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BOOK REVIEW

DERRICK BELL'S RADICAL REALISM

TRACY E. HIGGINS*

Faces at the Bottom of the Well: The Permanence of Racism. By Derrick Bell. Basic Books: New York, 1992. Pp. 222. \$20.00.

*Black people will never gain full equality in this country. Even those herculean efforts we hail as successful will produce no more than temporary "peaks of progress," short-lived victories that slide into irrelevance as racial patterns adapt in ways that maintain white dominance. This is a hard-to-accept fact that all history verifies.*¹

Professor Derrick Bell sets forth this proposition in the introductory chapter of *Faces at the Bottom of the Well*, a work that combines fiction and more traditional legal scholarship as a means of exploring the condition of American race relations. To the reader looking for a hopeful message in the words of this leading civil rights advocate and legal scholar,² the suggestion that racism is a permanent part of the social and political structure of the United States is an alarming one. Nevertheless, through storytelling, self-reflection, and legal analysis, Bell draws from this initial proposition not resignation and defeat, but rather the necessity of reassessment and ultimately recommitment to the goal of racial justice.

I. DIVINING BELL'S RACIAL THEMES: STORIES AND STRUCTURE

In *Faces at the Bottom of the Well*, Bell reintroduces Geneva Crenshaw, the fictional civil rights attorney and heroine of his earlier work, *And We Are Not Saved*.³ Bell again uses allegorical stories or "chronicles" highlighting what he describes as "racial themes"—contemporary problems of race relations, the status of civil rights, and aspects of the condition of African-Americans. The themes are wide-ranging, but through the telling of stories situated within a continuing dialogue be-

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1. Derrick Bell, *Faces at the Bottom of the Well: The Permanence of Racism* 12 (1992) [hereinafter *Faces at the Bottom of the Well*].

2. Formerly a litigator for the NAACP Legal Defense Fund, Derrick Bell joined Harvard Law School in 1969 as that institution's first black professor. Professor Bell left Harvard in 1990 to protest the absence of black women on the tenured faculty. He currently teaches constitutional law and civil rights at New York University School of Law.

3. Derrick Bell, *And We Are Not Saved: The Elusive Quest for Racial Justice* (1987) [hereinafter *And We Are Not Saved*]. *And We Are Not Saved* is an expanded version of Bell's foreword to the *Harvard Law Review's* 1985 Supreme Court issue. See Derrick Bell, *The Supreme Court, 1984 Term—Foreword: The Civil Rights Chronicles*, 99 *Harv. L. Rev.* 4 (1985).

tween Geneva and a law professor narrator (a narrator who, most readers will assume, represents Bell himself), Professor Bell weaves the themes together to achieve a powerful commentary on the possibility of racial justice and the importance of struggle in the face of overwhelming odds.

The vehicle of fiction permits Bell to draw on experience and imagination to illuminate the complexities of racial issues in a way that transcends their legal context. Although the dialogue between the narrator and Geneva facilitates the presentation of different sides of an issue, it does allow the author to avoid confronting the contradictions within his analysis. Nevertheless, the format is generally a strength of the work, tolerating complexity when resolution is neither necessary nor possible.

Faces at the Bottom of the Well begins with an introductory chapter in which Professor Bell examines the condition of African-Americans following almost three decades of civil rights litigation. He concludes that "the racism that made slavery feasible is far from dead in the last decade of twentieth century America; and the civil rights gains, so hard won, are being steadily eroded."⁴ Although the overt discrimination of the first half of the century has largely been eliminated, Bell cites profound differences that remain between the status of white and black Americans. The unemployment rate for blacks is two-and-one-half times that of whites,⁵ for example, and per capita income for blacks is less than two-thirds that of whites.⁶

Professor Bell notes that even though racism today may be less visible than in years past, it is certainly no less real. Indeed, he argues, racism is more insidious in its current form because its victims no longer know clearly who their enemies are—the seemingly neutral standards that are the product of successful civil rights litigation have led to self-righteousness on the part of whites and self-doubt on the part of blacks.⁷ Although racial justice through civil rights activism has seemed achievable, Bell argues that this goal represents a false hope, and its premise that racial discrimination is somehow inconsistent with democratic principles obscures the critical importance and likely permanence of racism in the United States. Bell contends that, given the current situation and the failure of traditional civil rights strategies, we must reassess our assumptions even as we redefine our goals.

