” As it stands, the flyer is certain to be denounced as misogynistic, but if you change the wording to “Islam is wrong about women,” it becomes Islamophobic.

Similarly, in 2019 the *New York Times* examined a new political movement, American Descendants of Slavery (ADOS). Its organizing principle is that diversity and inclusion are good, but the more deserving must be included ahead of the less deserving, and that the most deserving are those Americans whose ancestors were enslaved here prior to the ratification of the 13th Amendment. Consequently, ADOS objects to the fact that 41% of black Ivy League freshman are either immigrants or the children of immigrants, which means that these applicants are more than three times as likely to be admitted to some of the country’s most highly selective colleges as blacks whose ancestors have lived in the U.S. for centuries. One ADOS organizer has even explained her position using the term “blood and soil”—striking but not altogether surprising evidence that identitarianism is not flatly incompatible with Aryanism.

### Coalition of the Marginalized

**T**HE NEAR-TERM CHALLENGE, THEN, IS overcoming these internal tensions to form a majority coalition of the marginalized. Its realization would be the first step to the longer-term aspiration, a majority faction of the marginalized, so sturdy and formidable that it could pursue the indivisible struggles against racism, classism, neocolonialism, and so on, even in the face of unanimous opposition from the non-marginalized, the privileged. According to *New York* magazine’s Rebecca Traister, the problem in American life is “minority rule” by white males. Roughly one third of the population, they hold a large majority of all elective offices and wield disproportionate economic power. Even worse, everything ends up being about them:

“we’re always busy worrying about the humanity—the comfort and the dignity—of white men, at the same time discouraging [any] disruptive challenge to their authority.”

If white women, also about a third of the country, shift decisively away from the coalition of the privileged and join the coalition of the marginalized, the latter can finally realize its transformative political potential. Traister laments that this hasn’t happened yet, and isn’t about to: “a majority of white women voted for Trump [in 2016], and always vote for his party, because they benefit from white supremacy even as they are subjugated by patriarchy.... This is how minority rule persists.”

*Guardian* columnist Moira Donegan goes further. “There is a battle on for the soul of America,” she wrote in 2018, “between the peevish, racist cruelty of Trump and his supporters and a vision of inclusion, justice, and decency forwarded by an increasingly diverse coalition on the left. Much of that battle is being waged in white women’s hearts.” The problem persists because “white women vote for Republicans for the same reason that white men do: because they are racist.” Change will occur when, and only when, white women finally reject loyalty to “the more powerful aspect of their identity, their race” in favor of “the less powerful, their sex.”

Whether, and how rapidly, white women will join the coalition of the marginalized is presently unclear. According to CNN’s exit polls, white women (who cast 37% of the ballots) voted for Donald Trump over Hillary Clinton by 52% to 43% in 2016. In the 2018 midterm elections they split their votes evenly: 49% for Democratic congressional candidates, 49% for Republicans—not a huge shift, but a significant one. Democrats won control of the House with 235 seats in 2018, 41 more than they had after 2016. Many of the seats that flipped from red to blue were in suburban districts where white women represent far more than 37% of the voters.

But the jury is still out. Economist Paul Samuelson once said that the stock market has correctly predicted nine of the past five recessions. The track record of midterm elections heralding partisan realignments isn’t much better. Republicans in 1994 made even bigger gains in the House and Senate than Democrats in 2018, only to see President Clinton win reelection easily two years later. The same sequence occurred in 2010 and 2012 with the Tea Party wave and, then, President Obama.

Even if Donald Trump is not reelected in 2020, and even if a shift in white women’s votes helps account for the difference from 2016’s results, we should still be cautious about declaring that the coalition of the marginalized has become the fundamental fact



of American politics. Subsequent elections could reveal that Trump's singularly indecorous and exhausting public persona was more important in losing women's votes than multiculturalism was in attracting them.

Indeed, as of this writing the 2020 election contest has demonstrated multiculturalism's very limited electoral appeal, even within the Democratic Party. The large field of Democratic presidential candidates, more than two dozen, who slogged through debates and fundraisers in 2019, included six women and seven candidates of non-European ancestry. Yet within days after the 15 contests held on "Super Tuesday," and barely a month after the voting had commenced with the Iowa caucuses, the only contenders left in the race were two old, white, straight men, Bernie Sanders and Joe Biden.

More importantly, Democratic voters soundly rejected the candidates' bold appeals couched in identitarian language. A significant portion of the early field, *Politico* noted in November 2019, seemed to be running for Social Justice Warrior-in-Chief, "shrugging off warnings that embracing so-called identity politics could distract from the party's economic message and push white voters further into Donald Trump's arms." One activist said, "Intersectionality feels obvious to younger progressives," and the politicians vying for volunteers and buzz courted these voters aggressively. "Let's just start with the hard truth about our criminal justice system," Elizabeth Warren told one audience. "It's racist." Kirsten Gillibrand wrote to her supporters that "resistance is female, intersectional and powered by our belief in one another."

None of it worked; most of it backfired. Biden, for example, became the presumptive nominee because black voters ended his humiliating losing streak in presidential politics by giving him a decisive win in the South Carolina primary, which propelled Biden to Super Tuesday victories across the country three days later. The explanation goes beyond affection for Barack Obama's vice president. Thomas Edsall of the *New York Times* pointed out last year that black voters, around a fourth of the Democratic primary electorate, have "emerged as a force for more moderate stands" at a time when "white Democrats have moved sharply left." Compared to white Democrats with college degrees, Edsall noted, black Democrats are more likely to be religious, to have misgivings about welfare programs, and to favor traditional moral views on social and cultural issues.

During the debates in 2019 one black candidate, Kamala Harris, attacked Biden for having opposed busing in the 1970s, while another, Cory Booker, criticized him for having worked with senators who had been Southern

segregationists. In the end, the attacks neither harmed Biden nor helped Harris and Booker, both of whom abandoned their campaigns prior to the Iowa caucuses. (Biden replied to Booker's charge by saying, "There's not a racist bone in my body," the sort of expression Uncle Fred might say at Thanksgiving dinner while the returning liberal arts majors roll their eyes. To borrow Trump's moniker for him, it's clear that Sleepy Joe is not woke.)

### Structural Pandering

**A**T THE OTHER END OF THE SPECTRUM, Elizabeth Warren ran for president as though the national electorate represented on a much larger scale the worldview shared by her students and colleagues at Harvard Law School. She promised to be a champion for "Latinx families," despite polling evidence that fully 2% of American Hispanics describe themselves with this neologism, crafted as a non-gendered improvement upon

## The 2020 election contest has demonstrated multiculturalism's very limited electoral appeal, even within the Democratic Party.

"Latino." According to its defenders, political correctness is nothing more than the polite determination to avoid offending marginalized groups. But Warren's adoption of a term *overwhelmingly rejected by the people it designates* shows how, in the words of *New York Times* columnist Ross Douthat, "the language that dominates progressivism often emerges out of a dialogue among minority activists and academics and well-meaning white liberals, without much engagement with the larger minority population." (Kimberlé Crenshaw endorsed Warren.)

Not coincidentally, one of the weaknesses that proved fatal to Warren's campaign was her rejection by minority voters. In her home state's presidential primary, Warren finished in third place among Hispanic voters and fourth place—behind Biden, Sanders, and Michael Bloomberg—among blacks, with just 14% of their votes. She got 5% of the black vote that day in the Virginia primary. Even among white women with college degrees, her best demographic category, two-thirds of those Massachusetts voters preferred another candidate.