The eight stories that follow this introductory critique provide a vehicle for such a reassessment. The stories address a wide range of racial themes, including emigration ("The Afrolantica Awakening"⁸), civil rights legislation ("The Racial Preference Licensing Act"⁹), relationships

4. *Faces at the Bottom of the Well*, *supra* note 1, at 3.

5. *See id.*

6. *See id.*

7. For further discussion of this point, see *infra* notes 17-18 and accompanying text.

8. *See Faces at the Bottom of the Well*, *supra* note 1, at 32-46.

9. *See id.* at 47-64.

between black women and men ("The Last Black Hero"¹⁰), the authority of African-Americans to name their experience of racism ("The Rules of Racial Standing"¹¹), affirmative action and tokenism ("A Law Professor's Protest"¹²), and, perhaps most importantly, the structural role of racism in American society ("Divining a Racial Realism Theory,"¹³ "Racism's Secret Bonding,"¹⁴ and "The Space Traders"¹⁵).

The series of stories gains thematic coherence through an explication of Bell's "interest-convergence" theory:¹⁶ his hypothesis that whites will advance the cause of racial justice only when doing so is consistent with their own self-interest. Bell first developed this idea through Geneva's chronicles in *And We Are Not Saved*, where he explored the limitations of traditional civil rights strategies, especially what he terms the "leaky boat" of litigation.¹⁷ The limited success of legal remedies such as school desegregation and affirmative action led both Bell and Geneva to consider alternatives, including mass protest and emigration. Although profoundly disillusioned by the failure of civil rights efforts in the past, Bell's pragmatic rethinking of civil rights strategies led him ultimately to maintain a qualified faith in reform efforts (including litigation), a faith tempered by a realistic understanding of the role of racism in society and the consequent difficulty of the quest for racial justice. In the final chapter of *And We Are Not Saved*, Geneva and Bell recognize the possibility of the "third way," a civil rights strategy combining litigation, social protest, and education to seek economic and political justice for all.¹⁸

In *Faces at the Bottom of the Well*, however, even this qualified optimism in an alternative strategy is gone. As a caveat to his interest-convergence theory, Bell now adds that "even when nonracist practices might bring a benefit, whites may rely on discrimination against blacks as a unifying factor and a safety valve for frustrations during economic hard times."¹⁹ Thus, even when the interests of blacks and whites coincide in favor of civil rights, progress will be undermined by those groups within white society for which economic interests continue to be served by racial division.

This modified incarnation of the interest-convergence theory is most directly illustrated by the chapter entitled "Racism's Secret Bonding"²⁰ in which Bell challenges the notion that education is the key to eradicat-

10. *See id.* at 65-88.

11. *See id.* at 109-26.

12. *See id.* at 127-46.

13. *See id.* at 89-108.

14. *See id.* at 147-57.

15. *See id.* at 158-94.

16. *See* Derrick Bell, Brown v. Board of Education *and the Interest Convergence Dilemma*, 93 Harv. L. Rev. 518 (1980); *see also* *And We Are Not Saved*, *supra* note 3, at 51-74 (civil rights laws benefit majority race at least as much as blacks).

17. *See* *And We Are Not Saved*, *supra* note 3, at 51-74.

18. *See id.* at 245-58 ("Salvation for All: The Ultimate Civil Rights Strategy").

19. *Faces at the Bottom of the Well*, *supra* note 1, at 7.

20. *See id.* at 147-57.

ing racial intolerance. In this chapter, Geneva offers a tale in which “racial data storms” rain rays of energy down from the heavens, penetrating the consciousness of white Americans and flooding them with data. Gradually, through the progress of the storms, all white Americans gain knowledge of the historical conditions of African-Americans under slavery as well as of the current disparities between black and white citizens. More importantly, white Americans are made mentally to cross racial barriers and experience the consequences of racism as played out in the lives of their fellow citizens. The result of this enlightenment, according to Geneva’s tale, is a call for government to address the nation’s social ills, including racial injustice and the financial, political, and moral burden that racism has imposed on all races. Among the reforms urged is stronger legislation to protect against all forms of discrimination. At the same time, such protection becomes less necessary as the newly found empathy among the races renders the former perpetrators of discrimination less likely to violate the new laws.

Bell, speaking through the law professor narrator, expresses doubt in response to Geneva’s story. For him, the old formula: “[E]ducation leads to enlightenment. Enlightenment opens the way to empathy. Empathy foreshadows reform” has lost its validity.²¹ “[W]e fool ourselves,” Bell explains, “when we argue that whites do not know what racial subordination does to its victims.”²² Indeed, this knowing, for Bell, is the key to the value of racism to whites and their stake in the status quo. This understanding of the position of blacks in the United States is in fact essential to the function of racism, permitting whites to bond across an economic and cultural divide that might otherwise be unbridgeable. Thus, whites gain, through structural racism, a property right in their whiteness, the value of which sets them apart from—or, more accurately, raises them above—those “at the bottom of the well.”

Bell explores the implications of the interest-convergence theory and the permanence of racism for civil rights strategies in an earlier chapter, “Divining a Racial Realism Theory.” Seeking solitude in a national park in Oregon, Bell as the narrator encounters Erika, a young white woman who is a founding member of White Citizens for Black Survival, or “WCBS.” The ultimate mission of WCBS is to help black refugees in case of a general racial attack—a modern day underground railroad of sorts. Bell is skeptical, unwilling himself to confront the possibility. Nevertheless, as Erika shares some of the precepts of WCBS’s racial realism theory, Bell finds much with which to agree. Erika notes that there has been no linear progress in civil rights—the subordination of blacks has been a consistent fact throughout the history of the United States. She argues that a focus on legal rights has obscured the economic position of blacks, the real indicator of power in this country. Finally, she

21. *Id.* at 150.

22. *Id.* at 151.

emphasizes the possibility of satisfaction through struggle, notwithstanding the difficulty if not impossibility of achieving racial justice.

Finding that he agrees with Erika's assessment of the status of race relations, Bell is forced to confront the logic of her mission. He concedes that "[t]here are limits to what we can do with philosophy. You and I know that if the need is great enough, the rewards large enough, the temptation strong enough, we blacks can be sacrificed at will. A present fear sometimes, a distant memory always."²³

The ultimate betrayal that Erika forces Bell to confront is dramatized in Geneva's final allegorical tale, "The Space Traders," in which alien travelers arrive in the United States and offer a startling proposal. The travelers bear sufficient riches to restore the country's ailing economy, chemicals capable of cleaning up the toxic environment, and a completely safe source of nuclear energy. They offer all to the United States but ask in return that they be permitted to take back to their home all African-Americans living in the country.

Geneva's description of the ways in which politicians, business leaders, and members of the civil rights community respond to the Space Traders' proposal serves as a remarkable illustration of the interest convergence theory at work. The President and his cabinet meet at the White House to discuss the political implications of the proposed trade. They speculate about the political response to the trade and eagerly examine early polling data. They worry about white guilt that may follow acceptance of the offer. They search for a justification. In the midst of their political cost-benefit analysis, one cabinet member suggests a comparison between the proposed sacrifice of all African-Americans to compulsory military service in time of national crisis. Through this analogy, the Space Traders' bargain is suddenly transformed into an opportunity for patriotic service for every black American.

Civil rights leaders quickly form an anti-trade coalition, proposing constitutional challenges to acceptance of the proposal and drafting bills that would forbid the trade for introduction in Congress. Rejecting what he calls "liberal optimism" regarding the efficacy of these traditional strategies, Professor Golightly, a conservative black economist, urges an alternative. Believing that racism will lead whites to oppose any benefit limited to blacks, Golightly suggests that the coalition support the trade on the theory that the Space Traders' offer represents a route to an extra-terrestrial New Jerusalem. Once whites realize that blacks are supportive of the trade, they may be moved to raise constitutional challenges to acceptance of the offer on the grounds that it is limited to blacks. Despite acknowledging the possible validity of Golightly's theory, the coalition is unwilling to forego condemnation of the proposal and decides instead to pursue its plan of resistance.