Warren's identitarian pandering sometimes descended to self-parody. In Iowa, she promised a nine-year-old "trans person" the opportunity to interview any prospective secretary of education in a Warren Administration, and that the nomination would advance only with the child's approval. Days before the Nevada caucuses, six women of color resigned from the Warren campaign there, charging that the organization was, in *Politico's* words, "a toxic work environment in which minorities felt tokenized." The candidate went on MSNBC to take full responsibility: "I believe these women without any equivocation, and I apologize personally that they had a bad experience on the campaign." Warren explained in the next breath, however, that taking responsibility meant that the episode's offending party was neither the candidate nor the campaign organization but America, where "racism and oppression...have left a long legacy, and it creates the kind of toxicity where... power structures, people take advantage of other people, it's something for which we have to be constantly vigilant and constantly determined to do better."

A handful of junior staffers resigning from one state office of a failing presidential campaign is a detail that will, deservedly, be omitted from histories of the 2020 election. But it deserves a moment's attention for illuminating what multiculturalism means. As reported by *Politico*, the employees' grievances were notably vague and slight. One said, "I filed a complaint with [Human Resources], but the follow-up I received left me feeling as though I needed to make myself smaller or change who I was to fit into the office culture." Another alleged, "We all were routinely silenced and not given a meaningful chance on the campaign. Complaints, comments, advice, and grievances were met with an earnest shake of the head and progressive buzzwords but not much else." The best explanation for this blather is that it is exactly what you would expect from young women whose education, from preschool through grad school, assured them constantly that nothing that came into their heads or out of their mouths was less than fascinating, incisive, and righteous.

Instead, Senator Warren apologized abjectly for their suffering before shifting blame to the country she was offering to lead. Her lament about America's toxic power structures reflects the growing tendency in progressive rhetoric to blame disparities and dissatisfactions on "structural" racism, sexism, homophobia, and oppression in general. But because the explication of what these structures are and how they function is neither detailed nor rigorous, the indictments that blame structural oppression for a particular

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social ill are often hard to comprehend, and always impossible to falsify. An analytical device that purports to explain everything rarely explains anything.

Structural racism is “covert” and “woven into the fabric of our world,” according to Reni Eddo-Lodge’s non-definition. “‘Structural’ is often the only way to describe what goes unnoticed—the silently raised eyebrows, the implicit biases, snap judgments made on assumptions of competency,” she says. Structural racism accounts for the “apologetic smile while telling a non-white employee that they didn’t get the promotion,” or the “CV tossed in the bin because the applicant has a foreign-sounding name.”

In 2019, a Williams College professor announced that she was taking a medical leave, citing the college’s “violent practices,” which encompassed “[t]he problem of anti-blackness and transphobia on campus.” A student group, the Coalition Against Racist Education Now, endorsed the claim that “discursive and institutional violence” pervaded life at the prestigious liberal arts college. In a subsequent meeting for faculty of color called by the administration, one professor asked about the exact nature of the violent practices endured by the faculty member who had made the complaint. To which another professor responded that “to ask for evidence of violent practices is itself a violent practice.”

### After Democracy

LEADING MULTICULTURAL THEORETICIANS have laid out how egalitarianism operates after democracy outlives its usefulness. Historian Ibram Kendi, author of *How to Be an Antiracist* (2019), proposes a constitutional amendment to create a Department of Antiracism, powerful enough to function as the nation’s third house of Congress, second Supreme Court, and first Council of Philosopher Kings. The department “would be responsible for preclearing all local, state and federal public policies to ensure they won’t yield racial inequity, monitor those policies, investigate private racist policies when racial inequity surfaces, and monitor [and discipline] public officials for expressions of racist ideas.” Permanently funded and staffed by “formally trained experts on racism,” but with “no political appointees,” the department would be answerable only to itself, neither checked by other branches of government nor constrained by voter disapproval.