The civil rights groups find an unlikely ally in their opposition to the

23. *Id.* at 107.

trade in a coalition of business leaders. Aware of the role that blacks play in stabilizing the social structure in the face of the increasing disparity between rich and poor, the business leaders recognize that unrest among poor whites has been forestalled by that group's effort to ensure that they remain at least ahead of blacks. Geneva explains that "[i]f blacks were removed from the society, working- and middle-class whites—deprived of their racial distraction—might look upward toward the top of the societal well and realize that they as well as the blacks below them suffered because of the gross disparities in opportunities and income."²⁴

Ultimately the temptation of the Space Traders' offer is too great. Despite the efforts of business and civil rights leaders, Americans vote overwhelmingly to ratify the constitutional amendment that provides a legal basis for acceptance of the Space Traders' offer. Some few blacks are granted "detainee status" and permitted to remain as trustees of black property and possessions. Twenty million others are ordered to board the ships, their "[h]eads bowed, arms now linked by slender chains, black people left the New World as their forebears had arrived."²⁵

Thus, in "The Space Traders," Geneva confronts Bell and the reader with the betrayal that lurks as a possibility throughout the preceding chapters. Geneva's scenario, as frightening and terrible as it is, cannot be entirely dismissed, nor the possibility of betrayal denied. By concluding *Faces at the Bottom of the Well* with this story, Bell refuses to retreat from his original premise that racism is a permanent and necessary feature of American society.

II. DIVINING BELL'S RACIAL REALISM THEORY

Notwithstanding his claim that black people will never gain full equality, Bell nevertheless rejects the contention that he has "given up, or surrendered, or, worse, sold out."²⁶ Bell argues, instead, that confronting the permanence of racism is a prerequisite to the development of alternative strategies based on racial realism. Thus, while much of *Faces at the Bottom of the Well* is devoted to convincing the reader that racism is a permanent part of the American landscape and that our civil rights strategies have and will continue to fail (indeed, that civil rights gains have been turned to losses), Bell attempts to present a second, somewhat more hopeful message. In the face of certain defeat, Bell suggests, perhaps too simply, that salvation lies in the struggle itself. "Armed with this knowledge," he explains, "we can accept the dilemmas of committed confrontation with evils we cannot end."²⁷

One need not agree fully with Bell's gloomy assessment of the achieve-

24. *Id.* at 181.

25. *Id.* at 194.

26. *Id.* at 92.

27. *Id.* at 198.

ments and potential of conventional liberal civil rights strategies to appreciate the need to come to terms with the persistence of racism. Bell's racial realism permits one both to view with skepticism liberalism's promise of equality and to remain committed to the struggle for racial justice. If the struggle for racial justice will never be won, however, the traditional goals of the civil rights movement can no longer define the content of the struggle in any meaningful way. As Audre Lorde wrote over a decade ago:

Those of us who stand outside the circle of this society's definition of acceptable women; those of use who have been forged in the crucibles of difference . . . know that *survival is not an academic skill*. It is learning how to stand alone, unpopular and sometimes reviled, and how to make common cause with those others identified as outside the structures in order to define and seek a world in which we can all flourish. It is learning how to take our differences and make them strengths. *For the master's tools will never dismantle the master's house.*²⁸

Echoing Lorde's characterization of the position of blacks within the social structure and the limitations of traditional strategies, Bell notes that, after decades of civil rights progress, "we remain what we were in the beginning: a dark and foreign presence, always the designated 'other.'"²⁹ Bell's challenge, then, as Lorde would perhaps characterize it, is to forge new tools even while recognizing that the master's house may never be fully dismantled. For, in this effort, one is transformed not by the hope for victory, but by the possibility of transcendence through struggle.

A. *Telling Stories*

Bell at once enlarges the task of achieving racial justice, putting the goal of ending racism beyond reach, and redefines it, reducing the task to a struggle for agency—that is, a struggle against objectification and the designation of "other." As African-American scholars, including Bell, have suggested, one component of this struggle for agency is the effort to develop a self-defined consciousness that rejects the master's images.³⁰ Much recent commentary on race, including *Faces at the Bottom of the Well*, reflects the importance of this task. Bell and other critical race theorists have drawn heavily on personal experience and have urged storytelling as a means of combatting the self-doubt that stems from racial oppression.³¹ Similarly, conservative scholars, also critical of traditional civil rights strategies, have relied on personal experience to illustrate the consequences of what they deem failed efforts at reform,

28. Audre Lorde, *Sister Outsider* 112 (1984).

29. *Faces at the Bottom of the Well*, *supra* note 1, at 10.