Kendi is diffident compared to the Equality Amendment to the Constitution advocated by Kimberlé Crenshaw and Catharine MacKinnon, also a prominent feminist law professor. Among other provisions, it commands Con-

gress and the states to “take legislative and other measures to prevent or redress *any disadvantage* suffered by individuals or groups because of past and/or present inequality” (emphasis added). Because discrimination is “a pervasive social practice of power—epistemic, practical, and structural,” it follows that “no showing of intent is required to legally undo and remedy it.” As a result, it is hard to imagine an inequality that the amendment would not render unconstitutional, since it orders the government to address inequality’s root causes, which are “the social order—its structures, forces, institutions, and individuals acting in concert.”

And, if we’re surprised at how many eggs get broken to make all these egalitarian omelettes, we can never complain that Crenshaw and MacKinnon didn’t warn us. The Equality Amendment “supersedes” existing constitutional guarantees of equal protection of the laws and due process of law. This means, they tell us, that affirmative action plans are likely to be required by the new, improved Constitution, and certain never to be proscribed by it. The Equality Amendment “repudiates the premise that classification per se is the injury of inequality and embraces the understanding that group hierarchy is the essence of inequality’s injury.” We may safely assume that, under it, the procedural niceties made famous by college campus sex tribunals will be on continuous display at a courthouse near you, where due process for hapless defendants is routinely subverted in the service of dismantling group hierarchies.

There is no foreseeable prospect that either the Antiracist or Equality Amendment will be added to the Constitution. Doing so would require voters’ consent, which does not appear to be forthcoming after Elizabeth Warren and other Torquemadas were routed in this year’s Democratic primaries. But as essayist Wesley Yang observed in the *Washington Post* last year, the “intersectional approach” has neither been nor needed to be “successful in winning national elections,” because it is “excellent at acquiring power through intramural struggle within institutions.” That is, “the activist cadres that run and staff the organs of the institutional left” are

situated at critical choke points of the nonprofit and governmental civil rights apparatus, which derives its power and authority from the manufacture of new protected classes on whose behalf the latest moral crusade requiring federal intervention can be launched.

Furthermore, future Democratic presidents will appoint federal judges, some of them educated by Crenshaw, MacKinnon,

and other zealots. These jurists will eventually determine that the unamended but living Constitution has mandated post- and anti-democratic egalitarianism all along, a fact obscured by the forces of structural oppression.

James Madison took for granted that disinterestedness would rarely be a consequential political force. However diverse the “faculties of men,” our reason is almost always put in the service of our “self-love,” and rarely set against it. But the endeavor of people who share an interest coming together to form a faction, and of factions in an extended republic coming together to form a majority, is necessarily political. It requires understanding others’ viewpoints well enough to address them in ways that accounts for their interests and sensibilities, rather than just proclaiming one’s own. In this way the extended republic extends and deepens republicanism by channeling self-love into what Alexis de Tocqueville would later describe as self-interest, well understood.

“The irony of identity politics,” political scientist Joshua Mitchell has written, “is that it does not see itself as political.” Identitarians employ speech not to explicate or persuade, but to calibrate demographic categories’ guilt or victimhood. These determinations, made by Kendi’s trained experts on racism or the activist cadres described by Yang, become the basis for realizing the parallel-universe America that would exist if racism, sexism, homophobia, and so forth never had.

Multiculturalism’s antipathy to republicanism—always implicit, now increasingly explicit—is lamentable, not least because it discredits the necessary, noble endeavor of vindicating America’s experiment in self-government by securing civil rights and economic opportunity for all its citizens. In his most famous speech, at the 1963 civil rights march in Washington, Martin Luther King, Jr., said that the Declaration of Independence and Constitution amounted to “a promissory note to which every American was to fall heir...a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.” John Jay’s description of a nearly uniform America was truer to an ethno-nationalist paradigm than to the realities of 1787, much less those of the 21st century. Diversity is a fact, one that does make inclusion an imperative. But these realities should not be set against the abiding need to make a constitutional government accountable to the people. Only as free and equal citizens of a self-governing republic, in other words, can and should we all try to get along.

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