30. See Patricia H. Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* 110 (1991).

31. See Richard Delgado, *Derrick Bell and the Ideology of Racial Reform: Will We Ever Be Saved?*, 97 *Yale L.J.* 923 (1988).

particularly affirmative action.³² Apart from the contribution that each of these personal narratives may have made to our understanding of the consequences of racism, taken together they illustrate the recognition that knowledge, including self-knowledge, is power.

Bell addresses the complexity and importance of this struggle for self-knowledge somewhat indirectly in several chapters of *Faces at the Bottom of the Well*. In "The Rules of Racial Standing," for example, Bell argues that blacks are denied standing to define the harms of racism—to name their oppression—in that their attempts to do so are deemed "special pleading" and thus not entitled to serious consideration.³³ This phenomenon derives, at least in part, from the simultaneous acceptance of the white male as the norm against which difference is measured and the denial that that norm is both race and gender-defined.³⁴ In other words, the efforts of African-Americans to confront racial issues are deemed special pleading while the efforts of whites are not, because, according to the accepted equation, only people of color have a race. For Bell, the rules of racial standing deal a double blow, simultaneously denying blacks full voice to articulate their own experiences, an essential component of the struggle against objectification, and obscuring the harms of racism by silencing its victims.

B. *Telling Tales*

Professor Bell is properly critical of this denial of standing, a critique that derives from his own struggle throughout his career to articulate the harms of racism. Nevertheless, despite the importance that Bell assigns to the task of self-realization and individual engagement in struggle, his response to black voices that have begun to be heard is less than fully supportive. In contrast to the denial of standing that greets blacks critical of white racism, Bell notes that blacks willing to criticize others within the African-American community are granted enhanced standing by whites.³⁵ As an example of this phenomenon of enhanced standing, Bell cites the popularity of black women writers such as Ntozake Shange and Alice Walker, writers who have addressed in their work the abuse African-American women have suffered not only from whites but from

32. See Stephen Carter, *Reflections of an Affirmative Action Baby* (1991); Shelby Steele, *The Content of Our Character: A New Vision of Race in America* (1990).

33. See *Faces at the Bottom of the Well*, *supra* note 1, at 111.

34. Cf. Catharine A. MacKinnon, *Toward a Feminist Theory of the State* 215-34 (1989) (discussing the legal standard by which a woman's claim to equality is assessed according to the degree to which she meets male-defined standards).

35. On pages 115 and 116 of *Faces at the Bottom of the Well*, Bell cites as examples Professors Stephen Carter and Shelby Steele, each of whom has recently published a book critical of civil rights policies of the past, including affirmative action. See Carter, *supra* note 32; Steele, *supra* note 32. For a detailed discussion of this controversy, see Scott Brewer, *Introduction: Choosing Sides in the Racial Critiques Debate*, 103 Harv. L. Rev. 1844 (1990); Randall L. Kennedy, *Racial Critiques of Legal Academia*, 102 Harv. L. Rev. 1745 (1989).

black men as well. In a sense, Bell criticizes Shange and Walker for telling tales out of school.

In his critique of black women writers, Bell revives a controversial theme from *And We Are Not Saved*. In that earlier work, he attributes at least some of the problems of black men to their inability to assume the traditional role of male within patriarchal society.³⁶ Bell notes, for example, that racism denies black men the opportunity to provide for their women and families.³⁷ As an empirical matter, this observation is virtually indisputable given the economic status among young black males. But if racism is a permanent part of the American landscape, as Bell maintains, black women who suffer at the hands of black men must either challenge this condition or accept it. What they cannot do, under Bell's own assumption, is wait for racism to end before attacking sexism within their own communities and households.³⁸

Bell's criticism of these writers, however qualified, highlights his tendency to treat race (as opposed to gender or class) as the principal axis for the purpose of analysis, while at the same time treating the African-American community itself as monolithic, despite gender and class differences within that community. Although Bell occasionally acknowledges the tensions created by these differences,³⁹ he does not fully explore their complexity. For example, in "The Last Black Hero," the chapter that addresses the relationship between black men and black women and the problem of interracial romance, Bell characterizes the hero's political dilemma as a choice between a white woman, who represents "a way of doing better for yourself,"⁴⁰ and a black woman, who for the black man "is the equivalent of home."⁴¹ Bell offers no critique of the underlying assumption that the women in the story represent status, either social or political. Nor does he explore the implications of the role of hero as derivative of patriarchal social structure (even as the denial of that role to black men is derivative of racism).

In fairness, it is not Bell's goal or necessarily his responsibility to address the full complexity of race, class, and gender issues (and the significance of their intersection) in a single narrative. Nevertheless, his failure fully to acknowledge that complexity, combined with his discomfort over

36. *And We Are Not Saved*, *supra* note 3, at 198-214.

37. *See Faces at the Bottom of the Well*, *supra* note 1, at 117.

38. My experiences as a white feminist have led me to recognize at once the inadequacy of feminism's theoretical attempts to address racial and class differences among women and the primary importance of that effort. My criticism of Bell on this point, therefore, must be accompanied by an acknowledgement of both the difficulty and urgency of the task.

39. *See, e.g., Faces at the Bottom of the Well*, *supra* note 1, at 26 (Bell's fictional cab driver reminds him that "you movin'-on-up black folks hurt us everyday blacks simply by being successful"); *id.* at 127-46 (discussing tokenism in hiring at elite law schools).

40. *Id.* at 80.

41. *Id.* at 81.

black women writers' efforts to explore some of the issues he chooses to overlook, is troubling.

To the extent that Bell, in his chapter on racial standing, means only to warn those who would be publicly critical of the misuses to which their criticism may be put, his point is a powerful one. Certainly any criticism from within the community carries with it a substantial danger that it will be appropriated and used to undermine racial progress. At the same time, Bell acknowledges that this appropriation has happened historically despite the most carefully designed strategies of civil rights activists of past decades—that is, legal gains in the struggle for racial equality have been transformed to serve the ends of a white elite. If one accepts, as Bell seems to, the virtual inevitability of this cooptation, one wonders why the answer is nevertheless to err on the side of silence.⁴²

Ultimately, Bell's description of racism as a permanent condition is calculated to lead not to despair but, perhaps ironically, to freedom—the freedom from false hope in the unrealized and perhaps unrealizable promise of racial justice. To seize the full measure of this freedom, one must, as Bell himself explains, “first recognize and acknowledge (at least to ourselves) that our actions are not likely to lead to transcendent change and may indeed, despite our best efforts, be of more help to the system we despise than to the victims of that system whom we are trying to help.”⁴³ This recognition can, and indeed must, lead to the potential to think critically and creatively about the complexity of all forms of oppression, a potential that Bell does not fully realize in this work.

CONCLUSION

Despite this limitation, *Faces at the Bottom of the Well* offers a powerful argument in favor of rethinking traditional strategies in the struggle against racism. Although many will find Bell's assessment of the current status of race relations and the prospects for racial justice difficult to accept, he forces the reader to face simultaneously both the permanence and the profound danger of racism in American society. In so doing, Bell eliminates both the hope of victory and the possibility of complacency. Far from leaving us to despair, Bell offers, both in this work and in the example of his own life, the possibility of transcendence through the task of delegitimizing, if not ending, racism.

Paradoxically, this final hopeful message is probably best articulated in the first chapter of *Faces at the Bottom of the Well* entitled “Racial Symbols: A Limited Legacy.” In that story, Bell's fictional cab driver quotes a passage from Toni Morrison's *Beloved* in which Denver, a character terrified of white people, summons the courage to leave her house to seek

42. See Brewer, *supra* note 35 (considering whether the political climate is too dangerous to venture criticism from within).

43. *Faces at the Bottom of the Well*, *supra* note 1, at 198-99.

help for her sick mother. Denver imagines a conversation with her grandmother, an escaped slave:

"But you said there was no defense," Denver says, meaning against white people. . . .

"There ain't," says her grandma in her mind.

"Then what do I do?"

"Know it, and go on out the yard. Go on."⁴⁴

In *Faces at the Bottom of the Well*, Bell, like Denver's wise grandmother, leads the way toward acknowledging the danger while leaving no possibility but engagement.

44. *Id.* at 29 (quoting Toni Morrison, *Beloved* 244 (1988)).

